



AGENDA
CITY OF FERNANDINA BEACH
SPECIAL MAGISTRATE HEARING
MAY 25, 2022
9:00 AM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. CASES TO BE HEARD

- 2.1 **HEAD, HORACE H - FBPD CASE NUMBER 2022-0003975.** Mr. Head is appealing parking citation A00152PT. *Requesting Special Magistrate determination of the case.*
- 2.2 **KIRCHMEYER, JAMES AND CAROLINE - BOA CASE NUMBER 2021-09.** Petition for Relief pursuant to Section 70.51 of the Florida Statutes. *Requesting Special Magistrate facilitation of a resolution between the City and Property Owners or a determination as to the City's actions on a development order.*

3. 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.

If any person decides to appeal any decision made by the Special Magistrate 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.

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact (904) 310-3115, TDD/TTY 711, at least 24 hours in advance to request such accommodations.

For information regarding this matter, please contact the Legal Department (904) 310-3275.

IN AND BEFORE A SPECIAL
MAGISTRATE, CITY OF FERNANDINA
BEACH, FLORIDA

BOA CASE NO.: 2021-09

JAMES KIRCHMEYER and CAROLINE
KIRCHMEYER, husband and wife,
Petitioner,

v.

CITY OF FERNANDINA BEACH, a
Political subdivision of the State of Florida,
Respondent.

**NOTICE OF SPECIAL MAGISTRATE HEARING AND
SCHEDULE SETTING DEADLINES FOR SUBMITTALS**

THIS MATTER, having come before the undersigned Special Magistrate on a Petition for Relief filed by the Petitioner on April 8, 2022, pursuant to section 70.51, Florida Statutes. In accordance with said statute, the undersigned gives notice as of the place, date, and time of the hearing to all parties and any other persons who have requested such notice, as follows:

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

Date and Time: May 25, 2022 at 10:00 a.m.

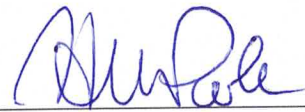
Further, in accordance with section 70.51, Florida Statutes, the undersigned gives notice of the following schedule setting deadlines for submittals by the parties:

- 1) The Respondent shall file its response to the Petition for Relief with the Special Magistrate, with a copy to the Petitioner, on or before May 5, 2022. The response shall set forth in reasonable detail the position of the Respondent regarding the matters alleged by the owner and also include a brief statement explaining the public purpose of the regulations on which the development order is based.
- 2) Any party desiring that the Special Magistrate issue a subpoena to a nonparty witness pursuant to section 70.51(15)(b), Florida Statutes, shall submit a proposed subpoena to

the Special Magistrate no later than May 20, 2022. The party requesting the nonparty subpoena shall be responsible for obtaining legal service of the subpoena on any such nonparty witness.

- 3) Any response to a submittal from an opposing party, supplemental response, memorandum, or any other documentary information a party desires the Special Magistrate to consider during the hearing should be filed with the Special Magistrate, with a copy to the opposing party, no later than May 23, 2022.

DONE AND ORDERED in Fernandina Beach, Nassau County, Florida, this 20th day of April, 2022.



Harrison W. Poole
Special Magistrate

Copies To:

Jon C. Lasserre, Esq.

Tammi E. Bach, Esq.