



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
NOVEMBER 4, 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 October 7, 2021, Regular hearing are presented for approval.

4. OLD BUSINESS

5. NEW BUSINESS

5.1 **RACHRIDGE LLC., 117 CENTRE ST., CASE 2020-0442.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 - Exterior Structure (Maintenance): Land Development Code 8.03.03. *Requesting Board determination of the case.*

5.2 **JOHNSON, KEITH A., 409 S 12TH ST., CASE 2021-0369.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited and 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.*

5.3 **HUFFMAN, HAL N. & LISA M., 421 S 4TH ST., CASE 2021-0464.** 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.



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

5:33

Members Present: Gail Shults, Nicole Kresse (VC), Adam Kaufman (Chair), Bernard Thompson, Andy Fotiades (Alt 2).

Members Absent: Travis Young, Cindy Crow, Buddy Boyd.

Staff Present:

Crystal Turner
Katie Newton
George Wells
Michelle Forstrom
Tammi Bach
Troy Woleshin

A motion was made by Vice Chair Kresse, seconded by Bernard Thompson to seat an alternate, Andy Fotiades. Motion passed unanimously

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

- 3.1 According to the agenda support documents, the minutes for the July 1st, 2021, regular hearing were presented for approval. **A motion was made by Vice Chair Kresse, seconded by Member Fotiades. The motion passed unanimously.**

Chair Kaufman stated that the fees from Mr. Green's case that he owed to the City were paid in full. The hearing took place on July 1, 2021, Mr. Henry Green came into the Code Enforcement office and paid all fines and fees the very next day on July 2, 2021, around noon.

Changes in Agenda –

Officer Wells explained that case 5.3 has been given an extension and will not be presented at this hearing. Chair Kaufman requested City Attorney Tammi Bach to describe the Quasi-Judicial procedures. Board Secretary Newton swore in Officer Wells and witnesses. Chair Kaufman inquired about Case 5.2 on the agenda regarding Cecilia Davis Taylor. Chair Kaufman announced he must recuse himself in 5.2 because he is neighbors with the respondent, and he feels he cannot be impartial.

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.*

Chair Kaufman introduced the case.

Officer Wells presented a timeline of the case for the city and submitted evidence into the record. He presented all photos relating to the case. On February 16, 2021, he performed an initial inspection. Previous owners had prior violations and outstanding code cases and the property went into foreclosure. The new owners had not repaired the exterior issues of peeling paint and rotten wood. February 16, 2021, he 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. On March 16, 2021, second inspection was conducted, and the property was still in violation. On August 9, 2021, an inspection was performed to update and document compliance progress. On August 10, 2021, the Notice of Violation/ Notice of Hearing letter was sent by Certified Mail with a return receipt requested. The owner signed the return receipt and we received it back in our office on August 18, 2021, showing proper service. On September 13, 2021, Mr. Wells performed a Notice of Violation/ Hearing inspection, which confirmed the property was still in violation of 42-117. On September 21, 2021, he received email from Mr. Lore providing an update and the course of future actions. The owners have maintained the property regarding overgrowth and have since repaired the 2nd floor fiberboard. In conclusion, the property is still in violation of section 42-117. City staff feels as if they have had enough time to correct the violation.

Chair Kaufman read the recommended motion: Staff recommends the board to make motion finding the property in violation of 42-117. And to assess administrative fees and fines of \$100 per day beginning 30 days after today, starting on November 8, 2021.

The COA has been approved until September 2022 for repainting of the house and repairing door. Vice Chair Kresse inquired if this would help repairing the roof, and Mr. Wells said no.

Ms. Ruth Maestre, property owner of 11 S 7th St., explained that Mr. Lore is attending parents' weekend with daughter in college. She addressed the roof and explained she had an inspector look at the roof and they believe the roof is sound. She is aware of the rotten wood but was not planning on painting immediately. Their first action was maintaining the property regarding overgrowth. They have chosen a paint color approved by the city for the home. A lot of work has been done on the inside, but they have not done much on the outside. She explained getting paint is an issue, hiring painting contractor is not an option due to scheduling out until next year. Mr. Lore is about to be out of town for 3 months, Ms. Maestre will still be working on it. They have had the roof inspected twice.

Chair Kaufman asked about the COA that is approved by the Historic Council, what did it encompass? Painting and any siding boards that need repairing as well as the front door, they plan to sand it down and repaint it. Chair Kaufman asked if she has a timeline for this. Ms. Maestre said she does not, she doesn't know what will be found during painting. She can see

daylight through walls when standing inside. They are aware this will be an extensive project. Plan to start at porch at front then move to sides and then the back. She won't be able to give an exact time frame but does plan on beginning next week.

Member Fortiades asked about the plan for the property. Ms. Maestre said they thought to do a bed and breakfast with 3 rooms but that cannot happen due to parking restraints. They will be occupying the residence themselves. Member Fortiades asked Officer Wells if the residence was sound, Wells believes that's the case, but he's only accessed the front porch. Ms. Maestre said they have had foundation people out and the house is very sturdy. They are playing catch up from years and years of neglect.

Vice Chair Kresse asked if any additional COA's were needed for porch, ceilings, siding or floors. Officer Wells said yes for the porch. Ms. Maestre said they are waiting until they get the panel and have it inspected to plan out a course of action on the porch/ floor. She said they will have to go back to HDC to get another permit to take care of that. Chair Kaufman said that process is 60 to 90 days before you can get on the calendar process. Ms. Maestre stated they have hired Jose Miranda as their architect.

Chair Kaufman asked if there are any more questions. Officer Wells said they have gotten approval for the paint color, the rest is repairing the rotten wood and having the materials to replace it with. Chair Kaufman asked if they paint and replace the rotten wood, would that satisfy the City at this time? Officer Wells replied, yes, all peeling paint, painted, repair or replace rotten with what HDC approves of. Chair Kaufman, asked if there were any more questions?

Chair Kaufman closed hearing and opened discussion. He believes 30 days is not enough time for painting and repairing first floor would be difficult with shortage happening on paint. He asked Ms. Maestre can she do all the painting on the first floor by herself? She stated yes, they have experience doing this before. The second floor will not be done by them, they must hire a contractor to do this. Chair Kaufman asked if she begins on project next week, will she have a better idea on how long it will take to complete the project? She stated yes. Officer Wells keep in mind that structural repairs do require permitting process as well. There is a percentage of replacement that the building official goes by, he recommends asking the building department for better idea on that subject.

Chair Kaufman asked what the will of the board is. Member Shults asked if they can change it to 90 days. Member Fortiades said can they request to get a written monthly progress report in detail. Member Shults believes more time would be appropriate. Vice Chair Kresse said she would be willing to let them have 6 months now that she knows the issues that are being faced. Her suggestion would be 6 months and that the homeowners document everything and if there are reasons beyond their control that would be a considerable factor. Chair Kaufman suggested postponing all action on case for 6 months but must provide 60-day updates to Code Enforcement.

A motion was made by Vice Chair Kresse and Seconded by Member Thompson, to grant a 6- month extension; with the homeowners to document and update the City with a report every 60 days on the progress. Vote upon passage was taken by voice vote being all ayes, carried.

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.*

Chair Kaufman recused himself and passed the gavel. Vice Chair Kresse introduced the case.

Officer Wells asked to submit all the documents and evidence into public record. Acting Chair Kresse accepted.

Officer Wells presented the case for the City of Fernandina Beach and noted that this is a repeat violation. This case was brought before the board previously on August 1, 2019, for the same violations, 42-116 & 42-117, and the respondent was found in violation.

Officer Wells stated that the case began on August 12, 2020. He followed up on complaint received about yard overgrowth, junk, and debris. On inspection, he confirmed the in violation. He observed rotten wood on structure and peeling paint. A COA needed to be obtained. He posted a Notice of Visit on door, giving the respondent 30 days to correct the violations. On August 20, 2020, he returned a phone call from Ms. Davis Taylor, who explained she was working on yard overgrowth and had an appointment to meet with Sal Cumella on August 24, 2020, about the COA permit. On September 14, 2020, a second inspection was performed, and all violations were still present. On September 15, 2020, the owner called and asked if we could remove the Code Case hold so she can pull a permit to repair the exterior. October 13, 2020, Ms. Davis Taylor called and told us she got volunteers to clean up the property and bought a new lawnmower to cut yard that weekend. On January 20, 2021, Mr. Wells performed a field inspection to check status of case and no corrections had been made regarding the status of the case. He confirmed with the planning department that the COA was good until September 12, 2021, and the building department permit was good until April 13, 2021. On that day, the Owner came into the office to pay fines and fees to satisfy the lien. She wanted to sell a property she owns in Yulee which was tied to the Lien the City had on this property. She explained that she can use part of the proceeds from selling that property to make improvements on home located on 112 S 9th St. Code Enforcement asked Ms. Davis Taylor multiple times to give a time frame of when she believed she can get the property into compliance, and she would never provide an answer. As of April 13, 2021, the building permit had expired. On August 3, 2021, Mr. Wells completed a field inspection that indicated no changes in violation. On August 4, 2021, Code Enforcement mailed a Notice of Hearing/ Notice of Violation Letter by Certified Mail and received the return receipt with owner's signature showing proper service. On September 7, 2021, Mr. Wells performed a Notice of Hearing Inspection, the property was still in violation. On September 30, 2021, Wells conducted a Pre- Agenda Inspection, and it was still in violation of Sections 42-116 & 42-117.

Code Enforcement has allowed the owner sufficient time to correct the violations the community has gone above and beyond in the past to help her, to let the property go back into bad shape is not fair to all the volunteers who worked hard to assist her prior to come into compliance.

The City recommends a motion to be made to find the property in repeat violation of Sections 42-116, Duty to Maintain Property and 42-117 Exterior Structure Maintenance, giving 30 days for the violations to come into compliance by November 7, 2021. The City ask that all administrative fees be paid by the respondent, and fines of \$100.00 per day, per violation begin on November 8, 2021, if not in compliance along with filing a lien on property on December 12, 2021.

Officer Wells presented pictures of the exterior of the home, which revealed rotten wood, peeling paint, yard overgrowth, invasive vines growing in many places. He believes that the owner did cut back some of the growth since original photos were taken. He stated there was so many people that helped her on the last violation, including citizens and city staff, that the work took around 3-4 days. He said that recently Ms. Davis Taylor prevented City staff from cutting on the right of way located in front of her property. All the permits and COA's she previously pulled are now expired, and she will have to renew

all before beginning the work needed on the exterior of the home.

Acting Chair Kresse asked if the Board has any questions for the City. Member Fortiades asked if the home was structurally sound. Officer Wells said it is the same situation as it was before, he was able to see more of the structure during the last clean up. Note she has corrected some rotten wood areas on other cases in the past. Acting Chair Kresse questioned section 42-116, Is that primarily for clearing the invasive vines growing on the house? Officer Wells responded "Correct". There is many on the left rear of the property, it was previously cleared in the past. Vice Chair asked if the board had any further questions for the City and there were none.

Ms. Jan Carver, attorney, representing Ms. Davis Taylor, spoke about Ms. Davis Taylor; she is in her 70's and has significant medical problems. The homeowner did not clear areas of the property due to her health; she did hire someone to do what has already been done. She has a proposal from Southern Heritage Painting to do the exterior repainting, and she has money left from the sale of a family member's home. The proposal is not for replacing the rotten wood, it is for pressure washing and painting the existing wood. She also entered evidence a lengthy list of people she has contacted trying to get a proposal, if you look at bottom of proposal the company stated they can start on October the 11th. Ms. Carver does not know what good the painting will do when the wood has not been repaired.

Ms. Carver said that she specializes in elderly law, and the owner is on a very limited income. She wanted to explore options with Council on Aging and Barnabas to help with the homeowner. Member Shults asked if she has contacted the local high school for volunteers. Ms. Carver stated that the owner wants to comply. She stated that the homeowner took down a garage in the back on the last case with the City. She realizes that the permit and COA will be easily renewed for the owner after hearing the previous case before the Board. Owner is making the efforts, but her health is not well, which is why Ms. Carver is speaking on her behalf. She asked whether she could answer any questions from the Board Members.

Member Fortiades inquired if Compliance with Section 42-116 violation can be met within one month? Ms. Carver responded that she believes that is plenty of time if they can find someone to do this for homeowner. She believes the owner paid someone on September 8, 2021. She assumes the painters will remove the vines on the house.

Member Thompson inquired about the amount of rotten wood to be replaced on the home. Ms. Carver explained that she is not a contractor, but she believes the porch area is going to be the biggest concern.

Acting Chair Kresse asked the City if the COA renewal is possible and whether the process was shorter than giving permits. Ms. Forstrom responded that the COA can be renewed one time at no charge. The building permit requires a fee, but any further detailed questions may be directed to the Building Department. She explained that COA approval happens quickly, and the building department is making changes currently and a new building official was hired. She does not anticipate that this will take nearly as long as it has been taking in the past.

Ms. Carver requested 30 days for the violation of Section 42-116 Maintaining Property and for a 6-month extension for the violation of Section 42-117, Exterior Structure, like the preceding respondents were given.

Acting Chair Kresse said she knows the City likes to have simplified cases, but asked Ms. Bach about special exemptions for certain qualifiers with permits and COA renewals by a certain date rather than them having to wait for six months? Ms. Bach replied, yes dealing with the Historic District Council, she would say 90 days. Chair Kaufman made a statement that suggested if the permit and COA can be renewed automatically if requested by owner, even if its expired. It's under his understanding the COA can be renewed automatically at no charge. The permit process is quite different. Chair Kaufman

recommends the owner have a meeting with Mr. Cumella in the Planning Department.

Acting Chair Kresse opened Board discussion. Member Fortiades said he believes they have two separate issues, one that can be addressed within a month per recommendation of the City and the second needs to be opened for discussion of the Board. Acting Chair Kresse said one option here is to rule as two separate cases? All Board members agreed to one month for the violation of 42-116 Maintenance of Property. Acting Chair Kresse offered if anyone would like to make that motion. Acting Chair Kresse requested to split the administrative fees between these two cases? Officer Wells said it has been done previously. First the Board must find the property in violation. Acting (VC) Chari Kresse confirmed that it is possible to split the admin fees if it was in need. Do we have a motion to find in violation?

A motion was made by Member Fortiades, seconded by Member Thompson to find property in violation of Section 42-116 Maintenance of Property, and to give the respondent 30 days to come into compliance, to assess administrative fees, and to begin fines on November 8, 2021, at \$100 per day, if not in compliance. Vote upon passage was taken by voice vote being all ayes, carried.

City Attorney Tammi Bach recommended that Ms. Carver inform the owner to keep communication up with City's Code Enforcement. Officer Wells offered a reminder to ensure homeowner is aware that the grass must be below 12" in height. Ms. Carver stated that the owner understands this.

Acting Chair Kresse moved to the violation of section 42-117, Exterior Structure and asked for suggestions. Member Fortiades said he believes they should allow a 6-month extension and request a monthly progress report be submitted. Member Thompson said he believes they should factor it into the decision that this case, and the other case, are guaranteed to find issues with replacing rotten wood that could extend the project. Acting Chair Kresse did agree that they should base the decision should resemble the last case presented at hearing, which was around 6 months to come into compliance. She is keeping in mind that there are current supply chain issues, labor issues and shortages in the local area. Six months may not be adequate in which case, Kresse believes if the homeowner were to document the upcoming issues of why it wasn't completed within the monthly or bimonthly reports, that would be taken into consideration of the Board.

A Motion was made by Member Fortiades, seconded by Member Thompson, to find Case Number 2020-0240 in violation of Section 42-117, to request monthly progress reports be submitted, to assess administrative fees and a \$100 fine per day after six months if the property is not in compliance. Vote upon passage was taken by voice vote being all ayes, carried.

- 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.*

Given extension

6. BOARD BUSINESS

The staff and Board welcomed Crystal Turner as the new Code Enforcement Board Secretary.

7. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 6:55 pm.

STAFF REPORT
Case CODE-2020-0442
City of Fernandina Beach Code Enforcement & Appeals Board
November 4, 2021

Violation Information

Owner Rachridge LLC
P.O Box 16569
Fernandina Beach, Florida 32035

Violation City of Fernandina Beach – Code of Ordinances, Section 42-117 – Exterior Structure (Maintenance): Land Development Code, Chapter 8.03.03 – Application Process for Certificate of Approval from HDC

Location: 117 Centre Street, Fernandina Beach, Florida 32034

***** SPECIAL NOTE/UPDATE *****

11.00.05 & 22-105.1 have been removed from the agenda. The Palace's agent and representative appeared before TRC. That part of the property has been reverted to what it was prior to COVID-19.

We will only be addressing the repair and reinstallation of the historic cornice centerpiece on top of the building.

Summary and Background Information

May 9, 2017– The City's Historic Preservation Planner, Sal Cumella, was notified that the cornice centerpiece on top of the Palace Saloon building at 117 Centre Street went missing. He reached out to the general manager to address the issue and was told that because of the level of deterioration, it was removed before Shrimp Festival to avoid liability. Assurance was made that the rust would be addressed, and that the centerpiece would be repaired and reinstalled.

July 6, 2017 - An HDC COA (Certificate of Approval) was issued to paint the building. When it was painted, the damaged portion of the cornice was painted over without reinstallation of the centerpiece.

September 21, 2020 – Anthony DiBuono and Benjamin Morrison appeared before TRC (Technical Review Committee) to discuss the northern part of the property. Thirty (30) days were given for compliance (October 24, 2020). It took a year and a Notice of Violation/Notice of Hearing letter for compliance to be achieved.

October 24, 2020 – Mr. Morrison called me to tell me that they were working toward compliance. I granted them a thirty (30) day extension.

January 26, 2021 – I talked to Mr. Morrison, he told me that he was meeting with the Palace the next day on January 27, 2021. He said that he would call me on January 28, 2021, with an update.

January 29, 2021 – Mr. Morrison followed up with me, stating that fencing, surfacing & ADA are all first priority for the Palace to bring that portion of the property into compliance. No mention of the cornice.

May 12, 2021 – Mr. Cumella addressed the cornice centerpiece again with Benjamin Morrison, of Cotner and Associates, representing the owners of the Palace Saloon. Mr. Cumella also suggested that this may be a good candidate to receive one of the \$5,000 PRAG grants, because this is one of the most notable features on this building per the National Register of Historic Places Nomination. No grant was ever applied for.

June 30, 2021 – Mr. Cumella met with Mr. Morrison and the contractor to evaluate the cornice. Unfortunately, there is almost no metal left. It was determined that removal of the top half of the cornice and to have it replicated and reinstalled would be the best course of action.

I talked to Mr. Morrison a few times after, but it seemed that the Palace was dragging their feet. I finally told him that enough was enough, that I was going to send them a Notice of Violation/Notice of Hearing letter for the northern portion of the property and the cornice centerpiece.

September 14, 2021 – Sent a Notice of Violation/Notice of Hearing letter, giving the responsible parties for the Palace Saloon until October 14, 2021, to bring the property into compliance.

October 19, 2021 – I received an email from Mr. DiBuono responding to the letter. The owner's state was as follows:

Owner's Statement:

It is the intent of the owner to improve the aesthetics of this area to be consistent with the standards of the historic district and bring the property into full code compliance. It has been extremely difficult to find qualified contractors and design professionals that can assist us with this in a timely manner since the onset of covid. We remain dedicated to seeing the work through, and request that the city consider the following information an update in good faith, and that our continued dialogue will make another hearing in front of the Code Enforcement Board unnecessary.

8.03.03

Owner has received an estimate for reconstruction/repair of the cornice component (see attached for reference). This estimate exceeded the amount anticipated by a substantial amount, and therefore will need to be planned for from a financial perspective. Owner is in the process of trying to receive a second quote for comparison purposes, then will make a decision on whom to proceed with. Finding a company with the expertise to handle this scope locally has been a significant challenge.

42-117

Please see above in reference to cornice. The existing chain at the entrance to the property is in place as a safety mechanism to prevent vehicles from entering and injuring patrons. The intent is to install a permanent fence once the development plans for this area are finalized.

11.05.05

Owner requests that a change of use for the property be applied for upon submission of final plans for the development of the lot (if necessary). Owner is willing to limit permanent seating areas to those historically used in the past, and grandfathered in from previous uses of the property.

22-105.1

Owner understands that proper permits must be applied for from city prior to any work commencing.

I responded to the email as follows:

It has been over a year since you came before the TRC (Technical Review Committee), where you said that you would begin to bring the property into compliance within thirty (30) days. Here we are a year later and the only thing that has been done is the wooden fence on the north side of the property, which has not had any inspections. You were also supposed to come back to TRC and have not. As I stated in the Notice of Violation/Notice of Hearing letter, a pre-application for TRC was supposed to be submitted by October 14, 2021. The City has not received anything to date. Another appearance in front of the committee is mandatory.

The Notice of Violation/Notice of Hearing letter was sent over a month ago, and I am just now hearing from you, past the date (October 14, 2021) given for compliance. I understand that some of the violations take time to correct, but the change of use issue could have been addressed by now. Back in January of

this year, I had a conversation with Benjamin Morrison, after he had met with Palace representatives, in which he stated that fencing, surfacing & ADA were all first priority for the Palace to bring into compliance. I have granted extensions, and no work has been done, especially to the northern property.

I am going to move forward with this case to be heard by the Code Enforcement & Appeals Board on November 4, 2021. I feel that when there is a date certain for compliance and daily fines assessed for non-compliance, compliance is achieved. This has been going on for too long.

I received a phone call from Mr. Morrison. We discussed options for compliance, at least for the northwest property. I suggested as a first step to make an appearance at TRC to explain what the future plans are for this portion of the property.

October 19, 2021 – The application for TRC was submitted.

October 28, 2021 – Anthony DiBuono and Benjamin Morrison appeared before TRC (Technical Review Committee) to discuss the northern part of the property. They have reverted the seating to the pavers that have been there for years.

I re-inspected the property after the TRC meeting and found for now, this portion of the property is in compliance. It took a year and a Notice of Violation/Notice of Hearing letter for compliance to be achieved.

Conclusion:

The cornice is showing areas of rust again, the centerpiece has yet to be repaired and reinstalled. I believe that it will take a date certain for compliance with daily fines assessed to encourage compliance for this case. Past practices or lack of, from the responsible parties of the Palace Saloon have shown that unless there are repercussions for non-compliance, compliance will probably not be achieved.

Recommendation:

The City recommends a motion to be made to find the property in violation of 42-116 - Exterior Structure (Maintenance); and 8.03.03 – Application Process for Certificate of Approval from HDC giving the respondent sixty (60) additional days to bring this property into compliance by 1/3/2022. The City recommends a motion to be made that all administration fees to be paid by the Respondent and that a fine of \$ 100.00 a day to begin on 1/4/2022 if not in compliance, along with filing a lien on this property on 4/18/2022, forty-five (45) days from the compliance date.

Submitted by:



Michelle D. Forstrom
Code Enforcement Director

Palace Saloon (117 Centre St.) Parapet Deterioration

Pre-May 2017



Palace Saloon (117 Centre St.) Parapet Deterioration

May 9, 2017





CERTIFICATE OF APPROVAL

HISTORIC DISTRICT COUNCIL

CITY OF FERNANDINA BEACH

204 ASH STREET

FERNANDINA BEACH, FLORIDA 32034

904-310-3135 • www.fbfl.us/historicdistrict

***THIS DOCUMENT MUST BE POSTED AT ALL TIMES UNTIL
PROJECT IS COMPLETED.***

FOR: HDC SA 2017-48

ISSUED TO:

George Sheffield / The
Palace Saloon
c/o Charlie DeBerry
117 Centre Street
Fernandina Beach, FL
32034

Paint all window trims and exterior
wall facing Centre Street with
existing colors:
Trim – Grandview SW 6466
Exterior – Extra White SW 7006.

DATE ISSUED:

July 6, 2017

Sal Cumella, Planner II

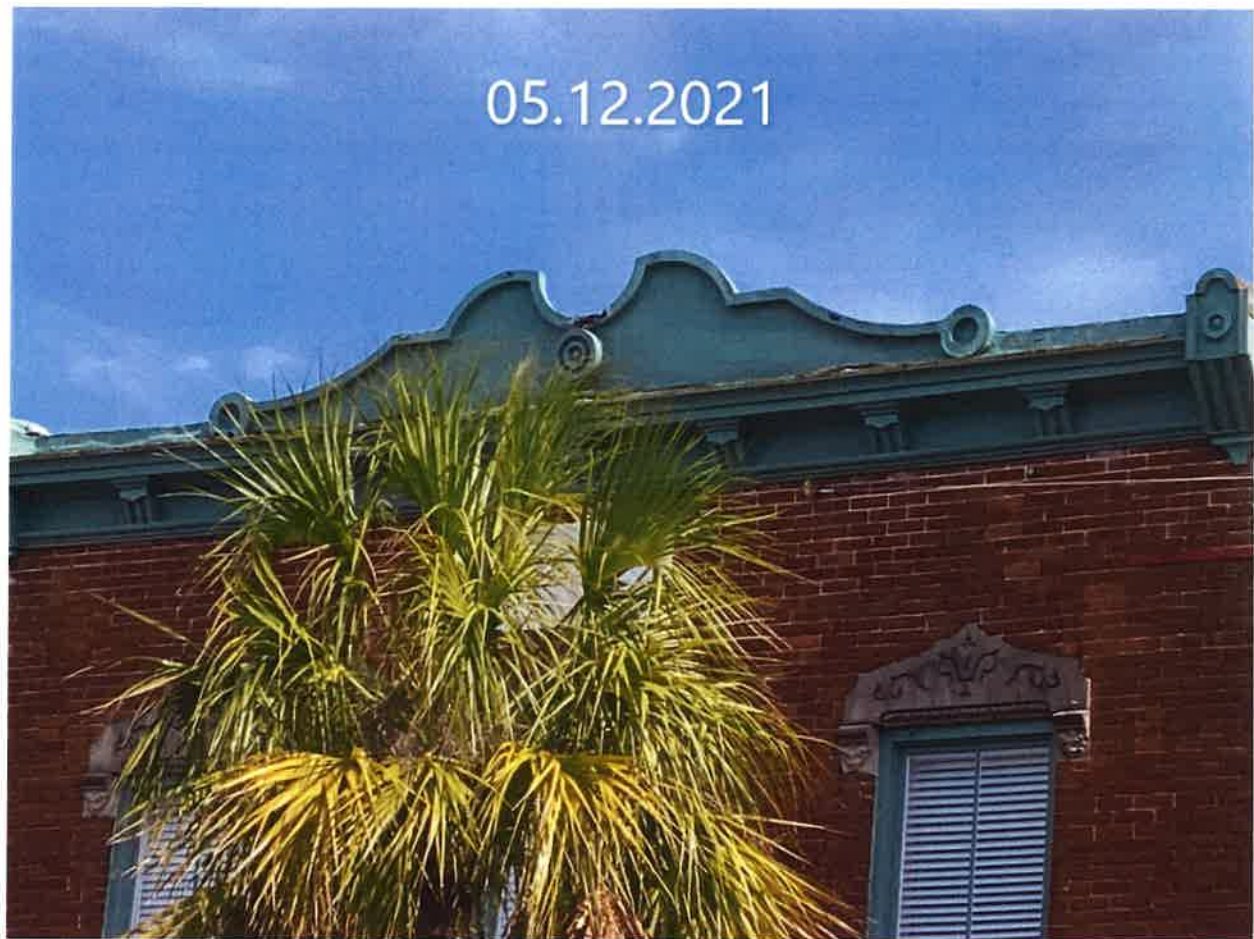
DATE EXPIRES:

July 6, 2018

Please be advised it is the owner and/or agent's responsibility to notify staff of any potential changes from the approved COA that arise and obtain approval prior to commencing the changes.

Palace Saloon (117 Centre St.) Parapet Deterioration

May 12, 2021



Michelle Forstrom

From: Salvatore Cumella
Sent: Wednesday, May 12, 2021 2:31 PM
To: benjamin
Cc: Michelle Forstrom
Subject: Re: Damage to Palace Saloon

That sounds great!

As for the cornice, it pre-dates our Mesker Bros. metalworks on other buildings and I have not been able to identify its manufacturer (yet). I'm not sure of material but I suspect it is a pressed metal like a galvanized steel and is most likely hollow. I will let you know if I make any progress finding its maker.
-Sal

Salvatore Cumella
Senior Planner/Preservation Planner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Main: (904) 310-3480 | Direct: (904) 310-3483 | scumella@fbfl.org
www.fbfl.us



If this email is related to the Board, Committee or Commission that you serve on, please DO NOT REPLY TO ALL.

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From: Benjamin Morrison <benjamin@cotnerassociates.com>
Sent: Wednesday, May 12, 2021 2:27 PM
To: Salvatore Cumella <scumella@fbfl.org>
Cc: Michelle Forstrom <mforstrom@fbfl.org>
Subject: Re: Damage to Palace Saloon

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Sal,

I just submitted an application to re-paint the non-historic one story north facade of the back of that structure so that it is cleaned up and looks nice and is uniform in color, as part of our efforts to improve the aesthetics of that space back there. If you have any questions about what exactly will be painted or anything like that, just give me a call. I know it is a bit of a hodgepodge back there and is pretty broken up.

Benjamin

On Wed, May 12, 2021 at 12:28 PM Benjamin Morrison <benjamin@cotnerassociates.com> wrote:

I will do some research into who would be a good person to bring in to evaluate the existing condition and recommend a game plan for restoration. Is it correct that these cornice elements are cast iron, to the best of your knowledge?

Benjamin

On Wed, May 12, 2021 at 11:50 AM Salvatore Cumella <scumella@fbfl.org> wrote:

Thanks Benjamin, that would be great. I would venture to say that, before it went missing, it was the single most photographed element downtown!! It's kind of iconic to Fernandina. Any help you can be to encourage the restoration of the cornice would be great. I fear that painting it, did not slow the deterioration and that if it is not addressed, we may lose the entire cornice in the future. You can see that the rust has just continued to accelerate and come right through the coat of paint. The paint may even be trapping moisture, which would accelerate the deterioration. I would recommend they call in a specialist to evaluate the cornice. Let me know if there is anything I can do to help.

-Sal

Salvatore Cumella
Senior Planner/Preservation Planner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Main: (904) 310-3480 | Direct: (904) 310-3483 | scumella@fbfl.org
www.fbfl.us



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From: Benjamin Morrison <benjamin@cotnerassociates.com>

Sent: Wednesday, May 12, 2021 11:37 AM

To: Salvatore Cumella <scumella@fbfl.org>

Cc: Michelle Forstrom <mforstrom@fbfl.org>

Subject: Re: Damage to Palace Saloon

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Thanks Sal,

That is super helpful information. I just talked to the folks at the Palace and they are going to do some investigating to find out where they have that parapet piece stored. Once it is located we can evaluate the condition and come up with a gameplan to get it put back up. It sounds like the grant program might be a wonderful opportunity here. Since this sounds like a pretty important historical element, I will stay on top of them to get it resolved (to the best of my abilities, of course). I will keep you posted once I hear about the whereabouts of this piece.

Benjamin

On Wed, May 12, 2021 at 11:15 AM Salvatore Cumella <scumella@fbfl.org> wrote:

Hi Benjamin,

In May of 2017 it was noticed that the centerpiece of the cornice went missing (see photos attached). We reached out to the general manager on 5.9.2017 to address this issue and were told that because of the level of deterioration it was removed before Shrimp Festival to avoid liability. We were assured that the rust would be addressed, and the centerpiece repaired and reinstalled. Since then, the parapet has been painted, but continues to rust and deteriorate and the centerpiece has not been reinstalled. As this is one of the most notable features on this building per the National Register of Historic Places Nomination, it needs to be restored and maintained. Any assistance you could be in directing your client to properly addressing this issue would be greatly appreciated. This may be a good candidate to receive one of the \$5,000 PRAG grants that we have available for rehab of historic structures. Information and application can be found at www.fbfl.us/PRAG. Let me know if you have any questions.

Thanks,
-Sal

Salvatore Cumella
Senior Planner/Preservation Planner
City of Fernandina Beach
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Fernandina Beach, FL 32034
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From: benjamin@cotnerassociates.com <benjamin@cotnerassociates.com>

Sent: Wednesday, May 12, 2021 9:38 AM

To: Michelle Forstrom <mforstrom@fbfl.org>

Cc: Salvatore Cumella <scumella@fbfl.org>

Subject: Damage to Palace Saloon

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Michelle,

When we were talking a few weeks ago, you told me about some damage to one of the parapet walls on the palace saloon that I believe you said occurred during a storm a few years ago? I could have totally misunderstood you though. I took a look at the façade and I didn't see anything that jumped out at me, so I was wondering if you could help me identify the area you were talking about? They are doing some other work around the building now, so if there are things that need repair, this would be a good time to go ahead and look at them.

Thanks so much!

Benjamin C. Morrison
Cotner Associates, Inc. Architects
9 South Third Street
Fernandina Beach, Florida 32034
Phone: 904-277-4593
Fax: 904-277-6734
Email: benjamin@cotnerassociates.com

Michelle Forstrom

From: Salvatore Cumella
Sent: Friday, July 2, 2021 8:33 AM
To: Michelle Forstrom
Subject: Re: Palace Trash Cans

Michelle,

I met with Benjamin and contractor Wednesday to evaluate the cornice. Unfortunately, there is almost no metal left, just 150 yrs of paint held together with a coat of FlexSeal! We determined that the best action would be to remove the top half of the cornice and have it replicated and reinstalled. They are working on putting together an estimate for their client now. The process will require closing the sidewalk while the cornice is removed and reinstalled, which should be a few hours each time. I don't have a problem with that. Benjamin also spoke to management about the trash can fence, hence the response below. At this point I feel we need to issue the violation and give them 30 days to come into compliance. Below are the two issues I see and how they can correct them. Benjamin can get you the contact info for management if you need. I think they understand that they need to do all of this, and Benjamin has stressed to them that I will not be accepting any new COA applications for this property until these are corrected, but the notice of violation makes it real. Below are my observations of the issues and how to correct. 1 is an easy fix, 2 I would want to see a COA applied for for them to be working towards compliance.

Thanks and have a great 4th!!

-Sal

1. Inappropriate fencing created with plastic chain and red trash cans. No COA. Actions to correct: Red trash cans and plastic chain must be removed from N. 2nd Street property line. No fence is required to be reinstalled, but if they wish for one, it will require a COA and fence permit.
2. Deferred maintenance of historic pressed metal cornice has led to failure of this architectural element. Actions to correct: Pressed metal cornice to be repaired or replaced with identical replica.

Get Outlook for iOS

Salvatore Cumella
Senior Planner/Preservation Planner
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Main: (904) 310-3480 | Direct: (904) 310-3483 | scumella@fbfl.org
www.fbfl.us



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From: Michelle Forstrom <mforstrom@fbfl.org>
Sent: Friday, July 2, 2021 8:10:04 AM
To: benjamin <benjamin@cotnerassociates.com>; Salvatore Cumella <scumella@fbfl.org>
Subject: RE: Palace Trash Cans

When I drove around downtown this morning the red trash cans were still there. Please have them removed immediately. Enough is enough.

Thank you, Benjamin.

Michelle Forstrom
Code Enforcement Director
City of Fernandina Beach
516 South 10th Street, Suite 211
Fernandina Beach, Florida 32034
(904) 310-3441 | mforstrom@fbfl.org
www.fbfl.us



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From: benjamin@cotnerassociates.com <benjamin@cotnerassociates.com>

Sent: Thursday, July 1, 2021 9:52 AM

To: Salvatore Cumella <scumella@fbfl.org>; Michelle Forstrom <mforstrom@fbfl.org>

Subject: Palace Trash Cans

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.

I spoke to the management at the Palace this morning about the red trash can situation. They told me they would put them away and stop using them. If that doesn't happen, let me know and I will bring it up again.

They said the plan is to replace the fencing in that area, but they are currently putting together some plans for the paving/surfacing/landscaping of that rear lot with a local landscape architect, so they want to get that figured out so they can submit it all and get it approved at the same time. Like everything else these days, they said it is just taking forever to get concept sketches/layouts from the landscape/hardscape company.

Benjamin C. Morrison
Cotner Associates, Inc. Architects
9 South Third Street
Fernandina Beach, Florida 32034
Phone: 904-277-4593
Fax: 904-277-6734
Email: benjamin@cotnerassociates.com



City of Fernandina Beach
Code Enforcement Department

Ms. Michelle D. Forstrom
mforstrom@fbfl.org

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

September 14, 2021

Case Number: CODE-2020-0442

Cert. #: 7020 0090 0001 9419 7049

IN THE MATTER OF:

Rachridge LLC
P.O Box 16569
Fernandina Beach, FL 32034

PREMISES: 117 CENTRE ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 1 LOT 30 & E20.80' OF N 48.20 OF LOT 31 & W 4.20' OF N 18' OF LOT 31

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:

8.03.03	Application Process for Certificate of Approval	
	Apply for Certificate of Approval for cornice and fence on east side of property (or remove chain)	By 10/14/2021
42-117	Exterior Structure (Maintenance)	
	Repair cornice, apply for and be issued a COA and a building permit	By 10/14/2021
11.00.05	Local Development Order of a Change of Use	
	Submit a pre-application on website for TRC (Technical Review Committee) for outdoor seating area and stage on the north end of the property	By 10/14/2021

22-105.1 Permits - Required. Any owner or owner's authorized agent who intends to perform site clearing must first make application to the Building Official and obtain the required permit.

Obtain site work permit for cornice and fence on east side By 10/14/2021 of property (or remove chain)

(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: November 4, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St. Fernandina Beach, FL 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/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).



Michelle Forstrom

Code Enforcement Director

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

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

Postage
 \$ 53

Total Postage and Fees
 \$ 4.98

Sent To
 Rachridge LLC.
 P.O. Box 16569
 Fernandina Beach, FL 32034

City, State, ZIP+4®
 Fernandina Beach, FL 32034

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7049 9419 0001 0090 2020

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:

Rachridge LLC.
 P.O. Box 16569
 Fernandina Beach, FL 32034

2. Article Number (Transfer from service label)

9590 9402 5816 0034 1932 31



COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Signature ☐ Agent

B. Received by (Printed Name)
 Anthony Williams

C. Date of Delivery
 9/17/21

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

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

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

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SEP 22 2021

CODE ENFORCEMENT
FERNANDINA BEACH, FLORIDA

United States
Postal Service

9590 9402 5816 0034 1932 31

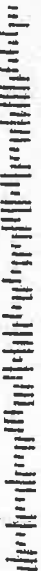


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City of Fernandina Beach
Office of Code Enforcement
204 Ash St.
Fernandina Beach, FL 32034



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- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.

- A record of delivery (including the recipient's signature) that is retained by the Postal Service for a specified period.

Important reminders:

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- Certified Mail service is not available for insurance coverage.
- Insurance coverage is not available for items with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional item and with a proper endorsement, you may use Certified Mail with Return Receipt for Merchandise.
- Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*, attach PS Form 3811 to your mailpiece.

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

IMPORTANT: Save this receipt for your records.

- For an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the addressee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the addressee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).

To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office® for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

Michelle Forstrom

From: Michelle Forstrom
Sent: Tuesday, October 19, 2021 2:50 PM
To: Anthony DiBuono
Subject: RE: Code Enforcement Responses - Rachridge LLC

Tony,

It has been over a year since you came before the TRC (Technical Review Committee), where you said that you would begin to bring the property into compliance within thirty (30) days. Here we are a year later and the only thing that has been done is the wooden fence on the north side of the property, which has not had any inspections. You were also supposed to come back to TRC, and have not. As I stated in the Notice of Violation/Notice of Hearing letter, a pre-application for TRC was supposed to be submitted by October 14, 2021. The City has not received anything to date. Another appearance in front of the committee is mandatory.

The Notice of Violation/Notice of Hearing letter was sent over a month ago, and I am just now hearing from you, past the date (October 14, 2021) given for compliance. I understand that some of the violations take time to correct, but the change of use issue could have been addressed by now. Back in January of this year, I had a conversation with Benjamin Morrison, after he had met with Palace representatives, in which he stated that fencing, surfacing & ADA were all first priority for the Palace to bring into compliance. I have granted extensions, and no work has been done, especially to the northern property.

I am going to move forward with this case to be heard by the Code Enforcement & Appeals Board on November 4, 2021. I feel that when there is a date certain for compliance and daily fines assessed for non-compliance, compliance is achieved. This has been going on for too long.

If you have any questions, please feel free to contact me.

From: Anthony DiBuono <tdibuono@ameliaunderwriters.com>
Sent: Monday, October 18, 2021 3:01 PM
To: Michelle Forstrom <mforstrom@fbfl.org>
Subject: Code Enforcement Responses - Rachridge LLC

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Michelle,

We received the attached letter addressed to Rachridge LLC regarding notice of violations for code enforcements. Please see our responses below and please not hesitate to reach out to me directly either by email or my office line at 904-432-1052.

Owner's Statement:

It is the intent of the owner to improve the aesthetics of this area to be consistent with the standards of the historic district and bring the property into full code compliance. It has been extremely difficult to find qualified contractors and design professionals that can assist us with this in a timely manner since the onset of covid. We remain dedicated to seeing the work through, and request that the city consider the following information an update in good faith, and that our continued dialogue will make another hearing in front of the Code Enforcement Board unnecessary.

8.03.03

Owner has received an estimate for reconstruction/repair of the cornice component (see attached for reference). This estimate exceeded the amount anticipated by a substantial amount, and therefore will need to be planned for from a financial perspective. Owner is in the process of trying to receive a second quote for comparison purposes, then will make a decision on whom to proceed with. Finding a company with the expertise to handle this scope locally has been a significant challenge.

42-117

Please see above in reference to cornice. The existing chain at the entrance to the property is in place as a safety mechanism to prevent vehicles from entering and injuring patrons. The intent is to install a permanent fence once the development plans for this area are finalized.

11.05.05

Owner requests that a change of use for the property be applied for upon submission of final plans for the development of the lot (if necessary). Owner is willing to limit permanent seating areas to those historically used in the past, and grandfathered in from previous uses of the property.

22-105.1

Owner understands that proper permits must be applied for from city prior to any work commencing.

Thank you for your time and consideration in this matter and do not hesitate to contact me directly.

Anthony DiBuono, M.S.

Director of Operations

tdibuono@ameliaunderwriters.com

Office: 800-940-2306 ext. 7052

Direct: 904-432-1052

Mobile: 904-206-9668

Michelle Forstrom

From: Anthony DiBuono <tdibuono@ameliaunderwriters.com>
Sent: Monday, October 18, 2021 3:01 PM
To: Michelle Forstrom
Subject: Code Enforcement Responses - Rachridge LLC
Attachments: Cotner Associates Inc.-Palace Saloon cornice.doc; Letter from City 09.14.2021.pdf

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22-105.1

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Thank you for your time and consideration in this matter and do not hesitate to contact me directly.

Anthony DiBuono, M.S.



EF20000913

**1252 W. Beaver St.
Jacksonville FL 32204
Phone (904)354-4282
Fax (904)354-6561**

www.edwardsornamental.com

October 28, 2021

Cotner Associates, Inc.
9 South Third St.
Fernandina Beach FL 32034
Attn: Benjamin Morrison
RE: 117 Centre St.

Dear Benjamin:

We are pleased to bid on the following:

Remove existing Palace Saloon cornice including flashing. Fabricate new aluminum cornice and flashing from welded aluminum to match size and design details. Fabricate new center urn to match original detail. Powdercoat and reinstall (final waterproofing by others).

Total: \$42,900.00 (includes state sales tax and discount for cash or check payments. Credit cards will be charged 3% additional)

Note: Sidewalk will need to be closed off during removal/reinstallation, by others. Any permits/fees/engineering or drawings required by others.

Note: Edwards shall retain a security interest in all goods and materials until same has been paid in full. Buyer/owner agrees to pay all collection and attorney fees, as well as a 1.5% per month service charge on all past due amounts. All terms and scope of work for this contract are contained herein. All change orders or revisions to this contract must be approved by Michael A. Thurman, President. If on site welding is required, we will do all in our power to protect existing finishes, however, we will not be responsible for welding splatter or burn mark. Work and pricing reflects completion of contract in congruence with all applicable industry standards and codes. All welds will be finished to NOMMA #3 standard unless otherwise noted. (We can provide samples if requested). Edwards Ornamental Iron, Inc. retains authority to terminate this contract if unforeseen or differing site conditions are found. Buyer/Owner agrees to provide adequate WiFi signal and broadband internet to any access controls installed by Edwards, if required.

Warranty: Unless otherwise specified, all goods manufactured by Edwards and services are warranted to be free of defects for a period of one year from date of installation.

Payment Terms: 50% deposit, balance at completion.

Sincerely,

Mike Thurman, President

Customer Acknowledgement: We hereby agree to the above work.

Accepted signature: _____

Print name: _____

Date: _____

STAFF REPORT
Case 2021-0369
City of Fernandina Beach Code Enforcement & Appeals Board
November 4, 2021

Violation Information

Owner Keith A. Johnson
409 S. 12th Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code of Ordinances, Section 42-173 Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited and Section 78-84 (5) Stopping, standing, or parking prohibited in specified places – All vehicles must be currently tagged and registered.

Location: 409 S. 12th Street, Fernandina Beach, Florida 32034

Summary and Background Information

August 5, 2021 – I observed a Jeep Wrangler parked in the front right of way that had an expired tag on it. I recorded photographs of the violations and the Notice of Visit posted on the front door giving the respondent 10 days to correct the violations.

August 26, 2021 – A second inspection was performed confirming the vehicle was moved from the right of way onto the front driveway, which corrected the violation of 78-84 (5), but the tag on the inoperable vehicle was still expired.

September 8, 2021 – A certified NOV/NOH letter was mailed to the owners with a return receipt requested.

September 16, 2021 – We received the return receipt card from the post office with the owner's signature on it showing proper service.

September 20, 2021 – I performed a NOV/NOH inspection which confirmed the property was still in violation of Code of Ordinances, Section 42-173.

October 26, 2021 – A pre-agenda inspection was performed confirming the property is still in violation of Code of Ordinances, Section 42-173.

Conclusion.

This property is still in violation of Code of Ordinances, Section 42-173. We have not received any correspondence from the respondent with no corrective action to properly register the inoperable vehicle.

Recommendation.

The City recommends a motion to be made to find the respondent in violation of Code of Ordinances, Section 42-173 Wrecked or inoperable motor vehicle on private property declared a nuisance and prohibited, allowing the Respondent (10) ten additional days to come into compliance by 11/14/2021. 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 11/15/2021 if not in compliance, with a lien placed on this property on 12/30/2021.



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

409 S. 12th St.

11/4/2021

CODE CASE # 2021-0369

<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	\$28.42	\$0.00
George Wells, Code Enforcement Officer	4.5	\$24.40	\$109.80
Crystal Turner, Administrative Coordinator/Board Secretary	2.5	\$20.19	\$50.48
Tammi Bach, City Attorney	0.5	\$72.29	\$36.15
Katie Newton, Legal Assistant	0.5	\$27.16	\$13.58
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$0.00
Certified letters mailed	1	\$6.98	\$6.98
First Class letters mailed	1	\$0.51	\$0.51

TOTAL ADMINISTRATIVE FEES DUE **\$217.49**

****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

September 8, 2021

Case Number: CODE-2021-0369

Cert. #: 7020 0090 0001 9419 7148

IN THE MATTER OF:

Keith A. Johnson
409 South 12th St.
Fernandina Beach, FL 32034

PREMISES: 409 SOUTH 12TH ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 215
SUB C OF 10 IN OR 2124/1915 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:

42-173	Wrecked or inoperable motor vehicles on private property declared a nuisance and prohibited	
	Remove or register Jeep Wrangler with a current tag.	By 9/18/2021
78-84 (5)	Stopping, standing, or PARKING PROHIBITED in specified places - All Vehicles must be Currently Tagged & Registered	
	Properly register the Jeep Wrangler parked on the ROW.	By 8/15/2021

(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: November 4, 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".

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.

409 S 12th St.

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 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:	
1. Article Addressed to:			
Keith A. Johnson 409 South 12 th St. Fernandina Beach, FL 32034			
 9590 9402 6323 0296 8501 34			
2. Article Number (Transfer from service label)		3. Service Type	
7020 0090 0001 9419 7148		☐ Adult Signature ☐ Priority Mail Express® ☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☒ Certified Mail® ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Collect on Delivery ☐ Signature Confirmation Restricted Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery (00)	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

7020 0090 0001 9419 7148

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 \$ 3.60	
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 \$.53	
Total Postage and Fees \$ 6.98	
Sent To	
Street and A	
City, State, Z	
Keith A. Johnson 409 South 12 th St. Fernandina Beach, FL 32034	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Code Ent

Postmark Here

SEP 08 2021

USPS-32034

NOTICE OF VISIT
In Pursuit of Health, Safety & Quality of Community



CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
516 South 10th Street, Suite 241
Peck Center
(904) 310-3442
gwells@fbl.city www.fbl.city/Code

Address: 409 S. 12th St.
Date: 8-5-21 Time: 2:30 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	22-115
☐ Exterior Structure (Maintenance) Repair	12-01
☐ Rubbish and Garbage	10-09
☒ Wrecked or Inoperable Motor Vehicles on private property declared a nuisance and prohibited - Remove, repair, or Register vehicle to put current tag on it	42-073
☐ No Mobile Advertisements	40-17000(1)110
☐ Accessibility of Containers and Recycle Containers	09-06
☐ Structures in the public Right-of-Way prohibited without permit	22-012
☐ Parking prohibited in specified places - Overnight Parking on public property (Right-of-Way for Buses, Trailers, RVs)	20-040(1)0
☒ Parking prohibited in specified places - All Vehicles parked on public property (Right-of-Way) shall be currently tagged and display a tag	22-040(1)0
☐ Outside Storage	10-09 110
☐ Storable Mobile Storage Units (POD) - Permit required	22-05110
☐ Recreational Vehicle, Boat, Trailer or Similar Vehicle Remove or store in a proper structure or in side lot rear yard	20-040 110
☐ Other:	

Please contact George Wells, Code Enforcement Officer at (904)
310-3442 or at gwells@fbl.city, within 5 Days of this notice to
discuss compliance with the above listed issue, or bring this
property into compliance by 8-15, 2021.
Failure to do so will result in an official written notice with a
possible outcome of fines.

Comments: Remove or properly
Register Jeep with a current tag
Wells
Code Enforcement Officer

8-5-2021 14:31



MYFLORIDA.COM

10-19

IMB Y82

SUNSHINE STATE

8.5.2021 14:29

STAFF REPORT
Case 2021-0464
City of Fernandina Beach Code Enforcement & Appeals Board
November 4, 2021

Violation Information

Owner Hal N. & Lisa M. Huffman
5 Findley Lane
Tiger, GA 30576

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

Location: 421 South 4th Street, Fernandina Beach, Florida 32034

Summary and Background Information

September 28, 2021 – I observed an improved/disturbed vacant lot that was overgrown in violation of Code of Ordinance, Section 42-116. I recorded a photograph of the violation.

September 29, 2021 – A certified NOV/NOH letter was mailed to the owners giving until 10/13/2021 to correct the violation along with a date and time to appear before the CEAB if the violation has not been brought into compliance.

October 13, 2021 – I performed a NOV/NOH inspection which confirmed the property was still in violation of 42-116.

October 15, 2021 – The post office returned the return receipt card with the owners' signature confirming the owner had been given proper notice.

October 26, 2021 – A pre-agenda inspection was performed showing the property is still in violation of 42-116.

Conclusion.

This property remains overgrown and in violation of 42-116. The owner of this property has been previously cited for overgrowth on this lot. They are fully aware they need to maintain cutting of this improved vacant lot. The owners have been properly notified and served by certified return mail.

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 11/14/21. 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 11/15/2021 if not in compliance, along with filing a lien on this property on 12/30/2021.

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
421 S. 4th St.
AS OF 11/04/2021
CODE CASE # 2021-0464**

<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	\$28.42	\$0.00
George Wells, Code Enforcement Officer	4	\$24.40	\$97.60
Crystal Turner, Administrative Coordinator/Board Secretary	2.5	\$20.19	\$50.48
Tammi Bach, City Attorney	0.5	\$72.29	\$36.15
Katie Newton, Legal Assistant	0.5	\$27.16	\$13.58
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$0.00
Certified letters mailed	1	\$6.98	\$6.98
First Class letters mailed	1	\$0.51	\$0.51

TOTAL ADMINISTRATIVE FEES DUE **\$205.29**

****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

September 29, 2021

Case Number: CODE-2021-0464

Cert. #: 7020 0090 0001 9419 7391

IN THE MATTER OF:

Hal N. & Lisa M. Huffman
5 Findley Lane
Tiger, GA. 30576

PREMISES: 421 S. 4TH ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 279
LOTS 19 & 20 IN OR 1578/911 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 all high grass, weeds, scrub bushes and saplings below By 10/13/2021
12" in height on entire improved vacant lot.

(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: November 4, 2021

TIME: 5:30 PM

LOCATION: City Commission Chambers, 204 Ash St. Fernandina Beach, FL 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/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.

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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 label.

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.

2021-0464 421 S. 4th St.

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 X [Signature] ☒ Agent ☐ Addressee B. Received by (Printed Name) [Signature] C. Date of Delivery [Signature] D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No
1. Article Addressed to: Hal N. & Lisa M. Huffman 5 Findley Lane Tiger, GA 30576 9590 9402 6323 0296 8469 53	3. Service Type ☐ Adult Signature ☐ Priority Mail Express® ☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☒ Certified Mail® ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Collect on Delivery ☐ Signature Confirmation Restricted Delivery ☐ Collect on Delivery Restricted Delivery
2. Article Number (Transfer from service label) 7020 0090 0001 9419 7391	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service™ *CoFF.B. Code ENFIRE.*
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee
\$ **3.60**

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
\$ **.53**

Total Postage and Fees
\$ **4.98**

Sent To
Street and Apt.
City, State, ZIP

Hal N. & Lisa M. Huffman
5 Findley Lane
Tiger, GA 30576

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

