



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
OCTOBER 7, 2021
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. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes from the July 1, 2021, meeting are presented for approval.

4. OLD BUSINESS

5. NEW BUSINESS

5.1 **MAESTRE, RUTH E. & LORE, PAUL A. 11 SOUTH 7TH ST. CASE 2021-0073.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

5.2 **DAVIS- TAYLOR, CECILIA, 112 SOUTH 9TH ST. CASE 2021-0240** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 Duty to Maintain Property and Section 42-117 Exterior Structure (Maintenance) (Repeat). *Requesting Board determination of the case.*

5.3 **HARRIS, DARALL L. & JO ANN L., Parcel 00-00-31-1800-0146-0011, CASE 2021-0298.** 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.

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.

DRAFT



Code Enforcement & Appeals Board Minutes
Regular Hearing
July 1, 2021

1. Call to Order/Roll Call/Determination of Quorum - The meeting was called to order at 5:30 p.m.

Board Members Present:

Chair Adam Kaufman

Vice Chair Nicole Kresse

Buddy Boyd

Cindy Crow

Gail Shults

Bernard Thompson

Board Members Absent:

Travis Young

Andy Fotiades

Staff Present:

Tammi E. Bach, City Attorney

Katie Newton, Recording Secretary

Michelle Forstrom, Code Enforcement Director

George Wells, Code Enforcement Officer

Others Present:

Barb Kent

Henry Green

Shawn Hudson

Margaret Williams

Jim Bush

2. Pledge of Allegiance

3. Approval of Minutes - According to the agenda support documents, the minutes for the May 6, 2021 regular hearing were presented for approval. **A motion was made by Vice Chair Kresse, seconded by Member Shults, to approve the minutes. Vote upon passage of the motion was taken by voice vote being all ayes, carried.**

There was a change to the agenda as Item 5.5 had come into compliance. City Attorney Bach explained the quasi-judicial process. The appeal in item 5.1 is not quasi-judicial, but all other cases are.

4. Old Business

There was no old business before the Board.

5. New Business

5.1 APPEAL REQUEST - HENRY GREEN ON BEHALF OF 1014 SOUTH 10TH STREET, 816 VERNON STREET, 823 SOUTH 13TH STREET. *Mr. Green requests a reduction of administrative fees assessed in Code Enforcement Cases 2020-0287, 2020-0285, and 2020-0284.*

Chair Kaufman introduced the case and invited Mr. Green to address the Board. Mr. Henry Green, 923 Vernon Street, requested a waiver of administrative fees because he removed the excess beds from each facility on the day of Director Forstrom's inspections. He stated he could not pay the fees because he did not make much money operating these homes and he was providing a service to the community.

Director Forstrom explained her staff recommendation of removing all fines, because the properties were technically in compliance using the number of beds as a "count" of persons living in each home. As far as the administrative fees are concerned, once a case is brought before the Board, administrative fees are assessed. This case began in 2019 and therefore, the administrative fees are significant, although they do not include several additional staff members' time, in which case they would be even higher. It took a long time to get the properties into compliance. She suggested a payment plan.

Member Crow stated the fees assessed, it was the total cost of the three cases divided among the property owners.

Member Thompson asked if fees had ever been waived, and Ms. Forstrom stated that once, a homeowner did not receive the notices because a relative living in the property had hidden the notices, and fees were waived in that case.

Member Shults asked what would happen if the liens were not paid, and Ms. Forstrom stated they would file liens against the properties. City Attorney Bach explained that the Board's previous order called for filing the liens on July 1, but it was not filed yet, pending the Board's decision on the appeal tonight. If filed, the City can come back to the Board after 90 days and ask whether the City should file a foreclosure action on the properties. None are homesteaded.

Vice Chair Kresse asked about deferred payment options and Ms. Forstrom stated that Code Enforcement would work with Mr. Green to find something that works. She clarified that the liens are on the property owners, and not Mr. Green.

Mr. Green stated that he had been told different things at each meeting. Chair Kaufman disagreed with this assessment.

Ms. Barb Kent, 2009 Sunrise Drive, spoke on behalf of Mr. Green, who runs one of her houses. She stated her belief that Code Enforcement is getting paid to do this job and that homeowners were being charged to appear before the Board. She asked for a breakdown of fees.

Member Boyd stated that on the notice of violation letter, it was stated that fees could be assessed if the property was not in compliance prior to the Board hearing. He once received a letter as a property owner. If they were concerned, they should have called Code Enforcement and resolved the issue sooner when notice was first given in 2019.

Chair Kaufman stated that the operator, Mr. Green, and the property owners all had 180-day notice that the fees, which were listed in the packet, were going to be assessed.

Mr. Green stated that he thought he has an additional two weeks; Member Boyd pointed out that he had been given the additional time.

City Attorney Bach clarified the administrative fees process and restated that this appeal was not quasi-judicial. She lived the case too, and there was plenty of opportunity for dialogue.

Ms. Kent asked if there was an appeal process and Ms. Bach said there was no appeal process.

Mr. Shawn Hudson, 1719 Pelican Lane, spoke on Mr. Green's behalf. He stated he worked with Mr. Green and part of the delay was due to the pandemic. He compared assessment of administrative fees to a police officer charging a citizen asking for directions. He stated that Mr. Green provides a service to the community.

City Attorney Bach stated that the Board cannot change what is written into Code; if citizens do not want administrative fees assessed they should speak to Commission.

Member Boyd made a motion, seconded by Member Shults, to deny the appeal.

Additional discussion ensued. Vice Chair Kresse expressed concern over filing the liens as previously ordered. She was uncomfortable with the fact the property owners are responsible for a third party's violation. She wants staff to work out a payment plan.

City Attorney Bach explained that the lien is the only security to ensure the fees are paid. If the homes are sold, the fees would not have to be collected if no lien is filed. Her advice is to record the lien. She expressed sympathy but also stated that not fees would be due if the properties had been in compliance within the 180 day time frame.

Member Thompson stated he was conflicted because he has known Mr. Green his whole life but understands there are laws. He stated he wanted to find a way to work with Mr. Green, who he feels is reducing crime.

A vote was taken, and the motion passed 4-2, with Member Thompson and Vice Chair Kresse voting no.

A five-minute recess was taken. The meeting resumed at 6:27 pm and Ms. Newton swore in witnesses for the remaining agenda items.

5.2 MARGARET WILLIAMS, 113 N. 10TH STREET, CASE 2019-0277. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

Chair Kaufman introduced the case. Mr. George Wells presented the case for the City. After thanking the Board for their service, he entered his staff report and other documents into evidence. He showed a presentation and introduced the Williamses, who were present. He asked them to explain the situation with this property, which is the elder Ms. Williams' house. The case was first identified in 2019 as part of 3 homes and was still in violation. Mr. Wells is authorized to give a recommendation of 30 days to come into compliance, but he wanted the Board to consider the property owner's testimony.

Ms. Margaret Williams (daughter), 113 N. 10th Street, explained that she handles the majority of her elderly mother's business. The elder Ms. Williams cannot hear well. She explained Mr. Wells misidentified this house as part of the other properties, and that there are no economic barriers to maintaining the lawn. Her plan is to demolish the building on the property, and an assessment had already been completed. They were waiting for

quotes to begin the project. She stated that the cost of the demolition wasn't an issue, but that a 30-day time frame was. She recently applied for demo permits for other properties in the City and it took longer.

Chair Kaufman asked how long it took for a permit recently and Ms. Williams replied that it took 90 days. Ms. Forstrom stated that those properties were in the historic district so they had to go through an additional process. Chair Kaufman asked if Ms. Williams thought that 90 days was enough time to complete the project. There was some discussion of securing the building from trespassers.

A motion was made by Member Boyd, seconded by Vice Chair Kresse, to find the property in violation of 42-117, to assess administrative fees as of July 1, and to give 180 days to come into compliance. The motion passed, all in favor.

Vice Chair Kresse encouraged Ms. Williams to reach out to Code Enforcement if circumstances required.

5.3 JAMES W. & LINDA K. BUSH, 105 NORTH WOLFF STREET, CASE 2021-0018. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

Chair Kaufman introduced the case. Mr. Wells presented on behalf of the City and entered his staff report and documents into evidence. He showed a presentation and explained that this case was complaint-driven due to storing of items outside and structure violations; the storage issue is resolved. This is a repeat violator case. He recommends the Board find the property in violation and gives the respondent 30 days to come into compliance.

Mr. Jim Bush, 105 North Wolff Street, entered site plans into evidence. He does not dispute Mr. Wells' facts and has hired a contractor as of today to demo portions of the building. He stated that he had also applied for permits as of July 1. He stated that he was not popular with his neighbors, and there were reasons for the property to be in disrepair; however, he did not explain further. The intention is to demolish and renovate, and he intend to attack the project aggressively.

Member Boyd asked for a time frame for completion. Mr. Bush stated 6-9 months. There was discussion on progress reports. Mr. Wells stated that they check the property for progress. Chair Kaufman stated that Mr. Bush should contact the Code Enforcement department if any issues came up prior to the ninth month.

A motion was made by Member Boyd, seconded by Member Thompson, to find the property in violation of 42-117, to assess administrative fees as of July 1, and to give nine months to come into compliance. The motion passed, all in favor.

Mr. Wells thanked Mr. Bush for attending.

5.4 GLENN B. & LOVEY MITCHELL, 628 SOUTH 11TH STREET, CASE 2021-0089. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-173 Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited. *Requesting Board determination of the case.*

Chair Kaufman introduced the case. Mr. Wells presented the case for the City and entered his staff report and documents into evidence. He showed a presentation while explaining that there was a vehicle with no tag. The renter on the property did not speak English well, but through her he had had a phone call with the property

owner. The property was still in violation. He recommended finding the property in violation of 42-173, assessing administrative fees, and fines of \$50 per day beginning July 11 if not in compliance.

The Board asked Mr. Wells to describe the interaction with the renter and property owner, and he did.

A motion was made by Member Thompson, seconded by Vice Chair Kresse, to find the property in violation, to assess administrative fees, and fines of \$50 per day beginning July 11 if not in compliance. The motion passed, all in favor.

5.5 DAYLON RICH, 421 DIVISION STREET, CASE 2021-0229. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-173 Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited. *Requesting Board determination of the case.*

This case came into compliance.

5.6 DAVID KELLY COONROD JR, 2337 SOUTH FLETCHER AVENUE, CASE 2021-0233. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-119 Rubbish and Garbage (Accumulation) and 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

Chair Kaufman introduced the case. Mr. Wells presented the case for the City and entered his staff report and other documents into evidence. This began as an anonymous complaint. There is a large amount of scrap wood and issues with the fence. The owner had not reached out to Code Enforcement. He recommends finding the property in violation of 42-119 and 42-117 and to give 30 days for compliance.

City Attorney Bach stated that this is the last time an anonymous complaint will come before the Board, as the Florida Legislature passed legislation requiring complainants to provide their contact information.

Member Crow asked about the significance of the timing on filing the liens and City Attorney Bach explained it has to do with the recently enacted ordinance that the liens can be filed after 45 days to allow one additional Code Board meeting and then any requests for reduction go to the Commission for review.

Chair Kaufman asked if this is a rental property and Mr. Wells responded yes. Vice Chair Kresse asked whether the fence would require a permit and Mr. Wells stated replacing requires a permit but repair does not.

A motion was made by Member Boyd, seconded by Member Crow, to find the property in violation, to assess administrative fees, and fines of \$50 per day per violation beginning August 2 if not in compliance. The motion passed, all in favor.

6. Board Business

Ms. Forstrom thanked Ms. Newton for stepping in as recording secretary while Code Enforcement transitioned between administrative assistants. There will be no August meeting due to Commission budget meetings.

Member Boyd addressed the situation with Mr. Green's appeal where the members of the public were visibly agitated, and stated that the Board should let people say their piece. It's uncomfortable. As volunteers, we can only decide whether a property is in violation of the Code, we don't decide what is written in Code.

Chair Kaufman stated that when someone says something blatantly untrue, someone should say that the statement was incorrect. Member Boyd agreed.

Member Crow stated that as a Board member for many years, she's only been uncomfortable three times, and one was tonight.

City Attorney Bach had called in a police officer. Consensus was to request police support at all future meetings.

7. Adjournment

There being no further business to come before the Code Enforcement and Appeals Board, Chair Kaufman adjourned the meeting at 7:36 p.m.

Katie Newton, Recording Secretary

Adam Kaufman, Chair

STAFF REPORT
Case 2021-0073
City of Fernandina Beach Code Enforcement & Appeals Board
October 7, 2021

Violation Information

Owner Ruth E. Maestre & Paul A. Lore (JT/RS)
11 South 7th Street.
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code of Ordinances, Section 42-117 Exterior Structure (Maintenance)

Location: 11 South 7th Street, Fernandina Beach, Florida 32034

Summary and Background Information

February 16, 2021 – I performed an inspection of this property and opened a new code case with the new owners of record listed on this property. This property had a prior code case with standing violations from the previous owner Jessup Properties who let the property go into foreclosure. I recorded photographs of the violation.

February 16, 2021 – I received an e-mail from Mr. Paul Lore, which explained due to the extent of work to be done there was no way to complete these repairs within the 30 days given for compliance.

March 16, 2021 – A second inspection was performed confirming the violation of Code of Ordinances, Section 42-117 is still in violation.

August 9, 2021 – A field inspection was performed to update and document compliance progress. I recorded photographs of some of the work in progress.

August 10, 2021 – A certified NOV/NOH letter was mailed to the owners with a return receipt requested. The owner signed the return receipt card.

August 18, 2021 – We received the return receipt card from the post office with the owner's signature on it showing proper service.

September 13, 2021 – I performed a NOV/NOH inspection which confirmed the property was still in violation of Code of Ordinances, Section 42-117.

September 23, 2021 – We received an e-mail from the respondent giving an update on completed items and course of future actions.

September 30, 2021 – A pre-agenda inspection was performed confirming the property is still in violation of Code of Ordinances, Section 42-117.

Conclusion.

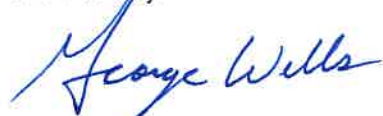
This property is still in violation of Code of Ordinances, Section 42-117. We have allowed the owners sufficient time to correct the violation cited by Code Enforcement. We had multiple conversations with Mr. Lore about this property. Mr. Lore has a different approach to repairs and time frame beyond what our department can allow. We would like all

the exterior items be addressed first and corrected, so the code case can be closed. Mr. Lore feels double work will happen if this process is followed. We suggested that he appear before the CEAB and present his case and allow the CEAB to determine a time frame and possible fines and fees assessed.

Recommendation.

The City recommends a motion to be made to find the property in violation of Code of Ordinances, Section 42-117 Exterior Structure (Maintenance) giving the owner (30) thirty additional days for the violation to come into compliance by 11/07/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and a fine of \$ 100.00 per day for the violation to begin on 11/08/2021 if not in compliance, along with filing a lien on this property on 12/23/2021.

Submitted by:



George Wells
Code Enforcement Officer



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department
(904) 310-3440

Code Enforcement Officer
(904) 310-3442

**ADMINISTRATIVE FEES INCURRED FROM
11 SOUTH 7TH STREET
7-Oct-21
CASE # 2021-0073**

<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 Director	1	\$27.07	\$0.00
George Wells, Code Enforcement Officer	5	\$23.24	\$116.20
Crystal Turner, Administrative Coordinator/Board Secretary	1.5	\$19.23	\$28.85
Tammi Bach, City Attorney	1	\$72.29	\$72.29
Katie Newton, Legal Assistant	2	\$25.87	\$51.74
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$0.00
Certified letters mailed	1	\$6.91	\$6.91
First Class letters mailed	1	\$0.51	\$0.51

TOTAL ADMINISTRATIVE FEES DUE

\$276.50

****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

August 10, 2021

Case Number: CODE-2021-0073

Cert. #: 7020 0090 0001 9419 6950

IN THE MATTER OF:

Ruth E. Maestre & Paul A. Lore (JT/RS)
11 S 7th St.
Fernandina Beach, FL 32034

PREMISES: 11 S 7th ST FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 37 LOT 7

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:

42-117

Exterior Structure (Maintenance)

Repair or replace all rotten wood siding, fascia, soffit, porch ceilings, porch floors, hand rails and balusters, all wood trim around windows and doors. Scrape, seal, and paint all peeling and unprotected wood. Obtain a COA from the HDC/Planning Dept. for all repairs and painting. Pull all permits required by the Building Dept.

By 9/30/2021

(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: October 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 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.		A. Signature ☒ <i>[Signature]</i> ☐ Agent ☐ Addressee	
1. Article Addressed to: Ruth E. Maestre & Paul A. Lore 11 S 7th St. Fernandina Beach, FL 32034		B. Received by (Printed Name) <i>Paul Lore</i>	C. Date of Delivery <i>8/19/11</i>
2. Article Number (Transfer from service label) 7020 0090 0001 9419 6950		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 ☐ Mail Restricted Delivery (0)		☐ 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™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE 204	
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	\$.51
Total Postage and Fees	\$ 6.91
Sent To	
Street or	
City, Sta.	
Ruth E. Maestre & Paul A. Lore 11 S 7th St. Fernandina Beach, FL 32034	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

George (Chip) Wells

From: Paul Lore <paulalore@comcast.net>
Sent: Thursday, September 23, 2021 9:37 AM
To: George (Chip) Wells
Cc: Michelle Forstrom; Crystal Turner; ruth maestre
Subject: Re: 11 S. 7th St.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

George, thanks for the information and update. Below is an outline of items completed and our course of action moving forward with regard to 11 S 7th Street:

Outline Past Action Completed:

- August 5, 2020 purchased house
- August 27, 2020 first architectural meeting
- September 2020 met with PAB
- November 2020 Completed field measurement of home
- January 2021 - concept parking drawings
- February 20, 2021 - received 1st drawings of home
- March 18, 2021 - met with City Preservation Planner about parking
- March 27, 2021 met with brick layer
- March 2021- 1st foundation repair contact with Hygema Foundation and Home Movers
- April 8, 2021 - met with TRC
- May 2021 - Stop concept of B&B because of parking
- May 2021 - conversation with architect to focus on house restoration
- May 6, 2021 - brick layer (Covid/another job)
- May 15, 2021 - installed brand new 2nd floor a/c
- July 20, 2021 - introduced conceptual ideas for kitchen/master bathroom/carriage house
- August 13, 2021 - submitted house paint color and front entrance to city
- September 12, 2021 - received approval for house paint color
- September 21, 2021 - 1st roofing company estimate

Present Action:

- we have been weeding/trimming landscape back
- we have been slowly removing old electrical wires
- we have been repairing interior walls and painting
- awaiting estimate foundation repairs (company selected)
- meeting with three roof companies for new roof on main house
- awaiting final draft of house plans for master bath/ main kitchen/carriage house
- September 20th - we started washing/scraping old paint on front porch area and main door as well as garage area
- Oct 4th - porch being supported to continue to take down old porch boards to assess rot and damage

In summary, we apologize for our informal and slow approach in notifying the city of our past actions as well as our present actions. However, given that there is no immediate safety concerns of the physical structure and home, mainly ascetic, we are doing the best we can at the moment.

To City of Fernandina,

As the soon to be owners of 11 S. 7th Street also know as the Thompson House, we have immediate plans to restore the property upon possession, see below:

- Based on the 92-page pre-purchase inspection our first concern is securing the property; that is securing all doors and windows.
- Our next immediate task will be installing a new roof along with associated roof rake, fascia, eave and frieze board for the main house.
- While working on roof we will be searching for an architect.

We expect the entire restoration project will take the better part of 2 years, however. During this period of major restoration the owners will continue to make exterior improvements to the home. During our restoration, it is important to us that things get done correctly and with care needed for such a beautiful historical home.

Sincerely,
Ruth Maestre
Paul Lore

RECEIVED

JUL 14 2020

**CODE ENFORCEMENT
FERNANDINA BEACH, FLORIDA**

Replace all rotten wood siding,
soffit, fascia, porch floors, porch
ceilings, all rotten handrails and
ballusters. Replace all rotten wood
trim around the windows and doors.

Scrape, seal, and paint all peeling
paint and all un-protected wood.

Obtain a COA from the
Planning Dept. for all repairs
and painting.

check with the building
dept for any permit
requirements.

2.16.2021

11:50







2.16.2021 11:4



2.16.2021 11:4



2.16.2021 11:4





2.16.2021 11:5



2.16.2021 11:4



2.16.2021 11:48

A photograph of a building's entrance. The ceiling is painted a deep blue with white clouds, and a small lantern hangs from the center. The entrance is framed by a light-colored wooden door and a transom window. Above the door, the address "11 S 7th" is displayed in black letters. The building's exterior is made of light-colored horizontal siding. The photo is taken from a low angle, looking up at the entrance.

11 S 7TH

2.16.2021 11:47





















8.9.2021 11:



11 S 7TH

8.9.2021 11:.



8.9.2021 11







8.9.2021 11:00





STAFF REPORT
Case 2021-0240
City of Fernandina Beach Code Enforcement & Appeals Board
October 7, 2021

Violation Information

Owner	Cecilia Davis-Taylor 112 South 9 th Street Fernandina Beach, Florida 32034
Violation-Repeat	City of Fernandina Beach – Code of Ordinances, Section 42-116 Duty to Maintain Property and Section 42-117 Exterior Structure (Maintenance)
Location:	112 South 9 th Street, Fernandina Beach, Florida 32034

Summary and Background Information

August 12, 2020 – I followed up on a complaint we received about this property having yard overgrowth, junk and debris in the yard. I confirmed that the yard was overgrown and there was junk and debris piled up in the rear of the property visible from S. 10th St. I also cited the house for rotten and damaged wood on the exterior, along with peeling paint. I noted on the notice of visit that a COA must be obtained along with any necessary building permits. I posted a notice of visit on the front door giving the respondent (30) thirty days to correct all violations. I recorded photographs of the posting and the violations.

August 20, 2020 – I returned a phone call from Mrs. Davis-Taylor. She stated she was working on the yard overgrowth and had an appointment to meet with Sal Cumella on 8/24/20 about the COA.

September 14, 2020 – A 2nd inspection was performed confirming all violations were still present.

September 15, 2020 – The owner Mrs. Davis-Taylor called and asked if we could remove the code case hold so she could apply for a COA to paint and repair the exterior.

October 13, 2020 – The owner Mrs. Davis-Taylor called stating she had bought a lawn mower and some volunteers this weekend were coming to help cut and clean up the yard. I told her that sounded great. Nothing ended up happening.

January 20, 2021 – I performed a field inspection to check the status of this case. No corrections of the violations have been made to date. We confirmed with The Planning Dept. that the COA was good until 9/12/21 and the building permit expires on 4/13/21.

January 20, 2021 – The owner Mrs. Davis-Taylor came into our office to pay previous fines and fees to satisfy a lien. She wanted to sell a property in Yulee which was tied with this lien. She explained she would use part of the proceeds from the sale to make the repairs to 112 S. 9th St. Our Administration Assistant gave her a current print out of her building permit and current COA with their expiration dates. I asked Mrs. Davis Taylor (3) three times to give me a time frame towards compliance so I would know how to proceed with enforcement. She ignored my questioning about any time frames but stated she would be getting pricing for the work to be done. I told her it was imperative for her to keep me posted. She begged me not to send her back before the CEAB as a repeat violator, but with nothing getting done I was left with no other choice.

April 13, 2021 – The building permit that was in effect had expired today.

August 03, 2021 – I performed another field inspection confirming no change to the violations.

August 04, 2021 – We mailed a certified Repeat NOV/NOH letter to the owner with a return receipt card request.

August 10, 2021 – The certified NOV/NOH letter was delivered by the post office to the owner and the return receipt card was signed by the owner giving us proper service. Copy of Return Receipt is in this agenda packet.

September 07, 2021 – I performed a NOV/NOH inspection. The property was still in violation.

September 30, 2021 – A pre-agenda inspection was performed showing the property is still in violation of 42-116 and 42-117.

Conclusion.

This property is still in violation of 42-116 and 42-117. We have allowed the owner more than sufficient time to correct the violations. The owner has been properly notified and served by certified return mail. The community has gone above and beyond to help this owner in the past and to let this property get back in worse shape is not fair to all the volunteers that brought this property into compliance before.

Recommendation.

The City recommends a motion to be made to find the property in Repeat Violation of Code of Ordinances, Section 42-116 Duty to Maintain Property and Section 42-117 Exterior Structure (Maintenance) giving the owner (30) thirty additional days for the violations to come into compliance by 11/07/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and a fine of \$ 100.00 per day per violation to begin on 11/08/2021 if not in compliance, along with filing a lien on this property on 12/23/2021.

Submitted by:



George Wells
Code Enforcement Officer



CITY OF FERNANDINA BEACH

George Wells

Code Enforcement Department
(904) 310-3440

Code Enforcement Officer
(904) 310-3442

ADMINISTRATIVE FEES INCURRED FROM
112 South 9th Street
7-Oct-21
Code Case # 2021-0240

<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 Director	1	\$27.07	\$0.00
George Wells, Code Enforcement Officer	6.75	\$23.24	\$156.87
Crystal Turner, Administrative Coordinator/Board Secretary	2	\$19.23	\$38.46
Tammi Bach, City Attorney	1	\$72.29	\$72.29
Katie Newton, Legal Assistant	2	\$25.87	\$51.74
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$0.00
Certified letters mailed	1	\$6.91	\$6.91
First Class letters mailed	1	\$0.51	\$0.51

TOTAL ADMINISTRATIVE FEES DUE

\$326.78

****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
REPEAT NOTICE OF VIOLATION/NOTICE OF HEARING

August 4, 2021

Case Number: CODE-2020-0240

Cert. #: 7020 0090 0001 9419 6882

IN THE MATTER OF:

Cecilia Davis-Taylor
112 South 9TH St.
Fernandina Beach, FL 32034

PREMISES: 112 SOUTH 9TH ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 49
LOTS 1 2 & 7 IN OR 1335/1202 CITY OF FDNA BEACH

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

- 42-117 Exterior Structure (Maintenance)**
Repair or replace all damaged or rotten wood on the exterior of the house. Scrape, seal, and paint all peeling and unprotected wood on the exterior of the house. Obtain necessary COA and building permits as required.
- 42-116 Duty to Maintain Property**
Cut and maintain high grass, weeds, and vegetation below 12" in height. Remove all vines growing on the house, bushes, and trees. Cut back and maintain vegetation growing on the chain link fencing.

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

Therefore, this department is bringing this matter back before the Code Enforcement & Appeals Board for legal action at the date and time listed below.

DATE: October 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 \$500.00 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 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.

NOTICE OF VISIT

In Pursuit of Health, Safety & Quality of Community



CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
516 South 10th Street, Suite 211
Peck Center
(904) 310-3442
gwells@fbfl.city www.fbfl.us/Code

Address: 112 S. 9th St.
Date: 8-12-20 Time: 11:15 AM PM

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

REASON FOR VISIT:	CODE #
☒ Duty to Maintain Property <i>See other side</i>	42-110
☒ Exterior Structure (Maintenance) Repair <i>Exterior of structure</i>	42-117
☐ Rubbish and Garbage <i>See other side</i>	42-119
☐ Wrecked or Inoperable motor vehicles on private property declared a nuisance and prohibited - Remove, repair, or Register vehicle & get current tags of it	42-173
☐ No Visible Address Numbers	46-25.01.02(c) LDC
☐ Accessibility of Garbage and Recycle Containers	66-94
☐ Encroachments in the public Right-of-way prohibited without permit	78-2(h)
☐ Parking prohibited in specified places - Overnight Parking on public property (Right-of-Way) for Buses, Trailers, RVs	78-84(a)(4)
☐ Parking prohibited in specified places - All vehicles parked on public property (Right-of-Way) shall be currently tagged and displayed on vehicle	78-84(a)(6)
☐ Outdoor Storage	54-01 LDC
☐ Mobile Mobile Storage Units (MOD) - Permit required	54-06 LDC
☐ Recreational Vehicle, Boat, Trailer or Similar Vehicle Remove or store in a proper structure or in side or rear yard	78-01 LDC
☒ Other <i>(Enumerated) See other side</i>	42-61 (3)

Please contact George Wells, Code Enforcement Officer at (904) 310-3442 or at gwells@fbfl.city, within 5 Days of this notice to discuss compliance with the above listed issue, or bring this property into compliance by 9-12 2020.
Failure to do so will result in an official written notice with a possible outcome of fines.

Comments: Must obtain COA from HDC by 9-12-20 to start repairs on the structure.
Wells
Code Enforcement Officer

8.12.2020 10:





8.12.2020 10:







8-12-2020 10:10



8.12.2020 10:







8.12.2020 10:





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.		A. Signature ☒ <i>Cecilia Davis Taylor</i> ☐ Agent ☐ Addressee	
1. Article Addressed to: Cecilia Davis- Taylor 112 South 9th St Fernandina Beach, FL 32034		B. Received by (Printed Name) <i>Cecilia Davis Taylor</i> C. Date of Delivery <i>8/10/21</i>	
2. Article Number (Transfer from service label) 7020 0090 0001 9419 6882		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 ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053		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 \$.51	
Total Postage and Fees \$ 6.91	
Sent To Street: City, St:	
Cecilia Davis- Taylor 112 South 9th St Fernandina Beach, FL 32034	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

STAFF REPORT
Case 2021-0298
City of Fernandina Beach Code Enforcement & Appeals Board
October 7, 2021

Violation Information

Owner Darall L. & Jo Ann L. Harris
 170 Briargate Ln.
 Madison, AL 35758

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

Location: Parcel # 00-00-31-1800-0146-0011, Fernandina Beach, Florida 32034

Summary and Background Information

August 3, 2021 – I observed an improved vacant lot that was overgrown in violation of Code of Ordinance, Section 42-116. I recorded a photograph of the violation.

August 4, 2021 – A certified NOV/NOH letter was mailed to the owners 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.

August 10, 2021 – The certified NOV/NOH letter was delivered to the owners' address by the post office. The owner signed the return receipt card.

August 16, 2021 – I performed a NOV/NOH inspection which confirmed the property was still in violation of 42-116.

August 26, 2021 – The post office returned the return receipt card with the owners' signature confirming the owner had been given proper notice.

September 14, 2021 – I sent an e-mail to the owners about the vacant overgrown lot reminding them of the CEAB hearing on 10/07/2021 @ 5: 30 PM.

September 30, 2021 – A pre-agenda inspection was performed showing the property is still in violation of 42-116.

Conclusion.

This property is still in violation of 42-116. We have allowed the owners sufficient time to correct this violation. The owners have been properly notified and served by certified return mail. We have sent an email communicating with the owners about correcting the violation, but no corrective action has been taken to date.

Recommendation.

The City recommends a motion to be made to find the property in violation of Code of Ordinances, Section 42-116 Duty to Maintain Property giving the owner (10) ten additional days for the violation to come into compliance by 10/17/21. The City recommends a motion to be made that all administration fees be paid by the Respondent and a

fine of \$ 50.00 per day for the violation to begin on 10/18/2021 if not in compliance, along with filing a lien on this property on 12/02/2021.

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
(904) 310-3440

Code Enforcement Officer
(904) 310-3442

**ADMINISTRATIVE FEES INCURRED FROM
PARCEL # 00-00-31-1800-0146-0011
AS OF 10/07/2021
CODE CASE # 2021-0298**

<u>STAFF PERSONNEL OR ITEMS</u>	# OF	PRICE OR	<u>TOTAL</u>
	UNITS OR	RATE PER	
	<u>HOURS</u>	<u>HOURLY</u>	
Michelle Forstrom, Code Enforcement Director	1	\$27.07	\$27.07
George Wells, Code Enforcement Officer	3	\$23.24	\$69.72
Crystal Turner, Administrative Coordinator/Board Secretary	1	\$19.29	\$19.29
Tammi Bach, City Attorney	1	\$72.29	\$72.29
Katie Newton, Legal Assistant	2	\$25.87	\$51.74
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	1	\$6.98	\$6.98
First Class letters mailed	1	\$0.53	\$0.53
		\$198.77	\$271.12

TOTAL ADMINISTRATIVE FEES DUE

\$271.12

****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

August 3, 2021

Case Number: CODE-2021-0298

Cert. #: 7020 0090 0001 9419 6912

IN THE MATTER OF:

Darall L. & Jo Ann L. Harris
170 Briargate Ln.
Madison, AL 35758

PARCEL # 00-00-31-1800-0146-0011

The brief legal description of the real property upon which this violation occurred is: BLOCK 146
N1/2 OF LOT 1 IN OR 1521/172 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:

42-116 Duty to Maintain Property

Cut high grass and weeds on improved vacant lot.

By 8/14/2021

(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: October 7, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St

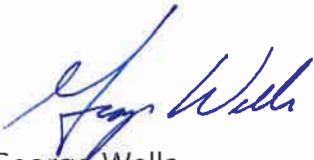
YOU HAVE THE RIGHT to appear before the Board at that time to answer and defend the allegations that you have violated the above cited provision(s) of the Code of Ordinances/Land Development Code.

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.

George (Chip) Wells

From: George (Chip) Wells
Sent: Tuesday, September 14, 2021 9:38 AM
To: darrellharris@att.net
Subject: Parcel # 00-00-31-1800-0146-0011 overgrown parcel at Fir St. & S. 9th St.

Good morning Mr. & Mrs. Harris,

I am sending this email as a reminder that your case is scheduled to go before the Code Enforcement Board on 10/7/21 @ 5:30 PM. The property must be cut below 12" in height to avoid daily fines and admin. fees. Call me at 904-310-3442 if you have any questions concerning this case #2021-0298.



8.3.2021 14:

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.		A. Signature ☒ Agent ☐ Addressee	
1. Article Addressed to: Darall L. & Jo Ann L. Harris 170 Briargate lane Madison, AL 35758		B. Received by (Printed Name) HARRIS	C. Date of Delivery 8/10
2. Article Number (Transfer from service label) 7020 0090 0001 9419 6912		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
9590 9402 6323 0296 8528 17		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 ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

U.S. Postal Service™ <i>Code Ent</i> CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com®.	
OFFICIAL USE	
Certified Mail Fee \$ 3.55	Postmark Here AUG 04 2021 USPS - 32034
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 \$.51	
Total Postage and Fees \$ 4.91	
Sent To Street and Apt. No. City, State, ZIP+4®	
Darall L. & Jo Ann L. Harris 170 Briargate lane Madison, AL 35758	
PS Form 3800, April 2020 PSN 7530-02-000-9053	