



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
NOVEMBER 1, 2018
5:30 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM**
- 2. APPROVAL OF MINUTES**
 - 2.1 *The minutes from October 4, 2018 are presented for approval.*
- 3. OLD BUSINESS**
- 4. NEW BUSINESS**
 - 4.1 **GEORGE LEE LANNON, 1423 HIGHLAND DRIVE, CASE 18-00125.** Violation(s) of the City of Fernandina Beach Land Development Code exist: Section 7.01.05 Recreational Vehicles, Boats, Trailers, or Similar Items. *Requesting Board determination of the case.*
 - 4.2 **MELISSA A & EDWARD E SLAMINKA, 910 DIVISION STREET, CASE 18-00113.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116 (a) Cleaning of lots, maintenance of structures; and 22-101 Standard Housing Code - Adoption, enforcement, permit requirements. *Requesting Board determination of the case.*
 - 4.3 **JUANITA C RYALS, 205 NORTH 14TH STREET, CASE 18-00124.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 (a), cleaning of lots; maintenance of structures; and Section 66-40 Disposition of garbage; covering of containers. *Requesting Board determination of the case.*
- 5. BOARD BUSINESS**
- 6. ADJOURNMENT**

Quasi-Judicial – Denotes that the item must be conducted as a Quasi -Judicial hearing in accordance with City Commission established procedure and Florida Statutes.

All members of the public are invited to be present and be heard. Non -English speaking individuals may request a language or sign interpreter at least ten (10) working days prior to this meeting. Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310 - 3115 or TTY/TDD 711 (for the hearing or speech impaired).

For information regarding this matter, please contact the Community Development Department (904) 310-3135. If any person decides to appeal any decision made by the Code Enforcement & Appeals Board with respect to any matter

considered at such meeting he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

1. Call to Order/ Roll Call/Determination of Quorum – The meeting was called to order at 5:32 pm.

Council Members Present

Chair Buddy Boyd	Marlene Chapman
Vice Chair Adam Kaufman	Henry Byrd
Gail Schults	Christine Harmon

Council Members Absent

Cynthia Crow

Others Present

Tammi Bach, City Attorney	George Wells, Code Enforcement Officer
Michelle Forstrom, Code Enforcement Manager	Katie Newton, Recording Secretary

Chair Boyd called the meeting to order.

2. Approval of Minutes – According to the agenda support documents, the Minutes for the September 6, 2018, Regular Hearing were presented for approval. **A motion was made by Vice Chair Kaufman, seconded by Member Chapman, to approve the Minutes. Vote upon passage of the motion was taken by voice vote being all ayes, carried.**

City Attorney Bach explained quasi-judicial hearings.

3. Old Business

3.1 TANYA J. WEBSTER, 1016 BROOME STREET, CASE 17-00133

Property owner requests a reduction of fines.

Ms. Tanya Webster spoke to the Board on her behalf. She stated that during the time of the violations, her father was very ill, and she did not pay much attention to the yard while she was away helping her ill parents. She believes the property was being used as dumping ground in her absence.

George Wells, City staff, explained that the City does not recommend a reduction at this time.

Ms. Webster explained that the property has been cleaned up, and Mr. Wells confirmed that the property had been in compliance since March 12, 2018. Chair Boyd stated that the total amount of fines was \$5000.00 plus administrative fees.

Mr. Wells refuted some of the comments Ms. Webster put in her letter. He stated that the property was properly served notice, and that the notice of visit was posted, and certified letters were returned signed. He showed a picture of the vehicle on the property with an expired tag.

Ms. Rose Williams, Ms. Webster's mother, explained that Ms. Webster had moved temporarily to Georgia to assist them with diabetes complications, and hadn't seen the letter.

Chair Boyd asked for discussion.

Member Shults asked if the fines all had to be paid at once. Ms. Forstrom explained that a payment plan could be set up.

Member Chapman asked where Ms. Webster was living, and Ms. Webster stated that she is a contractor in Georgia and lives there and comes back home occasionally.

Member Byrd asked who owned the property. Ms. Webster explained that it had been deeded over to her from her parents twenty years previously, and there had never been an issue with the property brought before the Board. Ms. Williams states that Ms. Webster was a single mother and the fine was a financial burden especially with the recent illnesses.

Member Byrd explained that in the past, when property changed hands, the Board tried to accommodate; but past precedent does not give much leeway.

Member Chapman asked why the City did not recommend a reduction. Mr. Wells stated that the letter had some inaccurate statements. Vice Chair Kaufman asked what in the letter was problematic, and Mr. Wells stated that someone signed for the letter and the tag was not up to date. Vice Chair Kaufman stated the yard was cleaned up within three months, and within a month after her father passed away, and it is currently in compliance, and Mr. Wells said that was correct.

There was a discussion about people signing for other's mail, and Mr. Wells and Ms. Webster reviewed the signature on the receipt.

Mr. Wells revised the City's recommendation to reduce the fine by \$1000.00.

A motion was made by Vice Chair Kaufman, seconded by Member Byrd, to reduce fines to \$2500.00 plus administrative fees of \$196.92. Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

3.2 MARK O'BRIEN, 400 8TH STREET, CASES 15-00058, 17-00007, & 17-00114.

Staff to provide update.

Code Enforcement Manager Forstrom provided an update: the item had been on a City Commission meeting agenda but had been removed. Ms. Hill, representing Mr. O'Brien, had a phone conversation with Ms. Forstrom regarding the status and had pulled a demolition permit for the sign. Ms. Forstrom is optimistic that other items will soon follow and that this is a step in the right direction since no action has been taken on the property since 2015.

City Attorney Bach explained that it was on the Commission agenda because the Commission can reduce fines and release liens, and at the time there was a potential buyer for the properties. The buyer stopped communicating and then they pulled the item.

Vice Chair Kaufman asked for a timeline on pulling permits. His attorney is trying to help him get things in order. He wants to know when it would be time to foreclose on the property. Ms. Forstrom had told Ms. Hill when the sign comes down and fines stop, a timeframe will need to be provided for the rest. City Attorney Bach suggested at the new year, foreclosure might be filed.

The Board agreed by consent that at the first meeting in January 2019, the cases will come back before the Board to recommend whether or not to foreclose.

3.3 JAMES P. RANKOSKY, 613 FIR STREET, CASE 16-00001.

Staff to provide update.

Ms. Forstrom provided an update that as of October 3, the finals were approved and the property is in compliance. They still owe \$5000.00 plus \$702.00 in administrative fees. Once paid, it will be closed. The neighbors are happy.

4. New Business

4.1 JOHN W. & LINDA K. BUSH, 105 N. WOLFF STREET, CASE 17-00045

Violation(s) of the City of Fernandina Beach exist: Section 42-116(a&b) Cleaning of lots, maintenance of structures.

Ms. Newton swore in witnesses.

Chair Boyd read the case. Mr. Wells presented for the City and submitted evidence into the record. This is a long-standing case that dates back to June 2017, when the City received complaints from the neighbors about junk and overgrowth. At various inspections, it appears like different areas have been worked on (for example, the front yard will have been mowed). Letter returned unclaimed, so Mr. Wells hand delivered and posted notice. Ms. Bush asked for an extension on January 25 and was granted because the City was trying to work with them. They did just enough to prevent it from coming before the

Board, and at this point it is before the Board. Staff recommends a fine of \$100.00 per day per violation plus all administrative fees.

A motion was made by Vice Chair Kaufman, seconded by Member Byrd, find the property in violation of 42-116 (a & b). Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

A motion was made by Vice Chair Kaufman, seconded by Member Byrd, to collect fines of \$100.00 per day and all applicable administrative fees beginning October 9, 2018, if not in compliance. Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

4.2 HERIBERTO GONZALEZ, 412 S. 13TH TERRACE, CASE 18-00105

Violation(s) of the City of Fernandina Beach exist: Section 42-61(4) Health Nuisances – Enumerated.

Chair Boyd read the case. Mr. Wells presented for the City and entered evidence into the record. The City was called on a neighbor's complaint about a pool creating mosquito infestation. The neighbor gave access to take pictures of the stagnant water in a pool. Notice was sent via mail and acknowledged by signature. Mr. Gonzalez was out of town for the meeting and informed Mr. Wells he would try to clean it up over the weekend. City recommends a fine of \$50.00 per day plus administrative fees.

A motion was made by Vice Chair Kaufman, seconded by Member Byrd, find the property in violation of 42-61(4). Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

A motion was made by Vice Chair Kaufman, seconded by Member Byrd, to collect fines of \$50.00 per day and all applicable administrative fees beginning October 9, 2018, if not in compliance. Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

4.3 JOHN LUTHER PETERS, 832 SOUTH 8TH STREET, CASE 17-00115

Violation(s) of the City of Fernandina Beach exist: Section 42-116(a) Cleaning of lots, maintenance of structures.

Chair Boyd read the case. Mr. Wells presented for the City and entered evidence into the record. He stated that that his conversation with the owner, the owner became confrontational and did not want to clean up his property when there was City property that needed some upkeep. Mr. Lester from City maintenance came out and resolved the issues with the City-owned property. Mr. Wells recommends a fine of \$50 per day plus administrative fees.

Chair Boyd asked Mr. Wells to show which parts of the photos were right-of-way versus Mr. Peters' property. He remembered that this owner had objections to upkeep his property more than the right-of-way. City Attorney Bach stated that the state is responsible for maintaining the right-of-way.

A motion was made by Member Chapman, seconded by Vice Chair Kaufman, find the property in violation of 42-116(a). Vote upon passage of the motion was taken by ayes and nays, and all in favor, passed.

A motion was made by Vice Chair Kaufman, seconded by Member Chapman, to collect fines of \$50.00 per day and all applicable administrative fees beginning October 9, 2018, if not in compliance. Vote upon passage of the motion was taken by ayes and nays, and being 4-2, passed. Member Byrd and Shults voted nay.

5. Board Business

Code Enforcement Manager Michelle Forstrom reminded the group that the Board still has openings for two alternates.

6. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned at 6:33 p.m.

STAFF REPORT
Case 18-00125
City of Fernandina Beach Code Enforcement & Appeals Board
November 1, 2018

Violation Information

Owner George Lee Lannon
 1423 Highland Drive
 Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – LDC Section 7.01.05
 Recreational Vehicle, Boats, Trailers, or Similar Items

Location: 1423 Highland Drive, Fernandina Beach, Florida 32034

Summary and Background Information

October 10, 2018, During a proactive sweep of this area I noticed that the boat that was previously cited for being parked in the front yard is back on this property parked on the front yard again. I recorded photographs of the violation.

October 15, 2018, I hand delivered a copy of the NOV/NOH letter and presented it directly to Mr. Lannon giving him ten (10) days to correct the violation.

October 24, 2018, A field visit to this property I observed no change that the boat is still parked on the front yard.

Conclusion:

I spoke with Mr. Lannon on October 15, 2018 where he explained that he would move the boat, but it did not matter about the fines because his property was being foreclosed on in the upcoming months.

Recommendation

The City recommends a fine of \$ 50.00 per day for the violation, along with administration fees incurred.

Submitted by:



George Wells
Code Compliance Officer



**ADMINISTRATIVE FEES INCURRED FROM
1423 Highland Drive
AS OF 11/01/18
CODE CASE #18-00125**

<u>STAFF PERSONNEL OR ITEMS</u>	<u># OF UNITS OR HOURS</u>	<u>PRICE OR RATE PER HOUR</u>	<u>TOTAL</u>
Michelle Forstrom, Code Enforcement Manager	1	\$23.13	\$23.13
George Wells, Code Compliance Officers	3.5	\$20.80	\$72.80
Katie Newton, Board Secretary/Legal Assistant	1.5	\$21.63	\$32.45
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$10.00	\$10.00
Certified letters mailed	0	\$6.48	\$0.00
First Class letters mailed	1	\$0.48	\$0.48

TOTAL ADMINISTRATIVE FEES DUE

\$138.86

**** TOTAL AMOUNT DUE MUST BE PAID IN FULL TO CLOSE THIS CASE AND AVOID A LIEN ON THIS
PROPERTY**



CODE ENFORCEMENT & APPEALS BOARD
NOTICE OF VIOLATION/NOTICE OF HEARING

October 15, 2018

Posted Notice On Front Door

Case Number: 18-00125

IN THE MATTER OF:

George Lee Lannon
1423 Highland Drive
Fernandina Beach, FL 32034

PREMISES: 1423 Highland Drive, Fernandina Beach, FL 32034

THE BRIEF LEGAL DESCRIPTION OF THE REAL PROPERTY UPON WHICH THIS VIOLATION OCCURRED IS: PT OF LOTS 19 & 18 IN OR 892/1322 OUTLOTS S/D UNR, FERNANDINA BEACH, FL 32034.

The Code Enforcement office of the City of Fernandina Beach is notifying you of alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **7.01.05 LDC SPECIFIC PARKING RESTRICTIONS FOR COMMERCIAL VEHICLES, RECREATIONAL VEHICLES, BOATS, AND TRAILERS** These can be found on the City's website: www.fbfl.us/code. This letter specifically addresses the boat parked in the front yard.

Therefore, you are hereby directed to remedy and discontinue the problems by: remove or store the boat in a proper structure or in side or rear yard by October 25, 2018 ten (10) days from the date of this notice, and if this office is not notified of compliance by you, this department will refer this matter to the Code Enforcement & Appeals Board for legal action at the date and time listed below.

DATE: November 1, 2018
TIME: 5:30 p.m.
LOCATION: City Commission Chambers, 204 Ash Street
Fernandina Beach, Florida 32034

YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances.

If the Board finds that you are in violation, they will consider all appropriate actions required to bring the property into compliance, which may include, but is not limited the recovery of fees, and fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation).

Please be advised that the Rules of the Code Enforcement & Appeals Board and the Code of Ordinances of the City of Fernandina Beach govern the procedures of the Board.

PLEASE GOVERN YOUR SELF ACCORDINGLY.

If you have any questions, please feel free to contact me (please see my attached business card for contact information).



George Wells
Code Compliance Officer

Hearing impaired or non-English speaking individuals may request a language or sign interpreter at least (10) ten working days prior to this hearing. Please contact the City Clerk's office at (904) 310-3115.

AFFIDAVIT OF SERVICE

State of Florida
County of Nassau

Code Enforcement Case Number: 18-00125

I, George Wells, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Code Enforcement;
2. That part of my duties include posting Notice of Violation/Notice of Hearing letters, and other correspondence; and
3. That on the 15th Day of October, 2018, at 3:30 P.M., I hand delivered a Notice of Violation/Notice of Hearing letter for **Case 18-00125, Lannon, George Lee, 1423 Highland Dr., Fernandina Beach, FL 32034** to George Lee Lannon, 1423 Highland Dr., Fernandina Beach, FL 32034.

FURTHER AFFIANT SAYETH NAUGHT.

Signature: _____

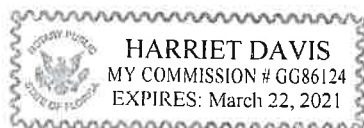


George Wells

(Printed name of Code Compliance Officer)

Subscribed and sworn to before me, a notary public in and for the State of Florida, this 15th day of October, 2018.

(SEAL)



Signature: _____



Harriet Davis
(Printed name of Notary)



10.10.2018 14:25

1423

SEAS

10.10.2018 14:25

STAFF REPORT
Case 18-00113
City of Fernandina Beach Code Enforcement & Appeals Board
November 1, 2018

Violation Information

Owner: Melissa A & Edward E Slaminka, 910 Division Street, Fernandina Beach, FL 32034

Violation: City of Fernandina Beach Code of Ordinances, Section 42-116 (a), cleaning of lots; maintenance of structures; 22-101 Standard Housing Code – Adoption; enforcement; permit requirements.

Location: 910 Division Street, Fernandina Beach, FL 32034

Summary and Background Information

April 4, 2018, After receiving complaints about this property, two Police investigators and I visited this property and talked to Melissa Slaminka, the property owner, about not having electricity or water hooked up to the house; the overgrown yard; the disrepair of the fence; the inoperable vehicle in the front yard; and the trailer in the back yard allegedly, being used as living quarters. She told me that she and her husband had gone their separate ways and all she wanted was to be left alone and live the way she wanted to. I explained that while living in City limits, hot and cold running water and power is required in a dwelling unit that is inhabited. She told me that she hooked up her car's solar power into the house, but that she did not have the water turned on. Then Mr. & Mrs. Gainey appeared, they are living there as well. Mr. Gainey said that he would have the water turned on by the end of the week in his name. He also told me that the trailer in the back yard was his, and that no one was living in it. He took me back there to show me. I confirmed this and took pictures. They all told me that they would get the vehicle currently tagged, clean up and cut the yard within 10 days.

April 26, 2018, I checked with the Utilities Department and the water was turned on April 18, 2018 in Mr. Gainey's name. I re-inspected this property with the two investigators and talked to Melissa Slaminka, I told her that the fence had to be repaired, the back yard still needed to be cut, the front yard looked much better, the vehicle was still untagged. They are working on getting the vehicle tagged.

July 25, 2018, After receiving complaints that someone was living in the carport and sleeping outside at night in a hammock, I revisited this property and found that the carport had been enclosed without a permit, sheets hung all over the front yard and porch for what appeared to be shelter. All kinds of junk was on the front porch. No one was home. I took pictures I talked to the neighbor that lives across the street, he confirmed that someone was living in the carport and paying rent with no electricity. I took pictures.

I kept trying to catch someone living there so that I could get evidence, to no avail. I told the interim Building Official about the enclosed carport with a permit.

August 28, 2018, Jim Hare, the interim Building Official investigated the property. The man who was renting and staying in the carport was there and gave Jim a tour. Jim took pictures and posted a "STOP WORK" Order.

August 29, 2018, I posted a Notice of Violation/Notice of Hearing letter for living there without running hot and cold water or power. I was escorted by the police investigators again. I also talked to the neighbor again, who told me that the man that was living in the carport left town last night and that the owner and others weren't really living there anymore. They just visit every couple of days. I took pictures.

September 9, 2018, Melissa called me. She told me that no one was living there anymore and asked what she needed to do now to bring the property into compliance. I told her that she needed to get in touch with the Building Official about the STOP WORK order. I told her that if it was going to remain vacant, it needed to be cleaned up. They needed to take down all of the sheets, clean up the front porch, removing everything, cut and clean up the entire yard, so that the neighbors won't have anything to complain about. She said that she would get everything taken care of.

October 5, 2018, After driving by the property and seeing that nothing had been done to bring the property into compliance, I posted a Notice of Violation/Notice of Hearing letter with one of the investigators as a chaperone, for the yard and carport enclosure without a permit. I took more pictures.

October 24, 2018, I re-inspected the property, nothing had changed. I took pictures. I called Melissa and left her a message to please call me back as soon as possible. I never heard from her.

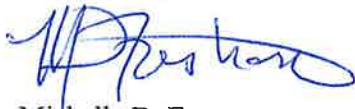
Conclusion

I have not heard anything from anyone regarding this property. The property is still in violation. This property appears to be going into foreclosure.

Recommendation

Staff recommends assessing a \$100.00 fine per day, per violation (junk on the porch and in the yard, the overgrown yard, and the unpermitted carport enclosure) and administrative fees incurred until compliance is achieved.

Submitted by:

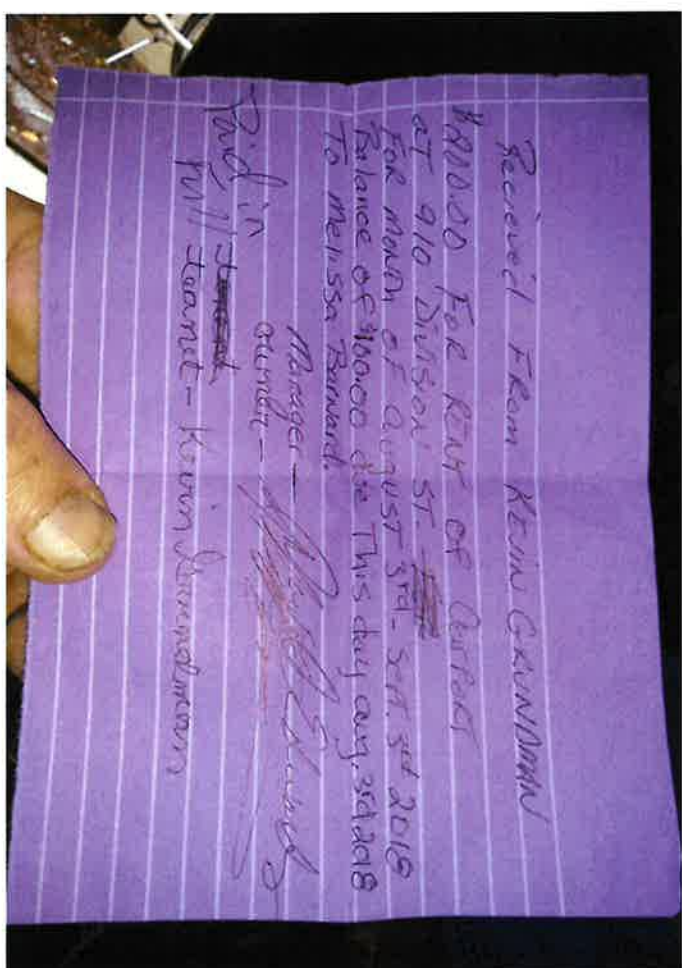


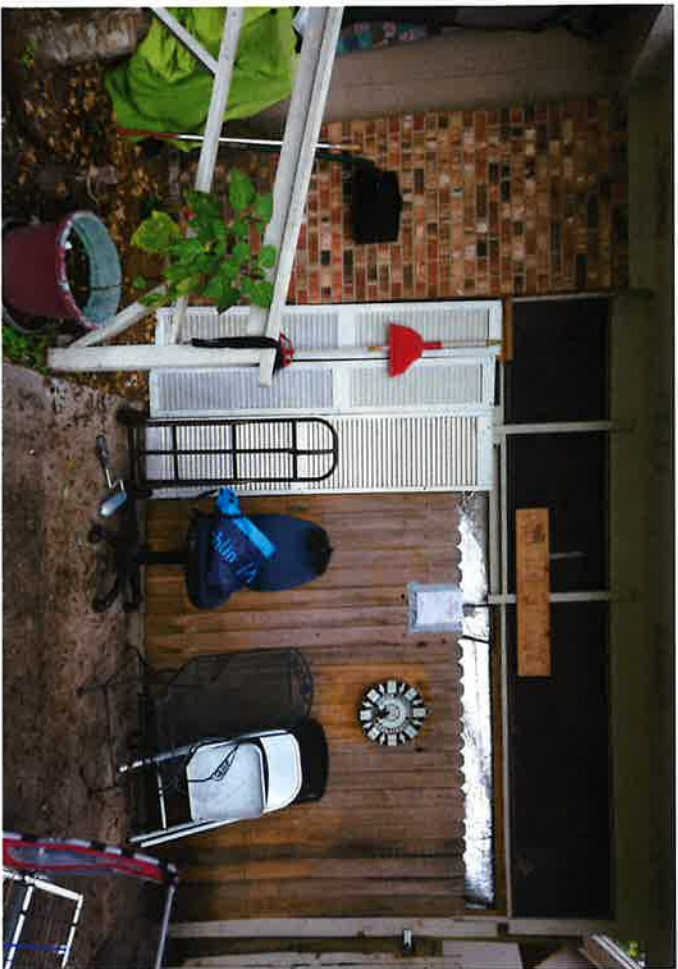
Michelle D. Forstrom
Code Enforcement Director













CODE ENFORCEMENT & APPEALS BOARD
NOTICE OF VIOLATION/NOTICE OF HEARING

August 29, 2018

Case Number: 18-00113

HAND DELIVERY

IN THE MATTER OF:

Melissa A & Edward E Slaminka
86135 Courtney Isles Way #3208
Yulee, FL 32097

PREMISES: 910 Division Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 213 N'LY 65.5 FT OF E100 FT OF W130 FT OF LOT 7 IN OR 1904/1778, Fernandina Beach, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **Section 22-26 (12) Adoption of codes by reference, International Property Maintenance Code 2012 edition, Chapter 5, Section 505 Water System; and 506 Sanitary Drainage System; /Chapter 6, Section 604 Electrical Facilities, 604.1 Required.** (This can be found on the City's website: www.fbfl.us/code); and **Chapter 3 Definitions, 3.3.97 Dwelling Unit.** One or more rooms arranged for complete, independent housekeeping purposes, with space for eating, living, and sleeping; facilities for cooking; and provisions for sanitation of the **FFPC 5th edition, NFPA 1, Fire Code, 2012 edition.** This letter specifically addresses no running water or sewer, while living at this residence and the inhabitable space in the carport that is being rented out and lived in.

Therefore, you are hereby directed to remedy and discontinue the problems by: getting the water, sewer and electricity turned on or permanently vacate the premises, by September 12, 2018 fourteen (14) days from the date of this notice; **immediately vacate the carport**, and if this office is not notified of compliance by you, this department will refer this matter to the Code Enforcement & Appeals Board for legal action at the date and time listed below.

DATE: October 4, 2018
TIME: 5:30 p.m.
LOCATION: City Commission Chambers, 204 Ash Street
Fernandina Beach, Florida 32034

YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances.

If the Board finds that you are in violation, they will consider all appropriate actions required to bring the property into compliance, which may include, but is not limited to demolition, recovery of fees, and fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation).

Please be advised that the Rules of the Code Enforcement & Appeals Board and the Code of Ordinances of the City of Fernandina Beach govern the procedures of the Board.

PLEASE GOVERN YOUR SELF ACCORDINGLY.

If you have any questions, please feel free to contact me (please see my attached business card for contact information).



Michelle D. Forstrom
Code Enforcement Manager

Hearing impaired or non-English speaking individuals may request a language or sign interpreter at least (10) ten working days prior to this hearing. Please contact the City Clerk's office at (904) 310-3115.

AFFIDAVIT OF SERVICE

State of Florida
County of Nassau

Code Enforcement Case Number: 18-00113

I, Michelle D. Forstrom, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Code Enforcement Department;
2. That part of my duties include hand delivering Notice of Violation/Notice of Hearing letters, and other correspondence; and
3. That on the 29th day of August, 2018, at 2:25 P.M., I posted the Notice of Violation/Notice of Hearing letter for **Case 18-00113, Melissa A & Edward E Slaminka, 910 Division Street, Fernandina Beach, FL 32034** to Melissa A & Edward E Slaminka, 910 Division Street, Fernandina Beach, FL 32034.

FURTHER AFFIANT SAYETH NAUGHT.

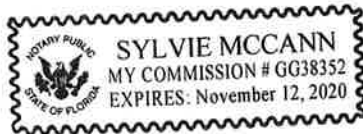
Signature: _____

Michelle D. Forstrom

(Printed name of Code Enforcement Manager)

Subscribed and sworn to before me, a notary public in and for the State of Florida, this 29th day of August, 2018.

(SEAL)



Signature: _____

Sylvie McCann

(Printed name of Notary)

ESP 11/12/20



CODE ENFORCEMENT & APPEALS BOARD
NOTICE OF VIOLATION/NOTICE OF HEARING

October 5, 2018

Case Number: 18-00113

PROPERTY POSTED

IN THE MATTER OF:

Melissa A & Edward E Slaminka
910 Division Street
Fernandina Beach, FL 32034

PREMISES: 910 Division Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 213 N'LY 65.5 FT OF E100 FT OF W130 FT OF LOT 7 IN OR 1904/1778, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-116 (A) Cleaning Of Lots; Maintenance of Structure; and 22-101 Standard Housing Code—Adoption; enforcement; permit requirements** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses the junk, debris, and similar items in front and back yard and porch; overgrown yard, especially the back yard, and the enclosure of the carport without a permit.

Therefore, you are hereby directed to remedy and discontinue the problems by: removing or storing in a proper receptacle, all junk, debris or similar items in front and back yard and porch; cutting the entire yard; and removing the carport enclosure by October 15, 2018 ten (10) days from the date of this notice, and if this office is not notified of compliance by you, this department will refer this matter to the Code Enforcement & Appeals Board for legal action at the date and time listed below.

DATE: November 1, 2018
TIME: 5:30 p.m.
LOCATION: City Commission Chambers, 204 Ash Street
Fernandina Beach, Florida 32034

YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances.

If the Board finds that you are in violation, they will consider all appropriate actions required to bring the property into compliance, which may include, but is not limited to demolition, the recovery of fees, and fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation).

Please be advised that the Rules of the Code Enforcement & Appeals Board and the Code of Ordinances of the City of Fernandina Beach govern the procedures of the Board.

PLEASE GOVERN YOUR SELF ACCORDINGLY.

If you have any questions, please feel free to contact me (please see my attached business card for contact information).

A handwritten signature in blue ink, appearing to read "Michelle D. Forstrom", with a stylized, flowing script.

Michelle D. Forstrom
Code Enforcement Manager

Hearing impaired or non-English speaking individuals may request a language or sign interpreter at least (10) ten working days prior to this hearing. Please contact the City Clerk's office at (904) 310-3115.

AFFIDAVIT OF SERVICE

State of Florida
County of Nassau

Code Enforcement Case Number: 18-00113

I, Michelle D. Forstrom, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Code Enforcement Department;
2. That part of my duties include hand delivering Notice of Violation/Notice of Hearing letters, and other correspondence; and
3. That on the 5th day of October, 2018, at 1:28 P.M., I posted the Notice of Violation/Notice of Hearing letter for **Case 18-00113, Melissa A & Edward E Slaminka, 910 Division Street, Fernandina Beach, FL 32034** to Melissa A & Edward E Slaminka, 910 Division Street, Fernandina Beach, FL 32034.

FURTHER AFFIANT SAYETH NAUGHT.

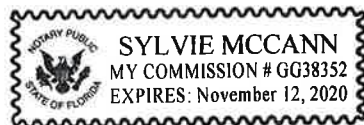
Signature: _____

Michelle D. Forstrom

(Printed name of Code Enforcement Manager)

Subscribed and sworn to before me, a notary public in and for the State of Florida, this 5th day of October, 2018.

(SEAL)



Signature: _____

Sylvie McCann

(Printed name of Notary)

620 11/12/20



Filing # 51643136 E-Filed 01/25/2017 05:22:59 PM

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR NASSAU COUNTY, FLORIDA

FIRST FEDERAL BANK OF FLORIDA
Plaintiff,

vs.

CASE NO.: 17-CA-15
DIVISION:

EDWARD E. SLAMINKA; MELISSA A.
SLAMINKA; UNKNOWN TENANT IN
POSSESSION 1; UNKNOWN TENANT IN
POSSESSION 2,
Defendants.

NOTICE OF LIS PENDENS

YOU ARE NOTIFIED OF THE FOLLOWING:

The plaintiff has instituted this action by the plaintiff against you seeking to foreclose a mortgage on, to partition, to quiet title to, or seeking other type of action, with respect to the property described below;

THE NORTHERLY 65.5 FEET OF THE EASTERLY 100 FEET OF THE WESTERLY 130 FEET OF LOT 7, BLOCK 213, CITY OF FERNANDINA BEACH, (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND BEING FURTHER DESCRIBED ACCORDING TO THE OFFICIAL MAP OR PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901).

DATED this 24 day of January 2017.

Mikael L. Hirsch (FL Bar No. 095601)
Quintanros, Prieto, Wood & Boyer, P.A.
255 S. Orange Ave., Ste. 900
Orlando, FL 32801
(407) 872-6011 Phone
(855) 287-0240 Toll Free
(407) 872-6012 Facsimile
Email: servicecopies@qpwbllaw.com
2nd Email: mikael.hirsch@qpwbllaw.com

STAFF REPORT
Case 18-00124
City of Fernandina Beach Code Enforcement & Appeals Board
November 1, 2018

Violation Information

Owner: Juanita C Ryals, 205 North 14th Street, Fernandina Beach, FL 32034

Violation: City of Fernandina Beach Code of Ordinances, Section 42-116 (a), cleaning of lots; maintenance of structures; 66-40 Disposition of garbage; covering of containers.

Location: 205 North 14th Street, Fernandina Beach, FL 32034

Summary and Background Information

March 26, 2018, After receiving complaints about this property, I visited this property and talked with the man of the house about the tree on the vehicle in the back yard; the piles of trash in the right-of-way; the junk in his yard; and the two inoperable vehicles in his front yard. He told me that he would take care of the tree, the yard and the vehicles. I took pictures.

April 5, 2018, I re-inspected the property and found that some of the tree had been cut back from the vehicle, but a large portion still laid across the top. Some junk was gone from the yard, and some new had been brought in. The piles were still in the right-of-way. One of the vehicles in front was still there and being worked on. The man of the house told me that he was still working on everything. I took pictures.

October 4, 2018, I revisited this property and found that the tree had been cut up and removed from on top of the vehicle; both vehicles in the front had been removed; the piles were still in the right-of-way; a portion of the yard was overgrown; and once again, some item had been removed from the yard, but other stuff had replaced it. I took pictures.

October 5, 2018, I sent a Notice of Violation/Notice of Hearing letter. I have received the signed green card.

October 24, 2018, I re-inspected the property. Nothing had changed. I took more pictures.

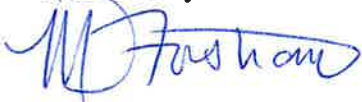
Conclusion

I have not heard anything from anyone regarding this property owner. The property is still in violation.

Recommendation

Staff recommends assessing a \$100.00 fine per day, per violation (overgrown yard, piles of garbage in the right-of-way) and administrative fees incurred until compliance is achieved.

Submitted by:



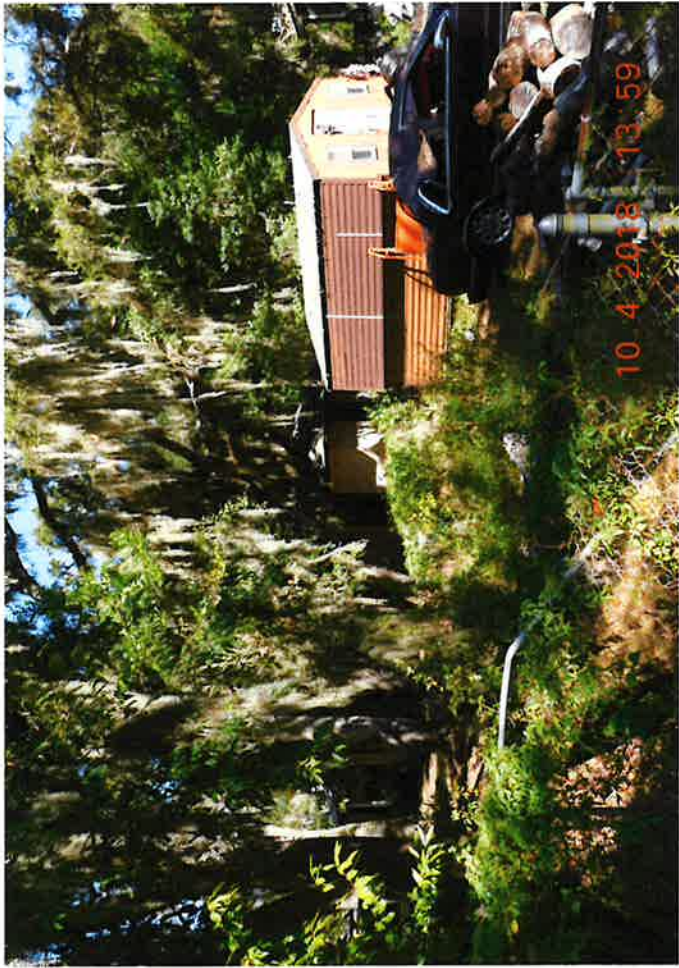
Michelle D. Forstrom
Code Enforcement Director















CODE ENFORCEMENT & APPEALS BOARD
NOTICE OF VIOLATION/NOTICE OF HEARING

October 5, 2018

Case Number: 18-00124

Cert. #7012 1640 0001 5937 9654

IN THE MATTER OF:

Juanita C Ryals
205 North 14th Street
Fernandina Beach, FL 32034

PREMISES: 205 North 14th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 245 SUB A & B OF 10 IN DB 198 PG 265 REPLAT OF BLOCK 245 PB 2/54, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-116 (A) Cleaning Of Lots; Maintenance of Structure; and 66-40 Disposition of garbage; covering of containers** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses the junk, debris, and similar items in the yard; the overgrown yard; and the trash and debris in the right-of-way on North 14th Terrace.

Therefore, you are hereby directed to remedy and discontinue the problems by: removing or storing in a proper receptacle, all junk, debris or similar items in the yard; cutting the entire yard; and removing the trash and debris from the right-of-way on North 14th Terrace by October 19, 2018 fourteen (14) days from the date of this notice, and if this office is not notified of compliance by you, this department will refer this matter to the Code Enforcement & Appeals Board for legal action at the date and time listed below.

DATE: November 1, 2018
TIME: 5:30 p.m.
LOCATION: City Commission Chambers, 204 Ash Street
Fernandina Beach, Florida 32034

YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances.

If the Board finds that you are in violation, they will consider all appropriate actions required to bring the property into compliance, which may include, but is not limited to the recovery of fees, and fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation).

Please be advised that the Rules of the Code Enforcement & Appeals Board and the Code of Ordinances of the City of Fernandina Beach govern the procedures of the Board.

PLEASE GOVERN YOUR SELF ACCORDINGLY.

If you have any questions, please feel free to contact me (please see my attached business card for contact information).

A handwritten signature in blue ink, appearing to read "Michelle D. Forstrom". The signature is stylized with a large initial "M" and a long, sweeping underline.

Michelle D. Forstrom
Code Enforcement Manager

Hearing impaired or non-English speaking individuals may request a language or sign interpreter at least (10) ten working days prior to this hearing. Please contact the City Clerk's office at (904) 310-3115.

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OFFICIAL USE

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Postage	\$.47	Postmark Here
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.75	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.67	
Sent To Street, Apt. 1 or PO Box # City, State, ZIP+4® JUANITA C RYALS 205 NORTH 14TH STREET FERNANDINA BEACH, FL 32034		

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JUANITA C RYALS
205 NORTH 14TH STREET
FERNANDINA BEACH, FL 32034



9590 9402 3035 7124 0456 39

2. Article Number (Transfer from service label)

7012 1640 0001 5937 9654

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- ☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

09/08/18

- D. Is delivery address different from item 1?** ☐ Yes
 If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

