



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
JANUARY 7, 2021
5:30 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

The Regular Code Enforcement & Appeals Board Hearing will be held as a VIRTUAL AND LIVE MEETING with some board members and City staff participating through video conferencing. This virtual meeting will be broadcasted live for members of the public to view on the City of Fernandina Beach website (www.fbfl.us) and Channel 264 (Comcast only).

1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes for December 3, 2020, are presented for approval.

4. OLD BUSINESS

5. NEW BUSINESS

5.1 **DAVID M. & BRITNI C. WALDO, 728 S. 6TH STREET, CASE 2020-0315.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 22-101 - Standard Housing Code - Adoption; enforcement; permit requirements; Section 42-173 - Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited; Section 78-84(4) - Stopping, standing, or parking prohibited in specified places - overnight: RVs, Boats, Trailers, etc.; Section 78-84(5) - Stopping, standing, or parking prohibited in specified places - all vehicles must be currently tagged and registered. *Requesting Board determination of the case.*

5.2 **WILLIE & PAULA EVANS, 810 S. 11TH STREET, CASE 2020-0423.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 - Duty to Maintain Property; Section 42-119 - Rubbish and Garbage Accumulation; Section 78-84(4) - Stopping, standing, or parking prohibited in specified places - overnight: RVs, Boats, Trailers, etc.; LDC Section 7.01.05D - Specific Parking Restriction for Boats and Trailers. *Requesting Board determination of the case.*

5.3 **MARY DONN BOWMAN, 1622 HIGHLAND STREET, CASE 2020-0445.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 - Duty to Maintain Property. *Requesting Board determination of the case.*

6. BOARD BUSINESS

7. 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.

This will be conducted as a virtual meeting with restricted physical access. Written comments emailed to the Code Enforcement Director (mforstrom@fbfl.city) must be sent no later than 1 PM on January 7, 2021 and will be read aloud during the meeting. These comments shall have a maximum time allowance of 3 minutes or 400 words. Public comment may also be provided virtually through use of the Zoom Meeting link below, the phone number provided below, or in person at City Hall with strict restrictions to protect health and safety. Individuals wishing to provide live comments during the meeting must dial-in or connect via the Zoom Meeting link or phone number below no later than 5:20 PM on January 7, 2021 and will be called upon by their individual registered Zoom Meeting ID Account or by the last-4 digits of their respective phone number. When called upon, please provide your name and home address prior to issuance of public comment. Please limit comment to 3 minutes.

Zoom Meeting Link:

<https://zoom.us/j/93004250660?pwd=SIRMVmR2K0JyTGFCaWJDeHRZSW1HQQT09>

Password: CEAB0107

(Users must have a functional microphone): **930 0425 0660** with Password: **CEAB0107**

Or Zoom Phone Dial-In for Public Comment: + **1 646 558 8656** Meeting ID: **930 0425 0660**

Password: **81462395**

If you must attend in person at City Hall (204 Ash Street), please arrive at City Hall no later than 5:20 PM to be counted and to complete a speaker form. You will be admitted into City Hall when it is your turn to make your public comments and must exit City Hall after your comments are made.

It is required that you wear a face mask when entering City Hall for your protection and the protection of others.

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 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 Code Enforcement Department (904)310-3440. 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.

DRAFT



Code Enforcement & Appeals Board Minutes

Regular Hearing

December 3, 2020

Due to the ongoing COVID-19 pandemic, the Code Enforcement & Appeals Board Meeting was held as a combination VIRTUAL and LIVE MEETING with some board members and City staff participating through video conferencing. This virtual meeting was broadcast live for members of the public to view on the City of Fernandina Beach website (www.fbfl.us) and Channel 264 (Comcast only).

1. Call to Order/Roll Call/Determination of Quorum - The meeting was called to order at 5:45 p.m.

Board Members Present:

Chair Adam Kaufman
Vice Chair Nicole Kresse
Buddy Boyd (via Zoom)
Henry Byrd
Cindy Crow (via Zoom)
Andy Fotiades (via Zoom)
Gail Shults
Bernard Thompson

Staff Present:

Tammi E. Bach, City Attorney
Harriet Davis, Administrative Coordinator/Recording Secretary
Michelle Forstrom, Code Enforcement Director (via Zoom)
George Wells, Code Enforcement Officer
Troy Woleshin, IT Specialist

Others Present:

Patricia Gass
William Gass
Sheila Hill
Chip Ross

2. Approval of Minutes - According to the agenda support documents, the minutes for the November 5th, 2020 regular hearing were presented for approval. **A motion was made by Vice Chair Kresse, seconded by Board Member Thompson, to approve the minutes. Vote upon passage of the motion was taken by voice vote being all ayes, carried.**

3. Old Business

None

Ms. Bach explained the quasi-judicial process. Chair Kaufman asked for any ex parte communication regarding the cases. There was none.

4. New Business

4.1 PATRICIA K. & WILLIAM R. GASS, 801 WHITE STREET, CASE 2019-0122. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117, Exterior Structure – Maintenance. *Requesting Board determination of the case.*

Officer Wells presented the case for the City and submitted evidence into the record. Chair Kaufman asked Ms. Gass if she had any objections to the documents presented as evidence. She did not object.

Officer Wells provided a timeline of the case and presented more details as provided in the staff report. This case was started in March 2019 as the result of a complaint regarding non-conforming materials that were being used as replacement materials on the rear side of the house. He noted several other violations when he visited the property. He advised Ms. Gass to apply for and obtain a Historic District Certificate of Approval (COA), along with building permits as applicable.

Officer Wells performed a second inspection on April 22nd, 2019 and noted the property was still in violation. A Notice of Violation/Notice of Hearing (NOV/NOH) letter was mailed on April 25th, 2019, giving the owner until May 27th, 2019 to bring the property into compliance. A COA was issued on May 28th, 2019 for approved materials. The COA expired on May 27th, 2020. Officer Wells stated that even though the COA is in effect for a year, the deadline for bringing the property into compliance is less since there is an active code case. He conducted a follow-up inspection on September 2nd, 2020. The property was still in violation. A second NOV/NOH letter was mailed on September 11th, 2020, giving the owner thirty (30) additional days to comply. The owner applied for another COA on September 15th, 2020 since the first one had expired. The current COA expires September 16th, 2021.

Officer Wells conducted a second NOV/NOH letter inspection on October 12th, 2020 and noted the property was still in violation. He reported the current condition of the property. The right and rear sides of the house need to be scraped and painted and the rear porch roof has several holes and needs repair. The front of the house has been repaired, but soffit is missing. He presented photo evidence of the violations.

Officer Wells read the recommended motion: *Staff recommends a motion to find the property in violation of 42-117 (Exterior Structure-Maintenance) giving the respondent thirty (30) additional days to come into compliance by January 3rd, 2021. The City recommends a motion to be made that all administrative fees be paid by the Respondent and that a fine of \$50 a day to begin on January 4th, 2021 if not in compliance, along with filing a lien on this property on February 4th, 2021.*

Board Member Byrd inquired about the non-conforming materials. Officer Wells stated the boards on the back of the house are not appropriate materials for the age of the house according to the Historic District guidelines.

Chair Kaufman asked Ms. Gass to speak to the board. She stated she is working towards bringing the property into compliance and provided some additional details on the case. She stated she was surprised to receive the notice letter as she thought she had plenty of time to take care of the violations. She stated Preservation Planner Sal Cumella had previously approved the non-conforming materials.

Ms. Gass stated she would like at least a month to complete the exterior painting but requested more time for the other repairs as some of this will require a building permit. She requested at least six (6) months to one (1) year. She stated she started making repairs on the property in April 2019 after she received the first NOV/NOV letter. Her husband has done most of the work himself since they have limited funds for the project. She feels some of the more detailed work may require a contractor, and she requested additional time for this. Board Member Byrd inquired if there are currently any non-conforming issues with the property and if an additional COA is required. Ms. Gass stated there are none and that an additional COA is not necessary as per her conversation with Mr. Cumella.

Board discussion:

Board Member Byrd requested a more specific timeline for completing the work.

Board Member Shults inquired if the timeline also considers the weather factor. Ms. Gass stated she has considered this and is also concerned about the time it will take to find a contractor and the time needed to apply and obtain a building permit if necessary.

The board members discussed the timeline for obtaining a building permit and a reasonable amount of time for the owners to bring the property into compliance. Vice Chair Kress suggested tiered timelines for the different repairs. Chair Kaufman asked Officer Wells for his input on the timeline. He stated he is fine with allowing a month to complete the exterior painting, but he is not comfortable with additional time for the roof repairs. He reiterated the COA timeframe has no bearing on the timeframe related to a code case.

A board member suggested allowing two (2) months for exterior painting and five (5) months for full compliance with the understanding the respondent may need to obtain a building permit. The board members discussed this and how to word the motion.

A motion was made by Board Member Crow, seconded by Vice Chair Kresse, to find the property in violation of 42-117, Exterior Structure (Maintenance). Vote upon passage of the motion was taken by voice vote being all ayes, carried.

A motion was made by Vice Chair Kresse, seconded by Board Member Shults, to give the respondent until February 1st, 2021 to complete the exterior painting. All other compliance issues shall be resolved on or before May 1st, 2021. Administrative fees shall be paid on or before July 1st, 2021. Fines will continue thereafter at a rate of \$50 per day until all fines and administrative fees are paid. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

Ms. Gass stated she feels property owners would benefit from a better explanation of the process regarding violations, fines, liens, etc.

4.2 SHEILA HILL, 1316 BEECH STREET, CASE 2020-0004. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117, Exterior Structure – Maintenance. *Requesting Board determination of the case.*

Officer Wells presented the case for the City and submitted evidence into the record. Chair Kaufman asked Ms. Hill if she had any objections to the documents presented as evidence. She did not object.

Officer Wells provided a timeline of the case and presented more details as provided in the staff report. This case was started in January 2020 as the result of a complaint regarding the exterior conditions of the house. He responded to the complaint on January 6th, 2020 and observed numerous violations on the exterior. He posted a notice of visit on the front door giving the owner thirty (30) days to correct the violations. He performed a second inspection on February 6th, 2020 and noted the property was still in violation. He conducted a compliance inspection on October 7th, 2020. The property was still in violation. A NOV/NOH letter was mailed on October 8th, 2020, giving the owner until November 8th, 2020 to bring the property into compliance. He conducted a follow-up inspection on November 9th, 2020 and noted Ms. Hill has made some progress on the property, but it is still in violation.

Officer Wells presented photo evidence of the violations and reported the current condition of the property. Some of the asphalt shingles are missing from the side of the house. The structure previously had tarps over the roof, but those have been removed. The front porch has been demoed and removed. He noted there is a current building permit.

Officer Wells read the recommended motion: *Staff recommends a motion to find the property in violation of 42-117 (Exterior Structure-Maintenance) giving the respondent thirty (30) additional days to come into compliance by January 3rd, 2021. The City recommends a motion to be made that all administrative fees be paid by the Respondent and that a fine of \$50 per day to begin on January 4th, 2021 if not in compliance, along with filing a lien on this property on February 4th, 2021.*

Chair Kaufman asked Ms. Hill to speak to the board. Ms. Hill stated she has been working on the property but has experienced some financial hardship due to the Covid-19 pandemic. She requested additional time to bring the property into compliance. She stated the porch has been demoed and new framing has been installed. She confirmed she does have a current building permit for the porch repairs and that it expires on May 3rd, 2021.

Board discussion:

Board Member Thompson stated he is a neighbor of Ms. Hill and stated she has been working very hard to bring the property into compliance. Ms. Hill stated she has been doing the work herself along with her brother. She inherited the house from her grandmother and has mostly been working on the interior but does have the materials to complete the exterior work.

Board Member Shults inquired if any of the work requires a licensed contractor such as electrical or plumbing. Ms. Hill stated she is only doing repairs on the front porch, no electrical or plumbing work.

The board members discussed the possibility of obtaining some assistance for Ms. Hill. Ms. Hill will follow-up with City staff and Vice Chair Kresse regarding this. A board member suggested allowing Ms. Hill until May 2021 to bring the property into compliance. The board members discussed how to word the motion.

A motion was made by Board Member Crow, seconded by Vice Chair Kresse, to find the property in violation of 42-117, Exterior Structure (Maintenance). Vote upon passage of the motion was taken by voice vote being all ayes, carried.

A motion was made by Vice Chair Kresse, seconded by Board Member Crow, to give the respondent until May 8th, 2021 to bring the property into full compliance, with a fine of \$25 per day if the property is not brought into full compliance by this date. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

4.3 ERIC WALTER, 1604 BEECH STREET, CASE 2020-0276. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116, Duty to Maintain Property. *Requesting Board determination of the case.*

This item was removed from the agenda. The property was brought into compliance.

4.4 SHAUN BARRY, 108 N. 10TH STREET, CASE 2020-0317. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116, Duty to Maintain Property, 42-117, Exterior Structure – Maintenance, 42-119, Rubbish & Garbage Accumulation, Land Development Code, Section 5.01.09, Outside Storage, Section 7.01.02C, Street Numbers Signs, Section 7.01.05D, Specific Parking Restrictions for Boats and Trailers. *Requesting Board determination of the case.*

Officer Wells presented the case for the City and submitted evidence into the record. He provided a timeline of the case and presented more details as provided in the staff report. On August 11th, 2020, he noted numerous violations at the property. He posted a notice of visit on the front door giving the owner thirty (30) days to correct the violations. He performed a second inspection on September 14th, 2020 and noted the property was still in violation. A NOV/NOH letter was mailed on September 15th, 2020, giving the owner an additional thirty (30) days to bring the property into compliance. The notice was posted at the

property, City Hall, and the Peck Center on September 30th, 2020. Officer Wells conducted an inspection on October 30th, 2020 and noted the property was still in violation.

Officer Wells presented photo evidence of the violations. He observed yard overgrowth, a utility trailer parked in the front yard, trash and debris scattered over the property, building materials and tools in the yard, missing house numerals, and missing siding. He noted the owner is remodeling the house.

Chair Kaufman asked Officer Wells to state the current condition of the property. He stated the owner has removed the utility trailer from the front yard and affixed an address on the mailbox, but the property remains out of compliance for the other violations.

Officer Wells read the recommended motion: *Staff recommends a motion to find the property in violation of 42-117 (Exterior Structure-Maintenance) giving the respondent thirty (30) additional days to come into compliance by January 3rd, 2021. The City recommends a motion to be made that all administrative fees be paid by the Respondent and that a fine of \$50 per day to begin on January 4th, 2021 if not in compliance, along with filing a lien on this property on February 4th, 2021.*

Board discussion:

Board Member Byrd inquired if the respondent has proper permits in place since the house is being remodeled. Officer Wells stated there are permits in place, but there may be a Stop Work Order on the property. The property needs to be cut and cleaned of trash and debris and the building materials organized. Officer Wells feels if the remodeling can be completed in a timely fashion, the property will be brought into compliance.

Officer Wells noted the staff recommendation above also needs to include 42-116, Duty to Maintain Property, 42-119, Rubbish & Garbage Accumulation, and LDC 5.01.09, Outside Storage. These were included on the NOV/NOH letter mailed on September 15th, 2020.

Vice Chair Kresse would like a tiered timeline as discussed for the case at 801 White Street. She inquired how long it would take to bring the property into compliance. Officer Wells suggested the owner should discuss his situation with the Building Official since there may be a Stop Work Order in place.

The board members discussed fines and fees. Chair Kaufman feels if more time is given to bring the property into compliance, for example ninety (90) days, the fine should be a greater amount if not brought into compliance. Officer Wells stated he does not oppose a fine of \$50 per day for all the violations, not individual fines for each violation. Ms. Bach suggested the Board decide on a date for the respondent to act, i.e., apply for a building permit, when determining the compliance date. The date should not be based on the time frame of obtaining the permit as this would be hard to determine.

Board Member Fotiades feels a tiered approach may not be appropriate in this case since the respondent has made little effort to bring the property into compliance and has not corresponded with Code Enforcement regarding the case. Board Member Boyd suggested giving the respondent ninety (90) days to bring the property into full compliance. The board members discussed this and how to word the motion.

A motion was made by Board Member Byrd, seconded by Vice Chair Kresse to find the property in violation of Section 42-116, Duty to Maintain Property, 42-117, Exterior Structure - Maintenance, 42-119, Rubbish & Garbage Accumulation, and LDC 5.01.09, Outside Storage. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

A motion was made by Vice Chair Kresse, seconded by Board Member Byrd, to give the respondent forty-five (45) days to bring the property into compliance for 42-117, Exterior Structure – Maintenance, with a

fine of \$50 per day along with administrative fees if the property is not brought into compliance by January 15th, 2021. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

Board Member Crow stated she would rather give a hard deadline for the property to come into compliance than guesstimate how long it will take to get a permit or speak to the Building Department.

A motion was made by Board Member Crow, seconded by Board Member Boyd, to give the respondent ninety (90) days to bring the property into full compliance for the other violations, with a fine of \$50 per day along with administrative fees if the property is not brought into full compliance by March 1st, 2021. A vote was taken and passed 7-1, with Vice Chair Kresse voting nay.

Vice Chair Kresse feels ninety (90) days is not enough time to bring the property into full compliance since there may be a Stop Work Order on the property.

4.5 JESSUP PROPERTIES – JIM JESSUP, 409 FIR STREET, CASE 2020-0407. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117, Exterior Structure – Maintenance. *Requesting Board determination of the case.*

Officer Wells presented the case for the City and submitted evidence into the record. He provided a timeline of the case and presented more details as provided in the staff report. Code Enforcement received a complaint on October 6th, 2020 that the house was open and not secured, and homeless people were living in the house and accessory shed. During a visit to the property that same day, Officer Wells noted the roof support piers and posts were leaning and in need of repair. He posted a notice of visit on the front door giving the owner thirty (30) days to correct the violations.

Due to numerous safety complaints and a lack of response from the owner, a NOV/NOH letter was mailed on October 19th, 2020, giving the owner until October 26th, 2020 to bring the property into compliance. The notice was also posted at the property, City Hall, and the Peck Center. Officer Wells conducted a NOV/NOH inspection on October 27th, 2020 and noted the property was still in violation and had not been secured. He conducted an inspection on November 6th, 2020, thirty (30) days from the original posting, and noted the property was still in violation. He presented photo evidence of the violations.

Officer Wells read the recommended motion: *Staff recommends a motion to find the property in violation of violation of 42-117 (Exterior Structure-Maintenance) giving the respondent fifteen (15) additional days to come into compliance by December 18th, 2020. The City recommends a motion to be made that all administrative fees be paid by the Respondent and that a fine of \$50 per day to begin on December 19th, 2020 if not in compliance, along with filing a lien on this property on January 19th, 2021.*

Officer Wells stated the property is owned by Jessup Properties, LLC according to the property appraiser's website, and is listed for sale with Amelia Coastal Realty. Code Enforcement received an e-mail from Mr. Matthew Miller, a neighbor and prospective buyer, requesting a copy of the NOV/NOH letter, Findings of Fact, and current fines and fees. These were e-mailed to him at the end of October.

A board member inquired if the property is currently in foreclosure. Ms. Bach stated the property is not in foreclosure. She noted the current owner, Jim Jessup, is one of the former owners of the Thompson House on S. 7th Street, and that property also had code violations before it sold. She stated the property cannot be sold without a deed.

Ms. Bach asked Officer Wells if the property has been secured. He stated the property has not been secured. He has attempted to contact the owner, along with assistance from the police department, regarding the condition of the property. Officer Wells has also contacted the Building Official to request posting the property as an unsafe structure. It has not been posted as of this meeting. Chair Kaufman

inquired if the Board could order the owner to secure the property. Ms. Bach stated yes, the board can order this as per the ordinance. The board discussed this option. Officer Wells stated there is another open case on the property for violation of 42-116, Duty to Maintain Property. The property came into compliance for this violation but is accruing daily fines. There is a recorded lien on the property.

Board Member Fotiades suggested filing an additional lien on the property immediately. Ms. Bach stated this can only be done for repairs completed by the City. Under Florida law, a lien can be filed if fines are not paid within thirty (30) days. If the lien remains unpaid for ninety (90) days, the City can foreclose on the lien. The board discussed this and how to word the motion.

A motion was made by Vice Chair Kresse, seconded by Board Member Byrd, to find the property in violation of 42-117, Exterior Structure (Maintenance). Vote upon passage of the motion was taken by voice vote being all ayes, carried.

A motion was made by Vice Chair Kresse, seconded by Board Member Crow, to give the respondent until December 10th, 2020 to secure all doors, windows, and openings on the house and shed. A fine of \$50 per day will begin on December 11th, 2020 if the property is not secured. If the property is not secured by the respondent, the Board recommended the City secure the property by December 15th, 2020 and assess all costs associated with this work. The respondent shall repair the leaning concrete piers and wood porch posts by January 4th, 2021. An additional fine of \$50 per day along with administrative fees will begin on January 5th, 2021 if the property is not brought into full compliance by January 4th, 2021. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

5. Board Business

5.1 BOARD APPOINTMENTS - Recommendation of appointments: Reappointment of Member Shults; Appointment of Alternate Member Thompson to the seat vacated by Member Chapman; Appointment of Alternate Member Fotiades to the seat vacated by Member Byrd.

A motion was made by Vice Chair Kresse, seconded by Board Member Crow, to reappoint Board Member Shults to another three (3) year term; appoint Alternate Board Member Thompson to the seat vacated by Board Member Chapman; and appoint Alternate Board Member Fotiades to the seat vacated by Board Member Byrd. Vote upon passage of the motion was taken by voice vote being all ayes, carried.

City staff and the other board members thanked Board Member Byrd for his service on the Board.

1002 CEDAR STREET, CASE 2019-0355 – REQUEST FOR LIEN REDUCTION

Ms. Bach provided an update on this item. Per a request from the property owners, this item was presented to the City Commission on November 17th, 2020 for reduction of fines and fees associated with a lien for violation of 42-173, Wrecked or inoperable motor vehicles declared a nuisance and prohibited. The fine was reduced from more than \$17,000 to \$350. During a discussion at the commission meeting, several commissioners felt that property owners do not receive proper notice regarding the possibility of fines and fees. The board members discussed this, including a different system for notification. Several board members feel staff should not incur additional work to notify owners of potential liens as they have already received proper notice of violations, meeting agendas, etc.

6. Adjournment

There being no further business to come before the Code Enforcement and Appeals Board, Chair Kaufman adjourned the meeting at 8:39 p.m.

STAFF REPORT
Case 2020-0315
City of Fernandina Beach Code Enforcement & Appeals Board
January 7, 2021

Violation Information

Owner	David M. & Britni C. Waldo 728 South 6 th Street Fernandina Beach, Florida 32034
Violation	City of Fernandina Beach – Code of Ordinances, Section 22-101 (Standard Housing Code-Adoption; enforcement; permit requirements), 42-173 (Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited), 78-84(5) (Stopping, standing, or PARKING PROHIBITED in specified places – All vehicles must be currently tagged & registered), 78-84 (4) Stopping, standing, or PARKING PROHIBITED in specified places–Overnight: RVs; Boats: Trailers, etc.)
Location:	728 South 6 th Street, Fernandina Beach, Florida 32034

Summary and Background Information

November 1, 2017 – We received a complaint about work that had been done over the years at this property without the required building permits. Ms. Forstrom' s inspection found two sheds, extended fence into the right-of-way, an enclosed porch, new windows & door, electricity run, a chicken coop, and chickens, all work done w/out permits. Pictures were taken.

November 2, 2017 –A NOV/NOH letter was sent to the owner by certified mail requesting they contact the building department and the building official by 11/09/2017 about pulling the required permits for the additional work and modifications done to the front porch along with the sheds and structures that were added to the property.

November 17, 2017 – We received the signed return receipt card from the post office from the certified letter with the owners' signature on it giving us proper service.

2018 – Sometime during the year of 2018 Michelle Forstrom will testify that the respondent was informed by Building Official Tony Perez that the owner would have to provide an engineering report/study of the work that had been completed without a permit to be able to make application for a permit for the work in question.

August 12, 2020 – The Code Enforcement Director, Michelle Forstrom spoke with Mr. Waldo about his case. He stated he is going to remove the windows from the front porch, obtain a permit for the chicken coop/shed, he has torn down other buildings in the rear. He will replace the chain link fence with a wooden fence and bring back the fence back on to his property along with pulling the necessary fence permit. Ms. Forstrom set an inspection up for thirty (30) days.

October 19, 2020 – A NOV/NOH letter was sent to the owner by certified mail giving the owner ten (10) days to correct the violations 42-173, 78-84(4), and 78-84(5). Thirty (30) days were given to the owner to obtain required permitting for the porch and the sheds.

October 23, 2020 – We received the signed return receipt card from the post office from the certified letter with the owners' signature on it giving us proper service.

December 21, 2020 – A pre-agenda inspection was performed showing the property is still in violation of Section 22-101 (Standard Housing Code-Adoption; enforcement; permit requirements). Recorded photographs of the violation.

Conclusion:

I am bringing this case before the CEAB because this owner does not give me great confidence in bringing this property into compliance without further enforcement due to prior code case history.

Recommendation:

The City recommends a motion to be made to find the property in violation of 22-101 (Standard Housing Code-Adoption; enforcement; permit requirements) giving the respondent (30) thirty additional days to come into compliance by 02/07/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and that a fine of \$ 50.00 a day to begin on 02/08/2021 if not in compliance, along with filing a lien on this property on 03/23/2021.

Submitted by:

A handwritten signature in blue ink, appearing to read "George Wells", is written over the printed name.

George Wells
Code Enforcement Officer



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department

Code Enforcement Officer

**ADMINISTRATIVE FEES INCURRED FROM
728 South 6th Street
As of 01/07/2021
CODE CASE #2020-0315**

STAFF PERSONNEL OR ITEMS

	<u># OF UNITS OR HOURS</u>	<u>PRICE OR RATE PER HOUR</u>	<u>TOTAL</u>
Michelle Forstrom, Code Enforcement Director	5.5	\$27.07	\$148.89
George Wells, Code Enforcement Officer	7	\$23.24	\$162.68
Tammi Bach, City Attorney	0.5	\$72.29	\$36.15
Harriet Davis, Administrative Coordinator/Board Secretary	2.5	\$19.29	\$48.23
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	2	\$6.90	\$13.80
First Class letters mailed	1	\$0.50	\$0.50

TOTAL ADMINISTRATIVE FEES DUE

\$433.74

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



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department

Code Enforcement Officer

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

October 19, 2020

Case Number: CODE-2020-0315

Cert. #: 7020 0090 0001 9419 5588

IN THE MATTER OF:

David M. & Britni C. Waldo
728 S. 6th Street
Fernandina Beach, FL 32034

PREMISES: 728 S 6TH ST FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 152
S1/2 OF LOT 14 & ALL OF LOTS 15 & 16 IN OR 1799/785

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/or the City of Fernandina Beach Land
Development Code and contends that the following violation(s) exist:

22-101	Standard Housing Code-Adoption; enforcement; permit requirements	
	Apply for a building permit that was not pulled for the front porch alterations and modifications that were completed in 2017. Provide all drawings and product cut sheets for approval of the building methods and materials used in construction. The building department may require an engineering report on the work that was completed to access its compliance with all applicable building codes. Apply for a building permit for the prefabricated shed in the right rear of the property that was placed on the property without the proper permit. The Building Department will need the manufacturers name and specifications of the shed to start the permit process. All questions related to making application and gaining permit approval should be directed to the Building	By 11/19/2020

Department (904-310-3136). All questions related to Code Enforcement compliance may be addressed to the Code Enforcement staff (904-310-3442).

42-173	Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited	
	Remove, repair, or register the white van parked on the city right of way without a current tag on it.	By 10/29/2020
78-84 (5)	Stopping, standing, or PARKING PROHIBITED in specified places - All Vehicles must be Currently Tagged & Registered	
	All vehicles parked on the city right of way must have a current tag on them.	By 10/29/2020
78-84 (4)	Stopping, standing, or PARKING PROHIBITED in specified places - Overnight: RVs; Boats; Trailers, etc.	
	Remove and relocate onto private property the RV camper and all trailers parked on the city right of way. Trailers and RV must be either on the side or rear yard behind the front line of the house on private property.	By 10/29/2020

(These can be found on the City's website: www.fbfl.us/code).

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: January 7, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St

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/Land Development Code.

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, fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation), and in some cases demolition.

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).

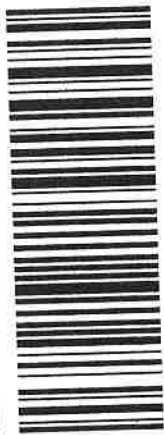
A handwritten signature in blue ink, appearing to read "George Wells", is written over the printed name.

George Wells

Code Enforcement 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.

CERTIFIED MAIL®



7020 0090 0001 9419 5588
7020 0090 0001 9419 5588

ina B
et
L 32034

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

Code Enforcement

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

OFFICIAL USE

Certified Mail Fee \$ **3.55**
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postmark
Here

Postage \$ **.50**
Total Postage and Fees \$ **6.90**

Sent To
Street or
City, State
DAVID M. & BRITNI C. WALDO
728 S. 6TH STREET
FERNANDINA BEACH, FL 32034

PS Form 3800, April 2010 PSN 7530-02-000-9053

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:

DAVID M. & BRITNI C. WALDO
728 S. 6TH STREET
FERNANDINA BEACH, FL 32034



9590 9402 5816 0034 1928 21

2. Article Number (Transfer from service label)

7020 0090 0001 9419 5588

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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 (\$500)

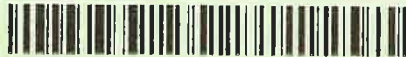
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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:

DAVID M. & BRITNI C. WALDO
728 S. 6TH STREET
FERNANDINA BEACH, FL 32034



9590 9402 5816 0034 1928 21

2. Article Number (Transfer from service label)

7020 0090 0001 9419 5588

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ECH 3414 C19

☒ Agent☐ Addressee

B. Received by (Printed Name)

B. Waldo C19

C. Date of Delivery

10/20/2020

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
- ☐ Registered Mail Restricted Delivery (\$500)

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

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

Domestic Return Receipt



12-21-2020 09:52



12-21-2020 09:52



12.21.2020 09:51



12 21 2020 09:50

10.13.2020 10:21





10:13:2020 10:22



10:13.2020 10:22



10:13.2020 10:15



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

November 2, 2017

Case Number: 17-00124

Cert. #:7012 1640 0001 5937 9500

IN THE MATTER OF:

David M & Britni C Waldo
728 South 6th Street
Fernandina Beach, FL 32034

PREMISES: 728 South 6th Street, Fernandina Beach, FL 32034

The brief legal description of the real property upon which this violation occurred is: **BLOCK 152 S1/2 of LOT 14 & ALL OF LOTS 15 & 16 IN OR 1799/785, 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: **Section 22-101 – Standard Housing Code-Adoption; enforcement; permit requirements** (This can be found on the City's website: www.fbfl.us/code). This letter specifically addresses the work that has been done at this property without permits, please refer to the pictures that I have included.

Therefore, you are hereby directed to remedy and discontinue the problems by: contacting, Tony Perez, the Building Official for the City of Fernandina Beach, by November 9th, 2017 seven (7) days from the date of this notice, and if the Building Official is not contacted by you, this department will refer this matter to the Code Enforcement & Appeals Board for legal action at the date and time listed below. I have attached the Building Official's business card. If you choose to contact him via email, please copy me as well.

DATE: December 7, 2017
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.

SENDER: COMPLETE THIS SECTION	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: DAVID M & BRITNI C WALDO 728 SOUTH 6TH STREET FERNANDINA BEACH, FL 32034  9590 9402 3035 7124 0457 38 2. Article Number (Transfer from service label) 7012 1640 0001 5937 9500	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name)  C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type <table style="width: 100%;"> <tr> <td style="vertical-align: top;"> ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail Restricted Delivery </td> <td style="vertical-align: top;"> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

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

Domestic Return Receipt

U.S. Postal Service™ *CoFB, Cook, ENF*

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

7012 1640 0001 5937 9500

OFFICIAL USE	
Postage	\$ 1.82
Certified Fee	3.38
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.92

Postmark Here



DAVID M & BRITNI C WALDO
728 SOUTH 6TH STREET
FERNANDINA BEACH, FL 32034

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

0056 2665 1000 0491 2102
0056 2665 1000 0491 2102



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

Postage	\$ 1.82
Certified Fee	3.35
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.92

Postmark
Here

Sent To
Street,
or PO Box
City, St
PS Form

DAVID M & BRITNI C WALDO
728 SOUTH 6TH 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:

DAVID M & BRITNI C WALDO
728 SOUTH 6TH STREET
FERNANDINA BEACH, FL 32034



9590 9402 3035 7124 0457 38

2. Article Number (Transfer from service label)

7012 1640 0001 5937 9500

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

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

3. Service Type

☐ Adult Signature	☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery	☐ Registered Mail TM
☐ Certified Mail®	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise
☐ Collect on Delivery	☐ Signature Confirmation TM
☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery
☐ Mail	
☐ Mail Restricted Delivery	

Domestic Return Receipt

Street Address Subdivision Parcel Number Owner Construction Use

728 S. 6TH STREET SUBDIVISION VALDIA, DAVID M. & BRITH (00000-01-18000152014 TYPE: MURDERPROTECTED) SINGLE FAMILY

Changing a Application Record

General Property Reviews Fees Contractors Permits Attachments

Sequence	Type	Dept	Date In	Date Out	Status	Handled By
1	PL	PLN	10/09/06		MC	clerk
2	BLDG	BLDG	10/02/06	10/02/06	A	blumkin
3	PLN	PLN	01/02/06	10/02/06	A	blumkin

Changing a Review Record

General Comments Attachments

Comments: 10/09/06 APPLICATION FOR BLDG. PERMIT PLACED IN KEVIN SULLIVAN'S BOX FOR REVIEW/SA

- 10/01/02 DENIED PER
- A. Expansion or Modification of Nonconforming Uses or Structures
- B. Nonconforming structures shall not be expanded except in compliance with this section.
- C. Nonconforming structures shall not be expanded unless such expansion reduces the extent of the nonconformity.
- C. An expansion of a nonconforming structure is permissible that is otherwise required by law or ordered by the City Manager to secure the safety of the building.
- 10/9/06 SPOKE TO APPLICANT AND EXPLAINED THAT THE STRUCTURE ENCROACHES INTO 25' FRONT YARD THEREFORE CREATING A NONCONFORMITY AND THEREFORE NOT PERMISSIBLE FOR EXPANSION, ENCLOSING WOOD DECK CONSTITUTES EXPANSIONS
- 10/11/06 FOUND NON-COMPLIANT BY KEVIN SULLIVAN, TAKEN TO BLDG. DEPT. FOR REVIEW, SA
- 10/23/06 CALLED PROPERTY OWNER & EXPLAINED THAT THIS APPLICATION WOULD NOT BE PERMITTED. WILL SEND DENIAL LETTER, CB

OK Cancel Help

Station	Type	Opened	Description
0000000318	70AYC18F	8/29/06	ENCLOSE FRONT PORCH WITH SIDING & FRNT DOOR
0001406	TREE	12/26/12	REMOVE ONE DEAD TREE - NO FEE/NO REPLACEMENT



11.19.2012



11.19.2012







12.12.2012



11.19.2012





11.1.2017 14:08





11:1:2017 14:09



11 1. 2017 14 09



11.1.2017 14:09



11-1-2017 14:10



11-1-2017 14:10



11.1.2017 14:12





11.1.2017 14:07

STAFF REPORT
Case 2020-0423
City of Fernandina Beach Code Enforcement & Appeals Board
January 7, 2021

Violation Information

Owner	Willie & Paula Evans 810 S. 11 th Street Fernandina Beach, Florida 32034
Violation	City of Fernandina Beach – Code of Ordinances, Section 78-84 (4) Stopping, Standing, or Parking Prohibited in Specified Places – Overnight: RVs; Boats: Trailers; etc., Section 42-119 Rubbish and Garbage (Accumulation), Section 42-116 Duty to Maintain Property, LDC 7.01.05 D Specified Parking Restrictions for Boats and Trailers.
Location:	810 S. 11 th Street, Fernandina Beach, Florida 32034

Summary and Background Information

October 13, 2020 – We received a complaint about this property being overgrown along with junk and debris laying all over this property. I performed an inspection and confirmed the yard needed to be cut and cleaned. I also observed excessive amounts of junk and debris that needed to be cleaned up and removed from this property. I observed a utility trailer parked on the front driveway filled with junk and debris. There was another utility trailer parked on the City right of way that was filled with junk and debris that needed to be cleaned of all junk and debris and stored properly on private property. I posted a notice of visit on the front door giving the owner (10) ten days to correct the violations. I recorded photographs of the violations and the posting.

October 26, 2020 – A second inspection was performed at this residence. The owner had not corrected any of the violations.

November 18, 2020 – A follow up inspection was performed trying to contact the owner at the residence. The owner was not at home. All the violations were still on going.

November 19, 2020 – A certified NOV/NOH letter was mailed to the owner giving an additional (10) ten days to correct the violations along with a date and time to appear before the CEAB if the violations have not been brought into compliance.

November 25, 2020 – We received the signed return receipt card from the post office from the certified letter with the owners' signature on it giving us proper service.

December 2, 2020 – I performed a NOV/NOH inspection which confirmed the property was still in violation.

December 15, 2020 – I attempted to contact the owner by phone, but his voicemail is always full.

December 21, 2020 – A pre-agenda inspection was performed confirming some of the junk and debris has been removed, but nowhere near compliance. The trailer parked on the front City right of way has been removed. A utility trailer is still parked on the front driveway with junk and debris piled on it. There is still junk and debris on the ground that needs to be cleaned up and removed. The yard has been cut and the front bushes trimmed back to minimum standards.

Conclusion:

We have had numerous problems with this owner concerning this property and other violations over the years. It seems he is not concerned about being held in violation and fined.

Recommendation:

The City recommends a motion to be made to find the property in violation of Section 42-119 - Rubbish and Garbage (Accumulation) and LCD 7.01.05 D - Specified Parking Restrictions for Boats and Trailers giving the respondent (10) ten additional days to come into compliance by 01/17/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and that a fine of \$ 50.00 a day per violation to begin on 01/18/2021 if not in compliance, along with filing a lien on this property on 03/05/2021.

Submitted by:

A handwritten signature in blue ink that reads "George Wells". The signature is stylized with a large initial "G" and a cursive "Wells".

George Wells
Code Enforcement Officer



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department

Code Enforcement Officer

ADMINISTRATIVE FEES INCURRED FROM

810 S. 11th Street

As of 01/07/2021

CODE CASE #2020-0423

STAFF PERSONNEL OR ITEMS

Michelle Forstrom, Code Enforcement Director
George Wells, Code Enforcement Officer
Katie Newton, Board Secretary/Legal Assistant
Tammi Bach, City Attorney
Harriet Davis, Administrative Coordinator

# OF UNITS OR HOURS	PRICE OR RATE PER HOUR	<u>TOTAL</u>
1	\$27.07	\$27.07
5.5	\$23.24	\$127.82
1	\$25.87	\$25.87
0.5	\$72.29	\$36.15
2.5	\$19.29	\$48.23
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50
		\$23.50
Certified letters mailed	2	\$6.90
First Class letters mailed	1	\$0.50
		<u>\$0.50</u>

TOTAL ADMINISTRATIVE FEES DUE

\$302.93

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



City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

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

November 19, 2020

Case Number: CODE-2020-0423

Cert. #: 7020 0090 0001 9419 5908

IN THE MATTER OF:

Willie & Paula Evans
810 S 11th Street
Fernandina Beach, FL 32034

PREMISES: 810 S 11TH ST 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

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/or the City of Fernandina Beach Land Development Code and contends that the following violation(s) exist:

78-84 (4)	Stopping, standing, or PARKING PROHIBITED in specified places - Overnight: RVs; Boats; Trailers, etc.	
	Remove and relocate utility trailer that is parked on the city right of way.	By 11/29/2020
42-119	Rubbish and Garbage (Accumulation)	
	Remove all rubbish, garbage, and debris laying on the ground.	By 11/29/2020
42-116	Duty to Maintain Property	
	Cut and/or clean up property	By 11/29/2020
7.01.05 D	Specific Parking Restriction for Boats and Trailers - Boats, boat trailers, utility trailers, and similar vehicles shall not be parked overnight in any zoning district except in an area specifically designated by this LDC for that purpose.	

Such vehicles, when unoccupied, may be parked or stored in a completely enclosed building, a carport attached to a principal building, or in a side or rear yard

Remove or relocate utility trailer to a side or rear yard.

By 11/29/2020

(These can be found on the City's website: www.fbfl.us/code).

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: January 7, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St

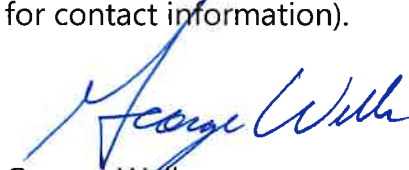
YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances/Land Development Code.

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, fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation), and in some cases demolition.

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 Enforcement 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:

**WILLIE & PAULA EVANS
810 S. 11TH STREET
FERNANDINA BEACH, FL 32034**



9402 5916 3034 1929 37

Number (Transfer from service label)

7020 0070 0001 9419 5908

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature **X** *Willie Evans* ☐ Agent ☐ Addressee

B. Received by (Printed Name) **C. Date of Delivery**

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

3. Service Type
☐ Adult Signature ☐ Priority Mail Express®
☒ Adult Signature Restricted Delivery ☐ Registered Mail™
☐ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☐ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
☐ Registered Mail Restricted Delivery \$500

Domestic Return Receipt

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee **3.55**

Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage **50**

Total Postage and Fees **6.90**

Sent To **Willie & Paula Evans**
 Street **810 S. 11TH STREET**
 City **FERNANDINA BEACH, FL 32034**

PS Form 3800, April 2010 PSN 7530-02-000-9041

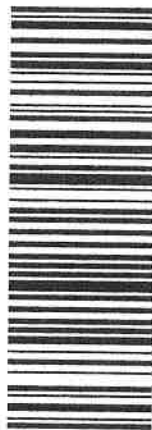
Code Enforced

Postmark Here

9065 6756 7000 0600 0202

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

CERTIFIED MAIL®



7020 0090 0001 9419 5908
7020 0090 0001 9419 5908

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

Code Enforcement

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

OFFICIAL USE

Certified Mail Fee \$ **3.55**
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postmark
Here

Postage \$ **.50**
Total Postage and Fees \$ **6.90**

Sent To
Street
City, State, ZIP+4®
WILLIE & PAULA EVANS
810 S. 11TH STREET
FERNANDINA BEACH, FL 32034

PS Form 3800, April 2015 PSN 7530-02-000-9053

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
810 S. 11TH STREET
FERNANDINA BEACH, FL 32034



9590 9402 5816 0034 1929 37

2. Article Number (Transfer from service label)

7020 0090 0001 9419 5908

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

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

Domestic Return Receipt

NOTICE OF VISIT

In Pursuit of Health, Safety & Quality of Community



CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
516 South 10th Street, Suite 211
Beach Center

(904) 310-3442
gwells@fnb.city www.fnb.fl.us/Code

Date: 10-13-20 Time: 10:30 AM PM
Address: 810 S. 11th St.

THIS IS TO SERVE AS A WARNING THAT VIOLATIONS WERE OBSERVED OF THE FOLLOWING CITY ORDINANCE(S):

REASON FOR VISIT: cut all high weeds CODE # 42-010

X Duty to Maintain Property cut all high weeds CODE # 42-010

Exterior Structure (Multi-purpose) 42-017

X Rubbish and Garbage remove all debris 42-010

Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited - 42-023
Register vehicle & get current tags on it

X No Visible Address 42-013

Accessibility of Garbage and Recycle Containers 42-011

Encroachments in the public Right-of-Way prohibited 42-012

X Parking prohibited in specified places - 42-010
on public property (Right-of-Way) for boats, trailers, RVs, move trailer out of right of way
Failure prohibited in specified places - All vehicles parked on public property (Right-of-Way) shall be correctly tagged and displayed on vehicle 42-010

Outside Storage 42-010

Movable Mobile Storage Units (PMU) - permit required 42-010

Recreational Vehicle, Boats, Trailers or Similar Vehicles 42-010

Remove or store in a proper structure 42-010

Other move trailer from front driveway

Please contact George Wells, Code Enforcement Officer at (904) 310-3442 or at gwells@fnb.city within 5 Days of this notice to discuss compliance with the above listed issue, or bring this property into compliance by 10-23 2020.
Failure to do so will result in an official written notice with a possible outcome of fines.

Comments: cut all high grass & weeds. Remove all trash & debris from the front yard. Remove or relocate utility trailer to back side of rear yard. Wells
Code Enforcement Officer

2020 09:30



10.13.2020 09:23



10.13.2020 09:24



10.13.2020 09:23



12.21.2020 09:09



12.21.2020 09:09



12:21:2020 09:11

STAFF REPORT
Case 2020-0445
City of Fernandina Beach Code Enforcement & Appeals Board
January 7, 2021

Violation Information

Owner Mary Donn Bowman
1622 Highland Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code of Ordinances, Section 42-116 (Duty to Maintain Property),

Location: 1622 Highland Street, Fernandina Beach, Florida 32034

Summary and Background Information

October 22, 2020 – We received a complaint about this property being overgrown. I performed an inspection and confirmed the back yard was considerably overgrown needing to be cut and cleaned. I posted a notice of visit on the front door giving the owner (10) ten days to correct the violation. I recorded photographs of the posting of the notice of visit on the front door and of the violation.

November 2, 2020 – A second inspection was performed at this residence. The property was still in violation of section 42-116.

November 5, 2020 – A certified NOV/NOH letter was mailed to the owner giving an additional (10) ten days to correct the violation along with a date and time to appear before the CEAB if the violation has not been brought into compliance.

November 10, 2020 – We received the signed return receipt card from the post office from the certified letter with the owners' signature on it giving us proper service.

November 16, 2020 – I performed a NOV/NOH inspection which confirmed the property was still in violation of Section 42-116.

December 15, 2020 – I contacted the owner by phone. She stated she was going out of town, but she was going to contact her yard person who is going to cut and clear this back yard.

December 21, 2020 – A pre-agenda inspection was performed showing the property is still in violation of Section 42-116 (Duty to Maintain Property). Recorded photographs of the violation.

Conclusion:

I am bringing this case before the CEAB because this owner does not give me great confidence in bringing this property into compliance without further enforcement due to prior code case history.

Recommendation:

The City recommends a motion to be made to find the property in violation of 42-116 (Duty to Maintain Property) giving the respondent (10) ten additional days to come into compliance by 01/17/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and that a fine of \$ 25.00 a day to begin on 01/18/2021 if not in compliance, along with filing a lien on this property on 03/05/2021.

Submitted by:



George Wells

Code Enforcement Officer



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department

Code Enforcement Officer

**ADMINISTRATIVE FEES INCURRED FROM
1622 Highland Street
As of 01/07/2021
CODE CASE #2020-0445**

STAFF PERSONNEL OR ITEMS

	# OF UNITS OR HOURS	PRICE OR RATE PER HOUR	<u>TOTAL</u>
Michelle Forstrom, Code Enforcement Director	1	\$27.07	\$27.07
George Wells, Code Enforcement Officer	5.5	\$23.24	\$127.82
Katie Newton, Legal Assistant	1	\$25.87	\$25.87
Tammi Bach, City Attorney	0.5	\$72.29	\$36.15
Harriet Davis, Administrative Coordinator/Board Secretary	2.5	\$19.29	\$48.23
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	2	\$6.90	\$13.80
First Class letters mailed	1	\$0.50	<u>\$0.50</u>

TOTAL ADMINISTRATIVE FEES DUE

\$302.93

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



City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

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

November 5, 2020

Case Number: CODE-2020-0445

Cert. #: 7020 0090 0001 9419 5724

IN THE MATTER OF:

Mary Donn Bowman
1622 Highland Street
Fernandina Beach, FL 32034

PREMISES: 1622 HIGHLAND ST FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK J LOT W1/2 OF 2 IN OR 716/1179 ATLANTIC HIGHLANDS SUB

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/or the City of Fernandina Beach Land Development Code and contends that the following violation(s) exist:

42-116	Duty to Maintain Property	
	Cut all high grass and weeds in back yard including saplings.	By 11/15/2020

(These can be found on the City's website: www.fbfl.us/code).

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: January 7, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St

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/Land Development Code.

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, fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED \$250.00 per day, per violation), and in some cases demolition.

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 faint, illegible printed name.

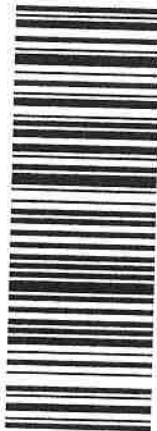
George Wells

Code Enforcement 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®



7020 0090 0001 9419 5724
7020 0090 0001 9419 5724

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$ **3.55**
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage \$ **.50**
Total Postage and Fees \$ **6.90**

Postmark
Here

Sent To
Street: **MARY DONN BOWMAN**
1622 HIGHLAND STREET
City, St: **FERNANDINA BEACH, FL 32034**

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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:

MARY DONN BOWMAN
1622 HIGHLAND STREET
FERNANDINA BEACH, FL 32034



9590 9402 5816 0034 1928 76

2. Article Number (Transfer from service label)

7020 0090 0001 9419 5724

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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
red Mail
red Mail Restricted Delivery
(\$500)

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

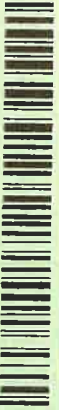
Domestic Return Receipt

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:

MARY DONN BOWMAN
1622 HIGHLAND STREET
FERNANDINA BEACH, FL 32034



9590 9402 5816 0034 1928 76

2. Article Number (Transfer from service label)

7020 0090 0001 9419 5724

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent

B. Received by (Printed Name)

MARY DONN BOWMAN

C. Date of Delivery

11/6/2020

D. Is delivery address different from item 1? If YES, enter delivery address below:

☒ No

3. Service Type

- | | |
|---|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☒ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Registered Mail Restricted Delivery (PS500) | |

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL®
Domestic Mail Only

RECEIPT
Code Enforcement

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

OFFICIAL USE

Certified Mail Fee

3.55

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|---|----------------|
| ☒ Return Receipt (hardcopy) | \$ 2.85 |
| ☐ Return Receipt (electronic) | \$ |
| ☐ Certified Mail Restricted Delivery | \$ |
| ☐ Adult Signature Required | \$ |
| ☐ Adult Signature Restricted Delivery | \$ |

Postage

50

Total Postage and Fees

L.90

Sent To

MARY DONN BOWMAN
1622 HIGHLAND STREET
FERNANDINA BEACH, FL 32034

PS Form 3800, April 2015 PSN 7530-02-000-9054

See reverse for instructions

7020 0090 0001 9419 5724

NOTICE OF VISIT

In Pursuit of Health, Safety & Quality of Community



CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
510 South 10th Street, Suite 211
Peach Center

(904) 310-3442
gwell@fb.city www.fb.us/code

Address: 1622 Highland St
Date: 10-22-20 Time: 11:30

THIS IS TO SERVE AS A WARNING THAT VIOLATIONS WERE
OBSERVED OF THE FOLLOWING CITY ORDINANCE(S):

REASON FOR VISIT:

- ☒ **Item 1: Municipal Property**
Exterior Structure (Maintenance)
Repair
- Roofing and Gutters**
Missing or incomplete roof, visible on pre- or property
declared a nuisance and prohibited - Restore, repair, or
replace within 30 days from date of notice.
- No Visible Address Numbers**
46-167.01(2)(c) 12m
- Accessibility of Curb and Recent Curbcut**
Intersections of the public right-of-way prohibited
to curb repair
- Parking prohibited in specified places - Obstructed Parking on public property (Right-of-Way) for Buses, Trucks, RVs**
- Parking prohibited in specified places - All Vehicles parked
on public property (Right-of-Way) shall be turning right
and displayed on vehicle
- Chained Storage**
Motorcycle Storage Storage Units (POD) Permit required
- Removal of Vehicle, Boat, Trailer or Similar Vehicle**
Removal or store in a proper structure or in side or rear yard
- Other

Please contact George Wells, Code Enforcement Officer at (904)
310-3442 or at gwell@fb.city, within 5 Days of this notice to
discuss compliance with the above listed issue, or bring this
property into compliance by 11-1-2020.
Failure to do so will result in an official written notice with a
possible outcome of fines.

Comments: Cut all high grass +
weeds in rear yard including 50'x125'

Wells
Code Enforcement Officer

2020 10:24

10 22 2020 10:14



10-22-2020 10:14





10:22:2020 10:15

12.21.2020 09:40



12.21.2020 09:40

