

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, SEPTEMBER 18, 2023
4:00 P.M.**

MINUTES

1) Meeting was called to order at 4:01 p.m.

2) Roll Call Board

Members present: Keith Burney, John Ruggeri, Jeff Hulsberg, Bill Lanni, Alex Clay, Dale Jackson, Thomas Walsh. Scott Lilley

Board Members absent/excused: Robert Blood

Staff Members present: Raquel Santiago, Lori Troxel, Code Enforcement Officers, Roderick Potter, Code Enforcement Manager, Kealey West, Staff Attorney, John Adams, Senior Plans Examiner, Emily Lunn, Code Enforcement staff

Public present: James Brown, 2 Valencia Street

3) Minutes from August 21, 2023, reviewed for approval (Section 2)

A motion was made by J. Hulsberg, seconded by D. Jackson to accept the August 21, 2023 minutes as presented.

All in favor. So voted.

4) Public information, exparte communications, and identification of persons present for cases on the agenda read by the Chair (Section 1)

5) Swearing In

6) Old Business

a. Unsafe Building Abatement Case 23-03 (Troxel)

3560 Coastal Hwy, Saint Augustine

The Board heard this case on April 17, 2023. Upon finding the facts presented, you ordered the County to take all necessary action to abate the hazardous structure located on the property, including demolishing the structure and removing the demolition debris. This order was sent by certified mail and was returned unclaimed. The order was then mailed via regular US Mail, and the property and St. Johns County Courthouse were posted on May 2, 2023. Exhibit A (5 Pages)

The structure was demolished on or about August 20, 2023, by Elev8 Demolition. Exhibit B (1 Photograph) The photograph was taken by myself and is a true and accurate representation of the state of the property at the time it was taken.

The County was invoiced under Invoice #2599 in the amount of \$21,833.50 for the completion of the demolition by Elev8 Demolition. Per St. Johns County Ordinance 2000-48, Chapter 5, Section 502, the Enforcement Official shall add to the total cost an administrative fee of ten percent (10%) of the cost incurred by the County, whether the work is performed by the County or an independent contractor on behalf of the County. Ten percent (10%) of the cost is \$2,183.35. Exhibit C (2 pages)

A Notice of Cost Confirmation Hearing dated August 21, 2023, was sent by certified mail. The green card was signed by Archibald Thomas on August 24, 2023. Exhibit D (2 Pages)

Therefore, the County requests you confirm the price of abatement at \$24,016.85 and order it to be recorded with the Clerk of Courts as a lien against the property to the extent permitted by law.

A motion was made by B. Lanni, seconded by D. Jackson to confirm \$24,016.85.00 as the cost of abatement and so order it to be recorded with the Clerk of Courts as a lien against the property to the extent permitted by law.

All in favor. So voted.

b. Unsafe Building Abatement Case 23-04 (Santiago)

201 State Road 16, Saint Augustine

On 5.15.2023, The Board Ordered the county to take all necessary action to abate the violation by removal of all structures, demolition debris, along with any miscellaneous junk, trash, or debris outside of the structure and to place those costs as a lien against the property for case 23-04 at 201 State Road 16. A copy of the Demolition Order dated May 15, 2023 was sent via Certified Mail and signed for on June 13, 2023. Exhibit A (3 pages).

The demolition was completed by Elev8 on or about August 8, 2023. Exhibit B (1 photograph). These photographs were taken by myself and are a true and accurate representation of the property at the time they were taken.

The County was invoiced and paid \$35,980. Per Ordinance 2000-48, Chapter 5, Section 502, the County shall add to the total cost an administrative fee of ten percent, \$3,958. Therefore, the County requests you confirm the cost of abatement at \$39,578.00 and order it to be recorded with the Clerk of Courts as a lien against the property to the extent permitted by law. Exhibit C (1 Page).

A Notice of Cost Confirmation Hearing dated August 9th, 2023 was sent via certified mail and signed for on 8.16.2023. Exhibit D (2 pages).

A motion was made by B. Lanni, seconded by J. Hulsberg to confirm \$39,578.00 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 respondent.

All in favor. so voted.

c. Unsafe Building Abatement Case 23-05 (Irving)

590 Woodlawn Road, Saint Augustine

The Board found the property in violation and ordered the respondents to abate the violations by September 01, 2023. The order was posted at the SJCH and the Property on July 19, 2023. Exhibit A (4 Pages and two photographs). The photographs were taken by Ofc. Henry Irving and are a true and accurate representation of the property at the time they were taken.

Structural Demolition Permits were obtained on June 15, 2023. Exhibit B. (3 pages).

An inspection on August 25, 2023, revealed that the unsafe structure had been abated. Exhibit C (2 photographs), the photographs were taken by Ofc. Henry Irving and are a true and accurate representation of the property 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.

A motion was made by A. Clay, seconded by J. Ruggeri to find the Respondent in compliance with Ordinance 2000-48, Unsafe Building Abatement Code and dismiss the case from any further board action at this time.

All in favor. So voted.

d. Unsafe Building Abatement Case 23-08 (Troxel)

236 North Boulevard, Saint Augustine

On July 17, 2023, the board ordered the respondent(s) to repair and decontaminate the structure, clean and properly dispose of the exterior junk and debris, or they could remove the structure from the property. Exhibit A (3 pages)

The board-signed order was sent by certified mail and posted at the courthouse and at 236 North Blvd. We also posted a notice of this hearing in the St. Augustine record for four consecutive weeks, ensuring proper notice was provided to all with an interest in the property. The certified mail was received and signed for by four of the six they were sent to. Exhibit B (9 pages)

The financial institution had its property preservation company Safeguard Properties, conduct a preliminary decontamination assessment which was done by Meth Lab Cleanup Company on August 30, 2023. Exhibit C (18 pages)

The report and corresponding email notifications determined the property was contaminated by methamphetamine and fentanyl to the extent the structure should be demolished. Exhibit D (5 pages)

The property remains open to trespass, with most of the windows and doors open. Debris remains strewn throughout the property, and the fence is dilapidated and falling down. Exhibit E (8 Photographs) These photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

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 debris outside of the structure along with the fence, 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 J. Ruggeri, seconded by D. Jackson 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.

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 4:32 p.m.

Respectfully submitted,

*Kathleen Nichols
Clerk of Court*

Approved by,

*Keith Burney
Chairman*