



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
FEBRUARY 7, 2019
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 *January 3, 2019 Minutes Presented for Approval*
- 3. OLD BUSINESS**
 - 3.1 **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. *Staff to provide update and Board to reconsider fines.*
 - 3.2 **MARK R. O'BRIEN, 400 S. 8TH STREET, CASES 15-0058 & 17-0007.** *Board to review case and determine next steps.*
- 4. NEW BUSINESS**
 - 4.1 **RICHARD & CAROLYN ADAMS, 1512 DADE STREET, CASE 18-00166.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicle on private property declared a nuisance and prohibited. *Requesting Board determination of the case.*
 - 4.2 **ALDO R. BROWN, 511 SOUTH 6TH STREET, CASE 18-00173.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicle on private property declared a nuisance and prohibited. *Requesting Board determination of the case.*
 - 4.3 **WILLIE B. & PAULA EVANS JR, 810 SOUTH 11TH STREET, CASE 18-00175.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicle on private property declared a nuisance and prohibited. *Requesting Board determination of the case.*
- 5. BOARD BUSINESS**
 - 5.1 **DISCUSSION:** Alternate dates for upcoming meetings scheduled for holidays: May 2 and July 4.
 - 5.2 **REMINDER:** Ethics Training March 7 & 8
- 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 5:30 pm.

Council Members Present

Chair Buddy Boyd
Marlene Chapman
Gail Shults

Vice Chair Adam Kaufman
Henry Byrd
Christine Harmon

Council Members Absent

Cynthia Crow

Others Present

Tammi Bach, City Attorney
Michelle Forstrom, Code Enforcement Manager

George Wells, Code Enforcement Officer
Katie Newton, Recording Secretary

2. Approval of Minutes – According to the agenda support documents, the Minutes for the December 6, 2018, Regular Hearing were presented for approval. **A motion was made by Member Chapman, seconded by Member Harmon, 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. Chair Boyd asked if any Board member had had ex parte communications and none had.

3. Old Business

3.1 MARK R. O'BRIEN, 400 S. 8TH STREET, CASES 15-0058 & 17-0007.

Property owner to provide update.

Chair Boyd read the case. Ms. Forstrom showed pictures of the property provided by Ms. Miriam Hill, attorney for Mr. O'Brien. She acknowledged that the building is much cleaner and the sign is down; the large crack in the building is still there and that is a structural issue.

Ms. Hill gave an update. She described her involvement and how they initially looked at rehabbing the property, but realized that the property had become too much for Mr. O'Brien. The property is currently under contract and the interested party's broker was present at the meeting. She discussed the crack and said that they were waiting on an engineering report for feedback, but that Mr. O'Brien reported that the crack had existed since 1981. Mr. O'Brien has spent about \$5000.00 so far in cleanup.

Mr. Phil Griffin, 606 S. 8th Street, a broker, is representing Marlin & Barrel, the business that plans on buying the property. The official due diligence reports were not finalized yet, but the engineer suggested that it might not be structural. The parties are hoping to close by the end of February. The new owners would like to replace or renovate the building to its former glory based on the engineer's feedback.

Vice Chair Kaufman asked for City staff recommendations on the property. Ms. Forstrom stated that the Board should give them until the end of February since it's under contract. It's more productive to let this option play out rather than move forward with foreclosure at this time. Vice Chair Kaufman requested to revisit the case in March. Ms. Forstrom asked about the daily fines. The Board stated that at this point, to let fines run unless they come into compliance. Ms. Forstrom stated sign fines had stopped and the 9th Street property is almost in compliance, there is just some Virginia creeper that must be removed from the roof.

Ms. Hill asked about the timeline; they discussed returning February 7 to see where they are; and asked what was needed for compliance.

The Board decided to revisit the case at the February meeting.

4. New Business

4.1 HEWITT FAMILY TRUST/JOHN & MARGRET HEWITT TRUSTEE, 829 MARY STREET, CASE 18-00146. *Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116(a) Cleaning of lots; maintenance of structures; and of the Land Development Code: 7.01.02C LDC Street & Rights of Way.*

Chair Boyd read the case. Mr. Wells advised that the property was now in compliance.

4.2 ALFREDA J. WALKER EST., 1011 S. 10TH STREET, CASE 18-00156. *Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116(b) Cleaning of lots, maintenance of structures.*

Chair Boyd read the case. Ms. Newton administered the oath.

Mr. Wells presented the case for the City and entered the staff report and photos into the record. During a proactive sweep in October, he noticed tarps over the roof. He spoke with the daughter who advised they had no money to fix the issue and the house was to be foreclosed on. Since that initial discussion, the family has not made contact with the City, although the return receipt for the Notice of Violation/Notice of Hearing came back signed. He recommends a fine of \$25.00 per day plus administrative fees.

Vice Chair Kaufman asked if people were living there and Mr. Wells replied in the affirmative. Member Chapman asked if the property was actually in foreclosure and Mr. Wells said he hadn't been notified if it had. Member Byrd asked if there was a hole in the roof. Mr. Wells advised that he had not been on the roof to inspect, but showed photos of the roof with several tarps on it. From his observation, there are missing shingles. Chair Boyd asked if the City was giving homeowners leeway because of the recent storms. Mr. Wells stated that they had but it had been over a year since the last major storm and it was decided to start taking action. There was some concern that the house was not leaking; but the tarps were there; and the property owners were not present to explain.

A motion was made by Member Byrd, seconded by Vice Chair Kaufman, to find the property in violation of 42-116(b), Maintenance of Structures. A vote was taken and passed, all being in favor.

A motion was made by Member Byrd, seconded by Vice Chair Kaufman, to assess administrative fees and fines of \$25.00 per day beginning in 15 days if not in compliance. A vote was taken and passed, all being in favor.

5. Board Business

Chair Boyd commented that he would like to have a settlement for the Taylor Rental property at the next meeting. They discussed conditioning the release of lien with the closing.

6. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned at 6:05 p.m.

Katie Newton, Recording Secretary

Carlton "Buddy" Boyd, Chair

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.

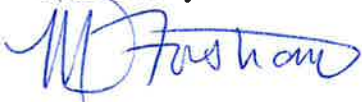
Conclusion

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:



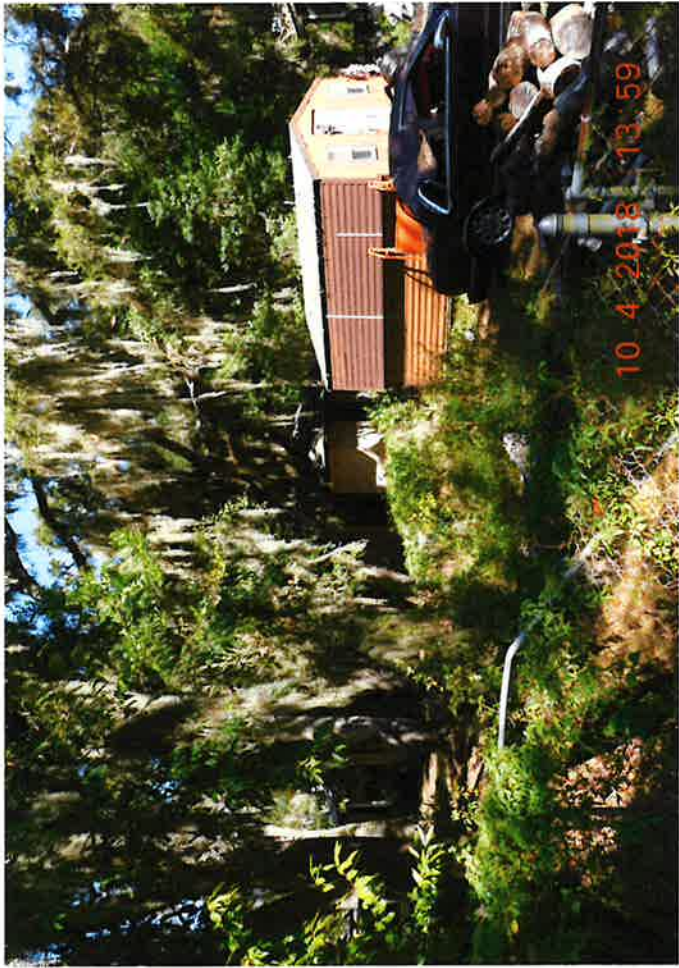
Michelle D. Forstrom
Code Enforcement Director















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.

U.S. Postal ServiceTM

CERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7012 1640 0001 5937 9654

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

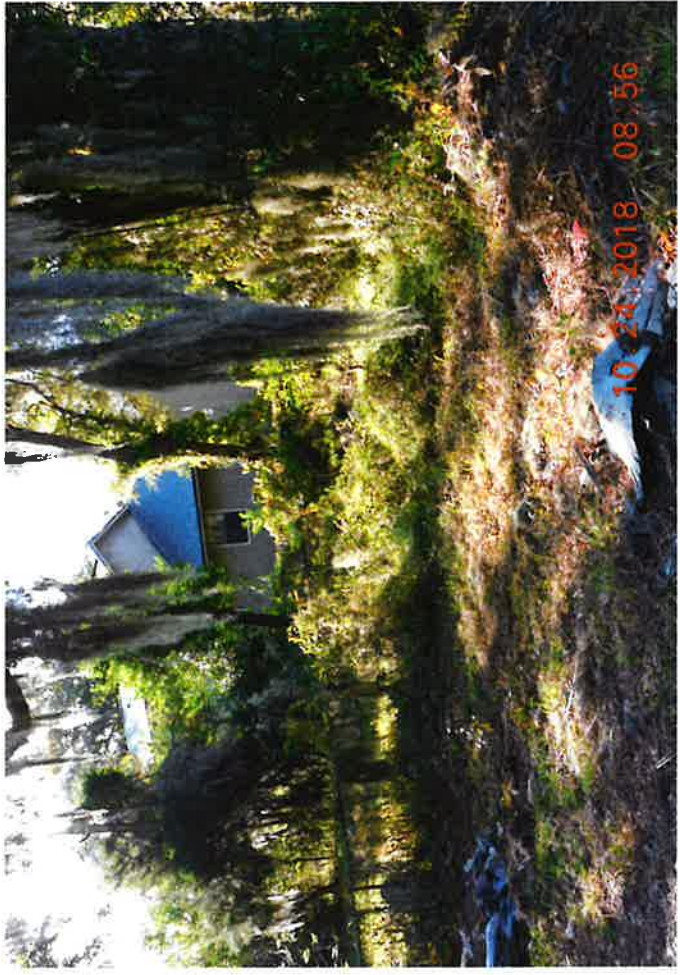
09/02/18

- 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 MailTM
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature ConfirmationTM
☐ Signature Confirmation Restricted Delivery







City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: November 6, 2018

Case Number: 18-00124

IN THE MATTER OF: Respondent Name: Juanita C. Ryals
Respondent Address: 205 N. 14th St., Fernandina Beach, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on November 1, 2018, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on October 5, 2018, and the Respondent was not present at the hearing.
2. The real property on which the violations occurred at 205 N. 14th St, Fernandina Beach, FL and a brief legal description being **BLK 245 SUB A & B OF 10 IN DB 198 PG 265 REPLAT OF BLOCK 245 PB 2/54, Fernandina Beach, FL 32034.**
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **42-116 (a) Cleaning of lots, maintenance of structures AND 66-40 Disposition of garbage; covering of containers.**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to find the property in violation of Section 42-116 (a), to collect administrative fees, and assess fines of \$100 per day, beginning November 15, 2018 if the property has not been brought into compliance.
2. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days.
3. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered November 1, 2018 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: _____

Chair, Buddy Boyd

*Florida Statute 162.11 Appeals.—An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.

1. Call to Order/ Roll Call/Determination of Quorum – The meeting was called to order at 5:30 pm.

Council Members Present

Chair Buddy Boyd
Marlene Chapman
Gail Shults

Cynthia Crow
Henry Byrd
Christine Harmon

Council Members Absent

Vice Chair Adam Kaufman

Others Present

Tammi Bach, City Attorney
Michelle Forstrom, Code Enforcement Manager

George Wells, Code Enforcement Officer
Samantha Rogic, Recording Secretary

City Attorney Bach explained quasi-judicial hearings. Chair Boyd asked if any Board member had had ex parte communications and none had.

2. Approval of Minutes – According to the agenda support documents, the Minutes for the November 1, 2018, Regular Hearing were presented for approval. **A motion was made by Member Harmon, seconded by Member Crow, to approve the Minutes. Vote upon passage of the motion was taken by voice vote being all ayes, carried.**

City Attorney Bach explained the quasi-judicial procedures and Ms. Newton administered the oath.

3. Old Business

3.1 JUANITA C. RYALS, 205 NORTH 14TH STREET, CASE 17-00124.

Violation(s) of the City of Fernandina Beach exist: Section 42-116(a) Cleaning of lots, maintenance of structures and 66-40 Disposition of garbage; covering of containers. *Mr. Edward Nixon, on behalf of the property owner, requests an extension.*

Chair Boyd read the case. Ms. Forstrom explained that the case was heard in November and the respondent was not present. The Board found the property in violation and ordered fines of \$100.00 per day beginning November 15. Ms. Forstrom explained that she is seeing improvement and steady progress. She recommends an extension to a date certain.

Mr. Nixon, son-in-law of the property owner, takes care of his disabled mother-in-law and has been sick with shingles. He cannot afford a cleaning service and therefore had been unable to clean the yard up. The house has been there since 1942 and his mother-in-law is confined to a wheelchair and unable to help. He would appreciate an extension because he's doing the work by himself.

Chair Boyd asked for questions. Member Crow asked what the extension time request was for and Mr. Nixon replied that to fix some damage and to finish cleaning the yard would probably take 60 days. Ms. Forstrom agreed that 60 days was appropriate in this situation, and recommended holding fines until 60 days were up.

Member Chapman asked if 60 days was realistic. Ms. Forstrom stated it could be as long as there was progress, and if it wasn't quite finished after 60 it might be best for Mr. Nixon to come back. Member Shults was concerned about the weather affecting progress. Ms. Forstrom discussed a resource list available, and the Council On Aging can help with these situations sometimes free of charge.

Member Crow stated her inclination to follow Ms. Forstrom's recommendation of extending 60 days. City Attorney Bach said they can review the case in February and roll back fines then if they wanted. There would still be administrative fees.

A motion was made by Member Crow, seconded by Member Chapman, finding the property to be progressing toward compliance, and per staff's recommendation will revisit the case at the regular hearing scheduled for

February 7, 2019, for further determination including addressing fines. Vote upon passage of the motion was taken by ayes and nays, and being all in favor, passed.

4. New Business

There were no agenda items under old business.

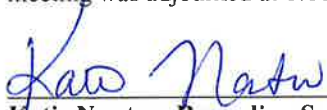
5. Board Business

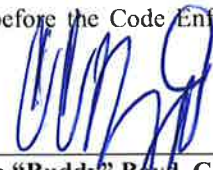
5.1 ORDINANCE 2018-42: CODE AMENDMENT – CLEANING OF LOTS, MAINTENANCE OF STRUCTURES.

Code Enforcement Manager Michelle Forstrom stated that the new Ordinance had passed. Member Crow asked a few questions about the new ordinance and wanted to make sure that appeals could still be heard. City Attorney Bach explained that the right to appeal through the courts was granted through Florida Statutes.

The Board also discussed the upcoming January 3 meeting to determine if there would be a quorum and most members would be able to be present. The Taylor Rental property case will be heard on that day.

6. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned at 6:11 p.m.


Katie Newton, Recording Secretary


Carlton "Buddy" Boyd, Chair



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: October 1, 2015
Case Number: 15-00058
IN THE MATTER OF: Respondent Name: Mark O'Brien
Respondent Address: 400 South 8th Street, Fernandina Beach, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on October 1, 2015, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

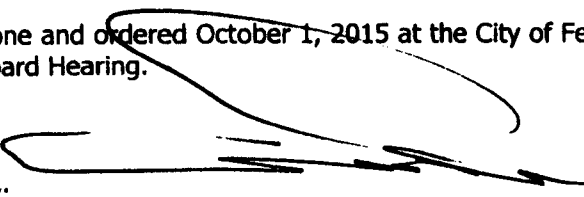
- 1. The Respondent was properly served notice of these proceedings as required by law on September 14, 2015 and the Respondent was not present at the hearing.
- 2. The real property on which the continued violations are occurring at 400 South 8th Street, Fernandina Beach, FL and a brief legal description being **Block 134 Lots 1 2 3 & 7 IN OR 411/427 City of Fernandina Beach, FL 32034.**
- 3. The Respondent is the owner of record of the aforementioned real property.
- 4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: Section 42-116 (b) Cleaning of lots; Maintenance of Structures; and Chapters 5.03.04 (c), Inspection of signs, (d) Unsafe signs and sign violating the Land Development Code (LDC), and (f) Maintenance of signs.

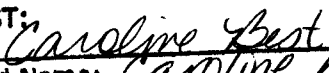
SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

- 1. Based on the foregoing findings of fact, the Board voted to find the respondent in violation of Violation(s) of the City of Fernandina Beach Code of Ordinances: Section 42-116 (b) Cleaning of lots; Maintenance of Structures; and Chapters 5.03.04 (c), Inspection of signs, (d) Unsafe signs and sign violating the Land Development Code (LDC), (f) Maintenance of signs; and to start assessing a fine of \$100.00 a day starting October 2, 2015 until the property is brought into compliance and to recover administrative fees incurred.
- 2. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days.
- 3. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered October 1, 2015 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: 
Chair Adam Kaufman

ATTEST:
By: 
Printed Name: Caroline Best
Title: City Clerk
Date: May 16, 2017

*Florida Statute 162.11 Appeals.—An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: May 4, 2017
Case Number: 17-0007

PARCEL ID#
00-00-31-1800-0134-0010

IN THE MATTER OF: Respondent Name: Mark O'Brien, Taylor Rental Center
Respondent Address: 400 S. 8th Street, Fernandina Beach, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on May 3, 2017, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty.

SECTION 1 - FINDINGS OF FACT

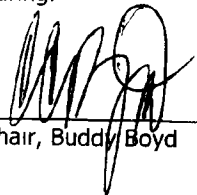
1. The Respondent was properly served notice of these proceedings as required by law on March 13, 2017 and the Respondent was not present at the hearing
2. The real property on which the violations occurred at 400 S. 8th Street, Fernandina Beach, FL and a brief legal description being **Block 134 LOTS 1 2 3 & 7 IN OR 411/427, City of Fernandina Beach, FL 32034.**
3. The Respondent is the owner of record of the aforementioned real property
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances Section 42-116 (a & b), Cleaning of lots, Maintenance of Structures, of the City of Fernandina Beach Land Development Code.

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

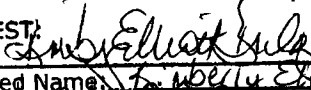
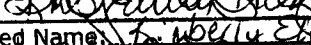
1. Based on the foregoing findings of fact, the Board voted to find the property in violation of 42-116 (a), cleaning of lots and 42-116 (b) maintenance of structures Fees to be assessed at \$250.00 per day per violation beginning May 4, 2017 continuing until such time as it is brought into compliance; and that the respondent pay the administrative fees incurred.
2. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within thirty (30) days.
3. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered May 3, 2017 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: 
Chair, Buddy Boyd

A Certified True Copy

ATTEST: 
By: 
Printed Name: Deputy City Clerk
Title: Deputy City Clerk
Date: 5/25/17

*Florida Statute 162.11 Appeals -- An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.

**ADMINISTRATIVE FEES INCURRED FROM
400 SOUTH 8TH STREET
AS OF 5/31/18
CODE CASE #15-00064**

<u>STAFF PERSONNEL</u>	<u># OF UNITS OR HOURS</u>	<u>RATE PER HOUR</u>	<u>TOTAL</u>
Michelle Forstrom, Code Compliance Officer	4	\$18.69	\$74.76
Michelle Forstrom, Code Enforcement Manager	4	\$21.17	\$84.68
Michelle Forstrom, Code Enforcement Manager	2	\$23.13	\$46.26
Cathy Sabattini, Board Secretary & Staff Assistant	2.2	\$15.25	\$33.55
Katie Newton, Board Secretary/Legal Assistant	4.5	\$21.63	\$97.34
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$10.00	\$10.00
Certified letters mailed	1	\$6.48	\$6.48
First Class letters mailed	2	\$0.48	\$0.96
TOTAL			\$354.03

**FINES AND FEES INCURRED FROM
400 SOUTH 8TH STREET
AS OF 5/31/18
CODE CASE #15-00058**

<u>DATES</u>	<u># OF DAYS</u>	<u>FINE PER DAY</u>	<u>TOTAL</u>
OCTOBER 2 THROUGH 31, 2015	29	\$100.00	\$2,900.00
NOVEMBER 2015	30	\$100.00	\$3,000.00
DECEMBER 2015	31	\$100.00	\$3,100.00
JANUARY 2016	31	\$100.00	\$3,100.00
FEBRUARY 2016	29	\$100.00	\$2,900.00
MARCH 2016	31	\$100.00	\$3,100.00
APRIL 2016	30	\$100.00	\$3,000.00
MAY 2016	31	\$100.00	\$3,100.00
JUNE 2016	30	\$100.00	\$3,000.00
JULY 2016	31	\$100.00	\$3,100.00
AUGUST 2016	31	\$100.00	\$3,100.00
SEPTEMBER 2016	30	\$100.00	\$3,000.00
OCTOBER 2016	31	\$100.00	\$3,100.00
NOVEMBER 2016	30	\$100.00	\$3,000.00
DECEMBER 2016	31	\$100.00	\$3,100.00
JANUARY 2017	31	\$100.00	\$3,100.00
FEBRUARY 2017	28	\$100.00	\$2,800.00
MARCH 2017	31	\$100.00	\$3,100.00
APRIL 2017	30	\$100.00	\$3,000.00
MAY 2017	31	\$100.00	\$3,100.00
JUNE 2017	30	\$100.00	\$3,000.00
JULY 2017	31	\$100.00	\$3,100.00
AUGUST 2017	31	\$100.00	\$3,100.00

**FINES AND FEES INCURRED FROM
400 SOUTH 8TH STREET
AS OF 5/31/18
CODE CASE #15-00058**

SEPTEMBER 2017	30	\$100.00	\$3,000.00
OCTOBER 2017	31	\$100.00	\$3,100.00
NOVEMBER 2017	30	\$100.00	\$3,000.00
DECEMBER 2017	31	\$100.00	\$3,100.00
JANUARY 2018	31	\$100.00	\$3,100.00
FEBRUARY 2018	28	\$100.00	\$2,800.00
MARCH 2018	31	\$100.00	\$3,100.00
APRIL 2018	30	\$100.00	\$3,000.00
MAY 2018	31	\$100.00	\$3,100.00

TOTAL FINES			\$97,200.00
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TOTAL FEES			\$354.03
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GRAND TOTAL DUE AS OF MAY 3, 2017			\$97,554.03
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**FINES AND FEES INCURRED FROM
400 SOUTH 8TH STREET
AS OF 5/31/18
CODE CASE #17-00007**

<u>DATES</u>	<u># OF DAYS</u>	<u>FINE PER DAY</u>	<u>TOTAL</u>
MAY 3 THROUGH 31 2017	28	\$250.00	\$7,000.00
JUNE 2017	30	\$250.00	\$7,500.00
JULY 2017	31	\$250.00	\$7,750.00
AUGUST 2017	31	\$250.00	\$7,750.00
SEPTEMBER 2017	30	\$250.00	\$7,500.00
OCTOBER 2017	31	\$250.00	\$7,750.00
NOVEMBER 2017	30	\$250.00	\$7,500.00
DECEMBER 2017	31	\$250.00	\$7,750.00
JANUARY 2018	31	\$250.00	\$7,750.00
FEBRUARY 2018	28	\$250.00	\$7,000.00
MARCH 2018	31	\$250.00	\$7,750.00
APRIL 2018	30	\$250.00	\$7,500.00
MAY 2018	31	\$250.00	\$7,750.00

TOTAL FINES **\$98,250.00**

TOTAL FEES **\$249.41**

GRAND TOTAL DUE AS OF MAY 3, 2017 **\$98,499.41**

**ADMINISTRATIVE FEES INCURRED FROM
400 SOUTH 8TH STREET
AS OF 5/31/18
CODE CASE #17-00007**

<u>STAFF PERSONNEL</u>	<u># OF UNITS OR HOURS</u>	<u>RATE PER HOUR</u>	<u>TOTAL</u>
Michelle Forstrom, Code Enforcement Manager	6	\$21.17	\$127.02
Michelle Forstrom, Code Enforcement Manager	1	\$23.13	\$23.13
Angela Lester, Board Secretary/Administrator Coordinato	2	\$19.28	\$38.56
Katie Newton, Board Secretary/Legal Assistant	2	\$21.63	\$43.26
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$10.00	\$10.00
Certified letters mailed	1	\$6.48	\$6.48
First Class letters mailed	2	\$0.48	\$0.96
TOTAL			\$249.41













January 28, 2019

Mark O'Brien
Taylor Rentals
400 S. 8th Street
Fernandina Beach, FL 32034
c/o Miriam Hill

Re: Structural Evaluation of 400 South 8th Street, Fernandina Beach, FL

To Whom it May Concern:

This letter certifies that Pi-Tech, Inc. has completed a limited visual inspection and structural evaluation of the Taylor Rentals building located at the above referenced address. The subject structure is a commercial building located on the corner of Date and South 8th Streets on Amelia Island. The building was originally constructed in the late 1930's, with multiple additions having been completed. The main structure consists of a wood-framed roof system supported by concrete masonry unit (CMU) perimeter walls. While no original construction drawings were available for review, the building appears to have been supported on a conventional shallow foundation system, with a slab-on-grade floor. The subject of this evaluation is the large crack evident in the south exterior wall, near the southwest corner of the building (Figure 1).

The south wall of the structure was inspected from the interior and exterior to identify potential causes of the subject crack, and to provide recommendations for stabilization. "Stair-step" cracks, typically indicative of foundation settlement, were observed in both the south and west walls, on either side of the southwest corner. Cracks were also observed in the interior concrete slab that would indicate vertical settlement in this area of the building. It is our professional opinion that the subject cracks are the result of differential settlement of the exterior wall footings at the southwest corner of the building. This settlement was likely the result of subgrade layers or pockets of unstable bearing soils in this area of the property, which may have been created or exacerbated by other factors including improper or inadequate drainage.

The cracks indicate a loss of firm support under the southwest corner of the foundation, and have resulted in both vertical and lateral movement in the sections of the wall below the crack. The CMU cells appear to have been at least partially grouted, however, no evidence of horizontal or vertical steel reinforcement were observed in the area of the crack. While the crack indicates a relatively large magnitude of localized settlement in the foundation, it is our professional opinion that the crack does not currently constitute a dangerous or unsafe condition for occupants of the building. The crack appears to have developed over a significant period of time, and it is unfortunately not possible to determine whether the foundation settlement is ongoing without a long-term study of the property.

We therefore recommend that this portion of the building be closely monitored for further signs of additional movement, and that temporary shoring be installed along the outside of the wall as an additional measure of safety until permanent repairs can be completed. Temporary shoring should be installed in the form of diagonal braces, extending from just above mid-height to grade at an angle not less than 40-degrees to vertical. Refer to the wall bracing elevation detail provided in the attached sketch for more information. We recommend a total of (3) diagonal braces be provided in the section of wall between the window and southwest corner, with an additional (2) braces placed between the windows.

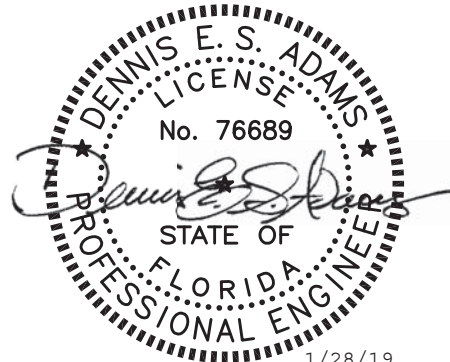
Permanent repair of the structure may require underpinning of the foundation to prevent further settlement and cracking. We recommend that a geotechnical study be performed to identify any soil related issues in this area of the site. Pending the results of this study, it may be possible to underpin the footing in this area by excavating and placing additional concrete or flowable fill. If the soils in this area prove inadequate for shallow support of the footing without additional settlement, it may be necessary to install a deep underpin system, such as helical piers. Other solutions, such as soil improvement, may also be appropriate. Once the soil profile has been determined, a more detailed underpinning solution may be developed.

The opinions stated in this report are based on limited visual observations of the south wall only. This report does not express or imply any warranty of the structure, but only addresses the condition of the portions of the structure that were readily accessible and observable at the time of the inspection. There is no claim, either stated or implied, that all conditions were observed.

Please contact us with any questions or comments regarding this matter, and thank you for the opportunity to be of service.

Sincerely,
Pi-Tech, Inc.

Dennis E. S. Adams, P.E.
FL Registration # 76689



1/28/19

Appendix



Figure 1 – Cracks near southwest corner of building at 400 south 8th Street.

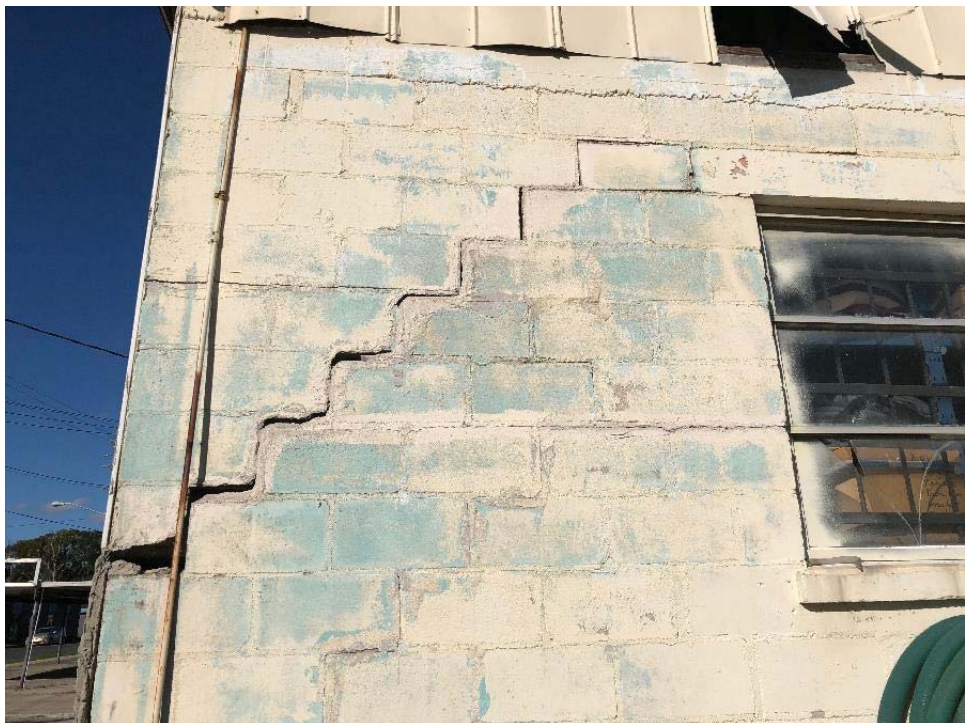
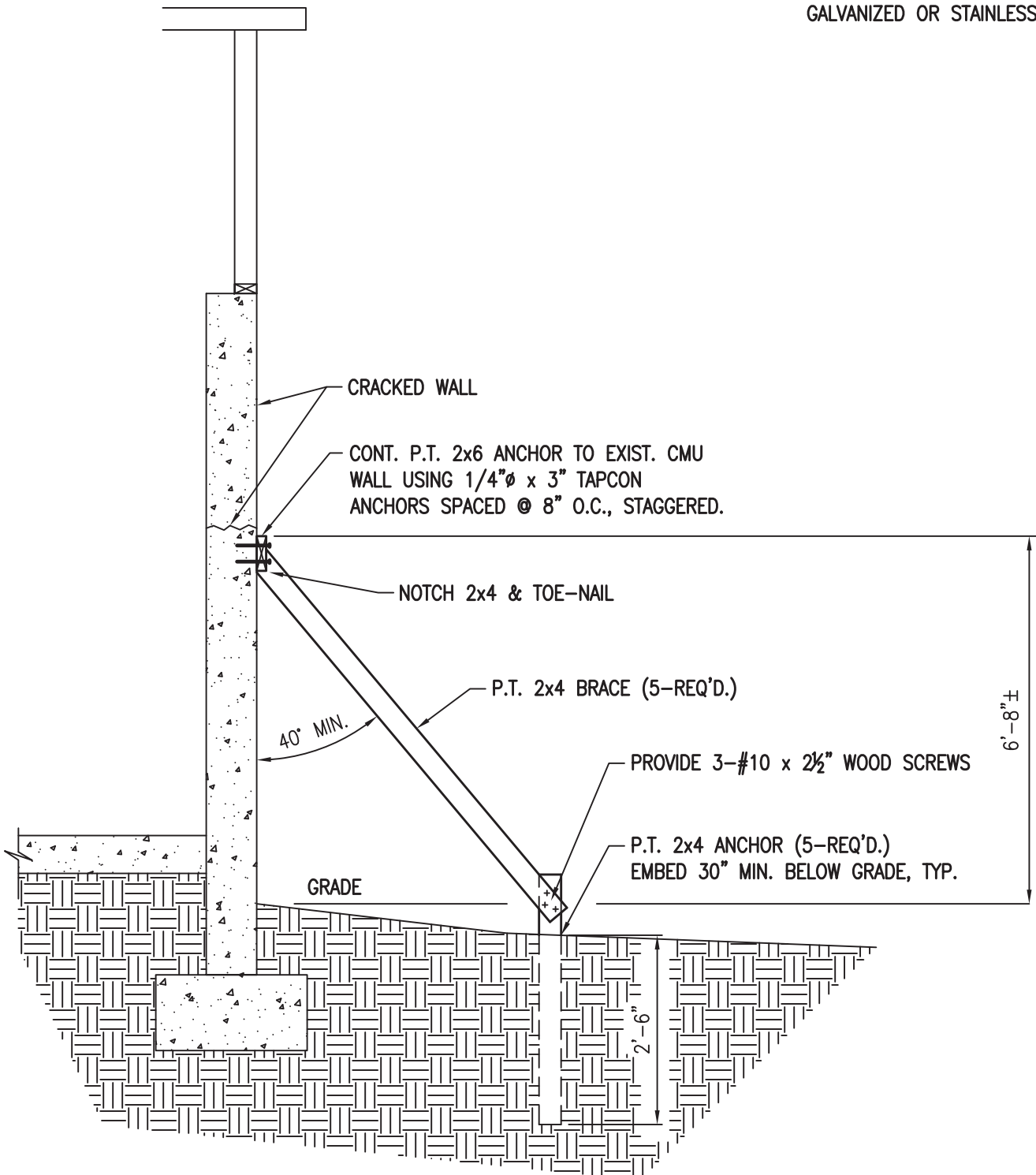


Figure 2 – Crack in south wall of building.

NOTES:

1. ALL LUMBER SHALL BE #2 SOUTHERN YELLOW PINE, OR BETTER.
2. ALL LUMBER SHALL BE PRESSURE TREATED.
3. FASTENERS SHALL BE HOT-DIP GALVANIZED OR STAINLESS STEEL.



MASONRY WALL BRACING ELEVATION

SCALE: NONE

PI-TECH, INC.
400 S. 8TH STREET
FERNANDINA BEACH, FL
1/28/2019

STAFF REPORT
Case 18-00166
City of Fernandina Beach Code Enforcement & Appeals Board
February 7, 2019

Violation Information

Owner Richard & Carolyn Adams
1512 Dade Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code Of Ordinances, Section 42-173
Wrecked or inoperable motor vehicle on private property declared a nuisance
and prohibited.

Location: 516 North 11th Street, Fernandina Beach, Florida 32034

Summary and Background Information

November 28, 2018, During a proactive sweep I observed two (2) box trucks that have been sitting on this property for quite some time. I called the owner and asked him the status of these vehicles whether they ran and had current tags. He stated he was going to remove both vehicles from the property because they both were in violation.

December 10, 2018, A second inspection of this property was completed. The violation still exists.

December 13, 2018, I sent a NOV/NOH letter via certified mail to the owner. Signature card was returned signed by the owner.

January 30, 2019, Pre-agenda inspection – Both box trucks are still present on the property.

Conclusion:

I left a message with the owner to call me about the violation and the upcoming CEAB hearing.

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
516 N 11TH STREET
AS OF 2/7/19
CODE CASE #18-00166**

<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	4	\$20.80	\$83.20
Katie Newton, Board Secretary/Legal Assistant	2	\$21.63	\$43.26
 Record Findings of Facts with the Clerk of Circuit Court of Nassau County	 1	 \$10.00	 \$10.00
 Certified letters mailed	 1	 \$6.48	 \$6.48
First Class letters mailed	1	\$0.48	\$0.48

TOTAL ADMINISTRATIVE FEES DUE

\$166.55

**** 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

December 13, 2018

Cert. #: 7018 0360 0001 3591 8383

Case Number: 18-00166

IN THE MATTER OF:

Richard & Carolyn Adams
1512 Dade Street
Fernandina Beach, Florida 32034

PREMISES: 516 N. 11th Street, Fernandina Beach, FL 32034

THE BRIEF LEGAL DESCRIPTION OF THE REAL PROPERTY UPON WHICH THIS VIOLATION OCCURRED IS: BLOCK 218 SUB LOTS C & D OF 4 IN OR 1619/424 CITY OF FDNA BEACH, FERNANDINA BEACH, FL 32034.

The Code Enforcement office of the City of Fernandina Beach has previously tried to notify you of alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-173 - Wrecked Or Inoperable Vehicles On Private Property Declared A Nuisance And Prohibited.** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses the (2) box trucks parked on the left side of the house.

Therefore, you are hereby directed to remedy and discontinue the problems by: Remove, repair, and/or currently tag all the vehicles on the property by December 23, 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: February 7, 2019
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.







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:

Richard & Carolyn Adams
1512 Dade St
Fernandina Beach, FL 32034

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent ☒ Addressee
- B. Received by (Printed Name) Carolyn Adams C. Date of Delivery 12-15-18
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:



9590 9402 3035 7124 1639 18

2. Article Number (Tracking Number) **7018 0360 0001 3591 8383**

PS Form 3811, July 2015 PSN 7530-02-080-9053

Domestic Return Receipt

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Certified Mail Fee **3.45**

Extra Services & Fees (check box and fee amount)
☒ Return Receipt (hardcopy) \$ **2.75**
☐ Return Receipt (electronic) \$ **-**
☐ Certified Mail Restricted Delivery \$ **-**
☐ Adult Signature Required \$ **-**
☐ Adult Signature Restricted Delivery \$ **-**
 Postage **.47**



To: **Richard & Carolyn Adams**
 Sent To: **1512 Dade St**
 Street and A/
 City, State, Z

7018 0360 0001 3591 8383

STAFF REPORT
Case 18-00173
City of Fernandina Beach Code Enforcement & Appeals Board
February 7, 2019

Violation Information

Owner Aldo R. Brown
511 South 6th Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code Of Ordinances, Section 42-173
Wrecked or inoperable motor vehicle on private property declared a nuisance
and prohibited.

Location: 511 South 6th Street, Fernandina Beach, Florida 32034

Summary and Background Information

December 3, 2018, During a proactive sweep I observed a pickup truck parked in the front yard with flat tires. I left a door hanger on the front door giving the owner ten (10) days to correct the violation. I recorded a photographs of the violation.

December 18, 2018, A second inspection of this property was completed. The violation still exists.

December 19, 2018, I sent a NOV/NOH letter via certified mail to the owner. Signature card was returned signed by the owner.

January 30, 2019, Pre-agenda inspection – vehicle has been covered in the front yard, but the tires are still flat. I recorded photographs.

Conclusion:

The attempt to cover the vehicle does not bring the vehicle into compliance. The owner must keep the tires blown up and the grass maintained around this vehicle.

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
511 S 6TH STREET
AS OF 2/7/19
CODE CASE #18-00173**

<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	4	\$20.80	\$83.20
Katie Newton, Board Secretary/Legal Assistant	2	\$21.63	\$43.26
 Record Findings of Facts with the Clerk of Circuit Court of Nassau County	 1	 \$10.00	 \$10.00
 Certified letters mailed	 1	 \$6.48	 \$6.48
First Class letters mailed	1	\$0.48	\$0.48

TOTAL ADMINISTRATIVE FEES DUE

\$166.55

**** 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

December 19, 2018

Case Number: 18-00173

Cert. #: 7013 0600 0000 5302 5644

IN THE MATTER OF:

Aldo R. Brown Est.
511 South 6th Street
Fernandina Beach, Florida 32034

PREMISES: 511 South 6th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 139 LOT 13 CITY OF FDNA BEACH, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of an alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-173 Wrecked or Inoperable motor vehicles on private property declared a nuisance and prohibited.** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses a pick-up truck in the front yard with flat tires.

Therefore, you are hereby directed to remedy and discontinue the problems by: Remove, repair, or register vehicle & put current tags on it by December 29, 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: February 7, 2019
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.

WORKING FOR A SAFER COMMUNITY

**CITY OF FERNANDINA BEACH
CODE ENFORCEMENT**
204 Ash Street
(904) 310-3147
jpettel@fdi.org www.fdius.com

NOTICE OF VISIT

Address: 511 S 6th St City: 1-24 AM 12/3/18

THIS IS TO SERVE AS A WARNING THAT YOU MAY BE IN VIOLATION OF THE FOLLOWING CITY ORDINANCE(S):

REASON FOR VISIT:

Code #

Comments:

Please contact George Wells, Code Compliance Officer at (904) 310-3147 or at pettel@fdi.org within 10 days of this notice, to discuss compliance with the above listed issue. Failure to do so will result in an official written notice with a possible outcome of fines.

*Pick up truck has
an inoperable vehicle
wells*

Code Compliance Officer

12.3.2018 13:23



12.3.2018 13:22









For delivery information visit our website at www.usps.com

Postage	\$	47
Certified Fee		3.45
Return Receipt Fee (Endorsement Required)		2.75
Restricted Delivery Fee (Endorsement Required)		
Total Postage - -	\$	6.67

Sent To _____

Street, Apt. No.
or PO Box No.

Aldo R. Br

511 S.

Aldo R. Brown Est
511 S. 6th St
Fernandina Beach, FL 32034

PS Form 3800

COMPLETE THIS SECTION ON DELIVERY

- **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:**

Aldo R. Brown Est
511 S. 6th St

Fernandina Beach, FL 32034



9590 9402 3035 7124 1638 45

2. Article Number *Transfer from canino labial*

702.3 0600 0000 5302 5644

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

A. Signature

Agent

B. Received by (Printed Name)

Date of Delivery

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

3. Service Type

- | | |
|--|---|
| ☐ 3. Service Type | ☐ Priority Mail Express® |
| ☐ Adult Signature | ☐ Registered Mail™ |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail Restricted Delivery |
| ☒ Certified Mail® | ☐ Return Receipt for Merchandise |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collected on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
| Mail | |
| Mail Restricted Delivery | |

STAFF REPORT
Case 18-00175
City of Fernandina Beach Code Enforcement & Appeals Board
February 7, 2019

Violation Information

Owner Willie B. & Paula Evans Jr.
810 South 11th Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code Of Ordinances, Section 42-173
Wrecked or inoperable motor vehicle on private property declared a nuisance
and prohibited.

Location: 810 South 11th Street, Fernandina Beach, Florida 32034

Summary and Background Information

December 4, 2018, During a proactive sweep I observed a GMC Yukon SUV parked in the front yard with no tag. I left a door hanger on the front door giving the owner ten (10) days to correct the violation. I recorded photographs of the violation.

December 18, 2018, A second inspection of this property was completed. The violation still exists.

December 19, 2018, I sent a NOV/NOH letter via certified mail to the owner. Letter was returned unclaimed.

January 18, 2019, Posted 2nd NOV/NOH letter on the front door. Recorded photograph of posting. Affidavit of service was notarized.

January 30, 2019, Pre-agenda inspection – vehicle is still present in front of the house with no tag. I recorded photographs.

Conclusion:

The owner came in 1/29/19 to pay previous admin. fees and assured me the untagged vehicle would be removed by the scheduled hearing..

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
810 S 11TH STREET
AS OF 2/7/19
CODE CASE #18-00175**

<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	4.5	\$20.80	\$93.60
Katie Newton, Board Secretary/Legal Assistant	2	\$21.63	\$43.26
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$10.00	\$10.00
Certified letters mailed	1	\$6.48	\$6.48
First Class letters mailed	1	\$0.48	\$0.48

TOTAL ADMINISTRATIVE FEES DUE

\$176.95

**** 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
SECOND NOTICE

January 18, 2019

Case Number: 18-00175

POSTED ON FRONT DOOR

IN THE MATTER OF:

Willie B. & Paula Evans Jr.
810 South 11th Street
Fernandina Beach, Florida 32034

PREMISES: 810 South 11th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 213 PT OF LOT 1 (S-6) IN OR 941/1374 CITY OF FDNA BEACH, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of an alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-173 Wrecked or Inoperable motor vehicles on private property declared a nuisance and prohibited.** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses platinum GMC Yukon parked in front of the house with no tag.

Therefore, you are hereby directed to remedy and discontinue the problems by: Remove, repair, or register vehicle & put current tags on it by January 28, 2019 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: **February 7, 2019**
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: 18-00175

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 18th Day of January, 2019, at 2:30 P.M., I posted a Notice of Violation/Notice of Hearing letter for **Case 18-00175, Evans Jr., Willie B. & Paula, at 810 South 11th St., Fernandina Beach, FL 32034** to Willie B. & Paula Evans Jr. 810 S. 11th St., Fernandina Beach, FL 32034.

FURTHER AFFIANT SAYETH NAUGHT.

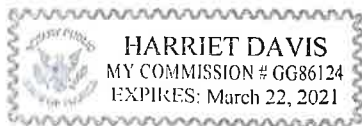
Signature: _____

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 18th day of January, 2019.

(SEAL)



Signature: _____

Harriet Davis
Harriet Davis

(Printed name of Notary)



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

December 19, 2018

Case Number: 18-00175

Cert. #: 7012 1640 0001 5937 9685

IN THE MATTER OF:

Willie B. & Paula Evans Jr.
810 South 11th Street
Fernandina Beach, Florida 32034

PREMISES: 810 South 11th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 213 PT OF LOT 1 (S-6) IN OR 941/1374 CITY OF FDNA BEACH, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of an alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-173 Wrecked or Inoperable motor vehicles on private property declared a nuisance and prohibited.** (These can be found on the City's website: www.fbfl.us/code). This letter specifically addresses platinum GMC Yukon parked in front of the house with no tag.

Therefore, you are hereby directed to remedy and discontinue the problems by: Remove, repair, or register vehicle & put current tags on it by December 29, 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: February 7, 2019
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).

A handwritten signature in blue ink, appearing to read "George Wells", is written over a horizontal line.

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.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL™



7012 1640 0001 5937 9685
7012 1640 0001 5937 9685

PS Form 3800

Sent To
Street, Apt. No.
or PO Box No.
City, State, ZIP

Willie & Paula Evans Jr
810 S. 11th St
Fernandina Beach, FL 32034

Total Postage & Fees

\$6.67

Postage
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)

Postmark
Here

OFFICIAL USE

For delivery information visit our website at www.usps.com

U.S. Postal Service™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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:

Willie & Paula Evans Jr
810 S. 11th St
Fernandina Beach, FL 32034



9590 9402 3035 7124 1638 21

2. Article Number (Transfer from service label)

7012 1640 0001 5937 9685

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent

☐ Addressee

C. Date of Delivery

B. Received by (Printed Name)

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

Domestic Return Receipt

PS Form 3800, 2014 U.S. PSN 7530-02-000-9053

**CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
204 Ash Street**

(904) 310-3147

gswells@fbfl.org www.fbfl.us/Code

NOTICE OF VISIT

Address: 810 S 11th St
Date: 12/4/84 Time: 1:45 AM PM

THIS IS TO SERVE AS A WARNING THAT YOU MAY BE IN VIOLATION OF THE FOLLOWING CITY ORDINANCE(S):

REASON FOR VISIT:

REASON FOR VISIT:	CODE 2
Designation of Adult or Vicarious Lit.	42-015 (b)
Quit or renounce all their assets & debts	42-027, 42-028 (a)
Relinquish, Transfer, Surrender, Assign or Similar Transfers	42-029 (b)
Declaration of Intest to a Foreign Jurisdiction	70-013, LDC
Redemption of Assets, Bonds, Transactions or Similar Voluntary Renounce or Abandon of property or structure of or title or right, yard	3-01, LDC
Shut Out	42-01, 70-013, LDC
Resign, Release or Surrender, Abandon	42-03
See Voluntary Abandon Numbers	
Wishes or Intentionally render voluntary or public property declared a tax-exempt and prohibited	
Release or Transfer of Assets, Bonds or Similar Voluntary Renounce or Abandon of property or structure of or title or right, yard	
Other	

please, contact George Wells, Code Compliance Officer at (904) 330-3347 or at gwells@foh.org within 10 days of this notice, by 12/14/2014, to discuss compliance with the above listed issue. Failure to do so will result in an official written notice with a possible outcome of fines.

Comments

Code Compliance Officer





Code Enforcement Department

Code Compliance Officer

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

January 18, 2019

Case Number: 18-00175

POSTED ON FRONT DOOR

IN THE MATTER OF:

Willie B. & Paula Evans Jr.
810 South 11th Street
Fernandina Beach, Florida 32034

PREMISES: 810 South 11th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 213 PT OF LOT 1 (5-6) IN OR 541/1374 CITY OF FDNA BEACH, FERNANDINA BEACH, FL 32034.**

The Code Enforcement office of the City of Fernandina Beach has previously notified you of an alleged violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: **42-173 Wrecked or Inoperable motor vehicles on private property declared a nuisance and prohibited.** (These can be found on the City's website: www.fdbn.fl.gov/coc) This letter specifically addresses platinum GMC Yukon parked in front of the house with no tag.

Therefore, you are hereby directed to remedy and discontinue the problems by: Remove, repair, or register vehicle & put current tags on it by January 28, 2019 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: February 7, 2019

TIME: 5:30 p.m.

LOCATION: City Commission Chambers, 204 Ash Street
Fernandina Beach, Florida 32034

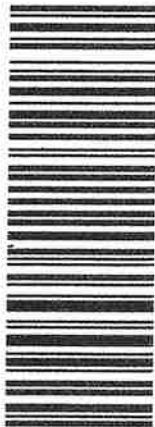
YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances.







City of Fernandina Beach
 204 Ash Street
 Fernandina Beach, FL 32034



7012 1640 0001 5937 9685



ZIP 32034
 011D11650330

Hasler
 12/19/2018
US POSTAGE \$006.67

h/n
12/20
C-5

12/24
12/16

12/11
12/5

32034-4230

NIXIE

322 DE 1

0001/17/19

Willie & Paula Evans Jr
 810 S. 11th St

RETURN TO SENDER
 UNDELIVERED
 UNABLE TO FORWARD

32034-4230