



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
JULY 7, 2022
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 for June 2, 2022, are presented for approval.

4. OLD BUSINESS

4.1 **FERNANDINA PORT DEVELOPMENT, 501 N 3RD ST., CASE 2021-0558.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance); *Update as requested by the Board.*

4.2 **MAESTRE, RUTH E. & LORE, PAUL A, 11 S 7TH ST., CASE 2021-0073.** Violation(s) of the City of Fernandina Beach Code of Ordinances exists: Section 42-117 Exterior Structure (Maintenance). *Update as requested by the Board.*

5. NEW BUSINESS

6. BOARD BUSINESS

6.1 New Hearing time discussion.

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
JUNE 2, 2022
5:30 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER AT 5:00 PM.

ROLL CALL / DETERMINATION OF A QUORUM

BOARD MEMBERS PRESENT:

Cindy Crow	Bernard Thompson	Ralph Stines
Andy Fotiades	Nicole Kresse (VC)	
Barb Kent	Adam Kaufman (Chair)	

BOARD MEMBERS ABSENT:

Gail Shults

OTHERS PRESENT:

Michelle Forstrom, George Wells, Crystal Turner, Tammi Bach.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes for May 5, 2022, are presented for approval.

A motion was made by Member Thompson and seconded by Vice Chair Kresse to approve the minutes from the May 5, 2022, Code Enforcement and Appeals Board Hearing.

Chair Kaufman asked if there were any changes to the agenda?
Code Enforcement Officer replied yes, the one case has been resolved.

4. OLD BUSINESS

5. NEW BUSINESS

5.1 **BROWN, SCHANE, & BROWN, EDWARD J. ET AL, 511 SOUTH 6TH ST., CASE 2022-0721.** Violation of the City of Fernandina Beach Code of Ordinances exist: Land Development Code, Chapter 5.02.06: Movable Module Storage Units (POD); Permit Required. *Requesting Board determination of the case.*

Officer Wells announced the case is now in compliance and the POD has been removed

6. BOARD BUSINESS

6.1 Welcoming new Code Enforcement and Appeals Board Alternate #1 - Ralph Stines

Chair Kaufman welcomed the new member to the Code Enforcement and Appeals Board.

Chair Kaufman asked if there was anything good of the order?

Officer Wells replied that a long-standing case located at 402 Cedar St. has now come into compliance by the help of our Code Board Members.

7. ADJOURNMENT

A motion was made by Member Kent and seconded by Member Thompson to adjourn the meeting. The motion carried with all ayes.

Hearing adjourned at 5:04 PM.

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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.



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: APRIL 7, 2022

Case Number: CODE-2021-0558

IN THE MATTER OF: Respondent Name: **FERNANDINA PORT DEVELOPMENT**
Respondent Mailing Address: 501 NORTH 3RD STREET
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on **APRIL 7, 2022**, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on February 4, 2022, and the Respondent's representative was present at the hearing.
2. The real property on which the violations occurred is **501 N. 3RD ST.**, Fernandina Beach, FL, and a brief legal description being *BLK 57 LOTS 27 28 29 & 30 PT OR 624/ 450 & W1/2 & N1/2 OF VACATED 3RD ST LYING E & S.*
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **SECTION 42-117: EXTERIOR STRUCTURE (MAINTENANCE).**

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to find the property in violation of SECTION 42-117: EXTERIOR STRUCTURE (MAINTENANCE). The Board voted to give the respondent ninety (90) days to come into compliance by July 6, 2022. The Board will suspend fines for ninety days and the respondent(s) shall return to the City of Fernandina Beach, Code Enforcement and Appeals Board on July 7, 2022, if the property is not in compliance. At that time, the Board may determine to assess fines and penalties.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered ~~July 1, 2021~~ April 7, 2022, at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: 

Chair, Adam Kaufman



COUNTY OF NASSAU

STATE OF FLORIDA

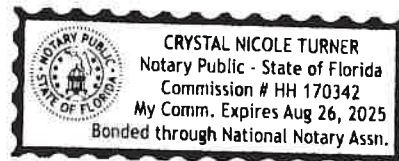
I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared Adam Kaufman to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 11th day of April, 2022.

(NOTARY SEAL)



Notary Public, State of Florida



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



AGENDA
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APRIL 7, 2022
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CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

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1. CALL TO ORDER AT 5:00 PM.

ROLL CALL/ DETERMINATION OF A QUORUM

BOARD MEMBERS PRESENT:

Bernard Thompson

Andy Fotiades

Barbara Kent

Adam Kaufman (Chair)

MEMBERS ABSENT:

Cindy Crow

Nicole Kresse (Vice Chair)

OTHERS PRESENT:

Michelle Forstrom – Code Enforcement Director, George “Chip” Wells – Code Enforcement Officer, Crystal Turner – Board Secretary, Tammi Bach – City Attorney

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes for February 3, 2022, are presented for approval.

ACTION TAKEN: Approve, Moved by Barb Kent, Seconded by Bernard Thompson.

Motion passed unanimously.

Chair Kaufman asked if there were any changes to the agenda? Officer Wells responded “no”.

Attorney explains Quasi-Judicial Proceedings. Chair Kaufman asked if anyone who has ex parte communications. There were none.

Board Secretary swore in the witnesses who plan to testify.

4. OLD BUSINESS

4.1 **WILLIAMS, MARGARET, 113 N. 10TH ST., CASE 2019-0277.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance). *Property owner requesting extension for compliance.*

Officer Wells submitted all evidence into record. This is a return cases that went before the Code Enforcement and Appeals board on July 1, 2021. Ms. Margaret Williams is requesting an

extension on the case.

Margaret Williams, her daughter Margaret Williams is speaking on her behalf. She thanked the board for the generous time that has been given. The contractor they hired not long after the last hearing, scammed Ms. Williams. She is confident in the work getting completed just needs more time. She believes 60-90 days would work. Chair Kaufman asked Officer Wells if the City would approve of a 60–90-day extension. Officer Wells agreed to the time requested.

Member Kent suggested to Ms. Williams that she request more than 90 days due to the delays in materials. Member Thompson asked if there have been any permits pulled as of today. Ms. Williams explained there were no permits pulled. The permits were going to be pulled with the last contractor that was involved with the scamming. They will be soon. Member Kent asked what was being done to the home. Mrs. Williams responded with a demolished.

A motion was made by Chair Kaufman and seconded by Member Kent to grant a one-hundred and twenty (120) days to come into compliance by August 5, 2022. The motion passed unanimously.

- 4.2 **BUSH, JAMES W. & LINDA K., 105 N. WOLFF ST., CASE 2021-0018.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance). *Property owner requesting extension for compliance.*

Officer Wells would like to submit all evidence into the record. This case was heard by the Code Enforcement Hearing on July 1, 2021. The course of a remodel that was planned has now been changed to completing a full demolition on the home.

Contractor, David Sturges spoke on the behalf of Mr. Wolff. He explained the whole home needed to be removed. Plan are drawn for a complete house and waiting for bank approval. Submitted the permit as of last week. They would love an extension of 90 days or less. He ultimately believes this can be done in 40 days.

Member Kent made a motion to give the respondent a 90-day extension, this was seconded by member Shults. Did not complete a vote. Officer Wells announced they had daily fines that began on April 1st and the hearing being on April 7, 2022. This means his daily fines has began accruing. What would the board like to do about these?

A motion was made by Member Kent and seconded by Member Thompson to give the respondent ninety (90) days to come into compliance and to suspend the fines that have already began. The board will assess fines of \$200.00 per day beginning July 6, 2022, if the property is not brought into compliance at that time. The motion passed unanimously.

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

This case is going to be heard as a Quasi- Judicial Hearing. City Attorney, Tammi Bach explained the procedures.

Officer Wells entered the evidence at this time into the record. He presented the photos of the

property he took on this day (04/07/2022). Everything he sees is from a right-of-way view. He is requesting to find this case in violation of 42-117.

Chair Kaufman confirmed that the case is in the Historic District. He is in the understanding that this case will go to HDC at the end of the month.

Paul Lore 11 S 7th St. Mr. Lore is asking for an extension to the Fall. Mr. Lore presented photos of the property located at 11 S. 7th St. to the Board. Tree removal, Cage company came out and has removed some trees. There is a tree that has fractured the pylon structure on the home. Mr. Lore has the permit and is moving forward with that. The garden area has had much work completed to it. Adding limestone and shell will be completed. The owners have removed a massive number of invasive vines that were growing off of the brick buildings that back up to the home. Nothing has been completed with the structure of the porch due to the support beam that is holding up the second story porch having water damage. They have picked a paint color and began painting the carriage house. Jose Miranda has assessed the porch and is completing the drawings for the new porch and front side of the home, this will include a addition to the left side of the home. A company named Hygema, will be conducting the work on the porch. Mr. Lore is currently awaiting a metal roof quote from a local roofing company called Shore Break. Ms. Ruth Maestre spoke on behalf of the case as well they are working hard to get this completed and she explained the support ceiling for the porch area in more detail and explained how this has change the direction of the plan.

Member Fotiades asked the property owners if they anticipate any financial surprises with this project. Mr. Lore responded they do not. Member Fotiades asked the owners if the footings of the home were the first project that needed addressing? Mr. Lore explained the structure of the home is great, it is only the footings of the porch that need to be repaired. They will begin on the footings in July 2022.

City Attorney Bach explained why the City wanted to find the property in violation. This is a standard procedure to keep the case going until it is in compliance.

Member Thompson requested a timeframe of completion of the entire project. Mr. Lore responded with 3 years, this includes everything completed from top to bottom, inside to outside of the home.

Board Discussion

A motion was made by Member Fotiades and seconded by Member Kent to find the property in violation of 42-117 & postpone any penalties and return before the Code Enforcement and Appeals Board on October 6, 2022. The motion was carried by unanimous roll call vote, all being ayes.

5. NEW BUSINESS

5.1 FERNANDINA PORT DEVELOPMENT, 501 N. 3RD ST., CASE 2021-0558. Violation(s) of the

City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance); *Requesting Board determination of the case.*

Representative Thomas Waters for Worldwide Terminals - Fernandina Port Development spoke on behalf of the company. He is requesting an extension of maintenance for the exterior of home. Mr. Waters explained the letter that was sent by Christopher Ragucci, to the City of Fernandina was requesting an extension. Mr. Waters explained how this process could take longer than 90 days. The board asked the City if they had any objections for a 90-day extension. Officer Wells responded "no". City Attorney explained that to find them in violation, the City must first present the case.

A motion was made by Member Kent to grant a 90-day extension and return to the board to continue the hearing on July 7, 2022. None Seconded.

Board Discussion

A motion was made by Member Fotiades to find the property in violation, return to the board in 90 days to asses' penalties if the property is not in compliance at that time. None seconded.

Mr. Waters requested the board not find them in violation on this day, so the company has time to address what violations need resolving if that is an option.

Chair Kaufman requested the City to present the case.

Officer Wells submitted the evidence into record. His presentation began with a timeline of the case. He presented the recorded photographs of the property. His timeline included all inspections. There is no application through the building department or the HDC. The city's recommendation is to find the property in violation of Code of Ordinances, Section 42-117 Exterior Structure (Maintenance). Allow the respondent 30 additional days to come into compliance by May 7, 2022. A motion to be made that a fine of \$100.00 per day for the violation to begin on May 8, 2022, if not in compliance, along with filing a lien on this property on June 21, 2022, if not in compliance.

Mr. Waters questioned some of the photographs that were entered into evidence. If given a fair amount of time, contractors can get hired and they can go through the proper channels to comply with the City's Code of Ordinances. Chair Kaufman asked if Mr. Waters had any objections about Mr. Raguccis letter that was sent to the Board and entered evidence? Mr. Waters had no objections regarding the letter.

Member Thompson asked Chair Kaufman if this is the first-time hearing from Worldwide Terminals since this case has begun. Chair Kaufman explained this is the first time this case has been on the agenda. The board wanted to know if this is the first-time hearing from the company, since this case has begun before tonight? Officer Wells explained that the first response from the owners were today on April 7, 2022, when they received a letter in the mail from Christopher Ragucci.

A motion was made by Member Kent, seconded by Member Fotiades to find the property in violation of Code of Ordinances, Section 42-117 Exterior Structure (Maintenance) and

to suspend fines for 90 days and return to the July 7, 2022, Code Enforcement and Appeals Board hearing. Motion carried with all ayes.

6. BOARD BUSINESS

6.1 **There are 2 Board Vacancies available.** You can apply for a spot online at the City Clerk's office.

Board Discussion and questions were conducted, Amongst Member Kent and Attorney Bach.

David Sturges made a recommendation for the Boards process.

Board Discussion continued.

7. ADJOURNMENT

This hearing was adjourned at 7:32 PM.

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).

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Chair, Adam Kaufman



Board Secretary, Crystal Turner



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: APRIL 7, 2022

Case Number: CODE-2021-0073

IN THE MATTER OF: Respondent Name: **RUTH E. MAESTRE & PAUL A. LORE (JT/RS)**
Respondent Mailing Address: **11 SOUTH 7TH STREET**
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on APRIL 7, 2022, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on SEPTEMBER 10, 2021, the Respondents were present at the hearing.
2. The real property on which the violations occurred is **11 SOUTH 7TH STREET**, Fernandina Beach, FL and a brief legal description being *BLOCK 37 LOT 7*.
3. The Respondent is the owner of record of the aforementioned real property.
4. The Respondent violated sections of the Fernandina Beach Code of Ordinances: **SECTION: 42-117 – EXTERIOR STRUCTURE (MAINTENANCE)**.

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to find the property in violation of SECTION 42-117 EXTERIOR STRUCTURE (MAINTENANCE). The Board voted to suspend fines for ninety (90) days and the respondents shall return to the Code Enforcement and Appeals Board on July 7, 2022. At this time, the Board may determine to access fines and penalties.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered April 7, 2022, at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: _____

Chair, Adam Kaufman



A CERTIFIED TRUE COPY
Office of the City Clerk
City of Fernandina Beach, Florida

COUNTY OF NASSAU

STATE OF FLORIDA

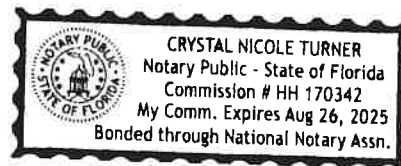
I HEREBY CERTIFY that on this day before me, the undersigned, a Notary Public in and for the State of Florida at Large, personally appeared (Adam Kaufman) to me well known to be the Chair of the Code Enforcement and Appeals Board of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Findings of Fact for the City of Fernandina Beach as such Chair: and they severally acknowledged the execution of the same to be their free act and deed by authority and on behalf of the City of Fernandina Beach for the uses and purposes therein expressed.

WITNESS my hand and official seal at Fernandina Beach, said County and State on this 11th day of April, 2022.

(NOTARY SEAL)

Crystal N. Turner

Notary Public, State of Florida



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

Mailing Address: 204 Ash Street • Fernandina Beach, FL 32034 • Physical Address 516 S. 10th Street, Fernandina Beach, FL 32034

(904) 310-3440 • TDD/TTY 711 • www.fbfl.us/Code

Equal Opportunity Employer



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CITY HALL COMMISSION CHAMBERS
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1. CALL TO ORDER AT 5:00 PM.

ROLL CALL/ DETERMINATION OF A QUORUM

BOARD MEMBERS PRESENT:

Bernard Thompson

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Barbara Kent

Adam Kaufman (Chair)

MEMBERS ABSENT:

Cindy Crow

Nicole Kresse (Vice Chair)

OTHERS PRESENT:

Michelle Forstrom – Code Enforcement Director, George “Chip” Wells – Code Enforcement Officer, Crystal Turner – Board Secretary, Tammi Bach – City Attorney

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes for February 3, 2022, are presented for approval.

ACTION TAKEN: Approve, Moved by Barb Kent, Seconded by Bernard Thompson.

Motion passed unanimously.

Chair Kaufman asked if there were any changes to the agenda? Officer Wells responded “no”.

Attorney explains Quasi-Judicial Proceedings. Chair Kaufman asked if anyone who has ex parte communications. There were none.

Board Secretary swore in the witnesses who plan to testify.

4. OLD BUSINESS

4.1 **WILLIAMS, MARGARET, 113 N. 10TH ST., CASE 2019-0277.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance). *Property owner requesting extension for compliance.*

Officer Wells submitted all evidence into record. This is a return cases that went before the Code Enforcement and Appeals board on July 1, 2021. Ms. Margaret Williams is requesting an

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Margaret Williams, her daughter Margaret Williams is speaking on her behalf. She thanked the board for the generous time that has been given. The contractor they hired not long after the last hearing, scammed Ms. Williams. She is confident in the work getting completed just needs more time. She believes 60-90 days would work. Chair Kaufman asked Officer Wells if the City would approve of a 60–90-day extension. Officer Wells agreed to the time requested.

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A motion was made by Chair Kaufman and seconded by Member Kent to grant a one-hundred and twenty (120) days to come into compliance by August 5, 2022. The motion passed unanimously.

- 4.2 **BUSH, JAMES W. & LINDA K., 105 N. WOLFF ST., CASE 2021-0018.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance). *Property owner requesting extension for compliance.*

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A motion was made by Member Kent and seconded by Member Thompson to give the respondent ninety (90) days to come into compliance and to suspend the fines that have already began. The board will assess fines of \$200.00 per day beginning July 6, 2022, if the property is not brought into compliance at that time. The motion passed unanimously.

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

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Officer Wells entered the evidence at this time into the record. He presented the photos of the

property he took on this day (04/07/2022). Everything he sees is from a right-of-way view. He is requesting to find this case in violation of 42-117.

Chair Kaufman confirmed that the case is in the Historic District. He is in the understanding that this case will go to HDC at the end of the month.

Paul Lore 11 S 7th St. Mr. Lore is asking for an extension to the Fall. Mr. Lore presented photos of the property located at 11 S. 7th St. to the Board. Tree removal, Cage company came out and has removed some trees. There is a tree that has fractured the pylon structure on the home. Mr. Lore has the permit and is moving forward with that. The garden area has had much work completed to it. Adding limestone and shell will be completed. The owners have removed a massive number of invasive vines that were growing off of the brick buildings that back up to the home. Nothing has been completed with the structure of the porch due to the support beam that is holding up the second story porch having water damage. They have picked a paint color and began painting the carriage house. Jose Miranda has assessed the porch and is completing the drawings for the new porch and front side of the home, this will include a addition to the left side of the home. A company named Hygema, will be conducting the work on the porch. Mr. Lore is currently awaiting a metal roof quote from a local roofing company called Shore Break. Ms. Ruth Maestre spoke on behalf of the case as well they are working hard to get this completed and she explained the support ceiling for the porch area in more detail and explained how this has change the direction of the plan.

Member Fotiades asked the property owners if they anticipate any financial surprises with this project. Mr. Lore responded they do not. Member Fotiades asked the owners if the footings of the home were the first project that needed addressing? Mr. Lore explained the structure of the home is great, it is only the footings of the porch that need to be repaired. They will begin on the footings in July 2022.

City Attorney Bach explained why the City wanted to find the property in violation. This is a standard procedure to keep the case going until it is in compliance.

Member Thompson requested a timeframe of completion of the entire project. Mr. Lore responded with 3 years, this includes everything completed from top to bottom, inside to outside of the home.

Board Discussion

A motion was made by Member Fotiades and seconded by Member Kent to find the property in violation of 42-117 & postpone any penalties and return before the Code Enforcement and Appeals Board on October 6, 2022. The motion was carried by unanimous roll call vote, all being ayes.

5. NEW BUSINESS

5.1 FERNANDINA PORT DEVELOPMENT, 501 N. 3RD ST., CASE 2021-0558. Violation(s) of the

City of Fernandina Beach Code of Ordinances exist: Section 42-117: Exterior Structure (Maintenance); *Requesting Board determination of the case.*

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A motion was made by Member Kent to grant a 90-day extension and return to the board to continue the hearing on July 7, 2022. None Seconded.

Board Discussion

A motion was made by Member Fotiades to find the property in violation, return to the board in 90 days to asses' penalties if the property is not in compliance at that time. None seconded.

Mr. Waters requested the board not find them in violation on this day, so the company has time to address what violations need resolving if that is an option.

Chair Kaufman requested the City to present the case.

Officer Wells submitted the evidence into record. His presentation began with a timeline of the case. He presented the recorded photographs of the property. His timeline included all inspections. There is no application through the building department or the HDC. The city's recommendation is to find the property in violation of Code of Ordinances, Section 42-117 Exterior Structure (Maintenance). Allow the respondent 30 additional days to come into compliance by May 7, 2022. A motion to be made that a fine of \$100.00 per day for the violation to begin on May 8, 2022, if not in compliance, along with filing a lien on this property on June 21, 2022, if not in compliance.

Mr. Waters questioned some of the photographs that were entered into evidence. If given a fair amount of time, contractors can get hired and they can go through the proper channels to comply with the City's Code of Ordinances. Chair Kaufman asked if Mr. Waters had any objections about Mr. Raguccis letter that was sent to the Board and entered evidence? Mr. Waters had no objections regarding the letter.

Member Thompson asked Chair Kaufman if this is the first-time hearing from Worldwide Terminals since this case has begun. Chair Kaufman explained this is the first time this case has been on the agenda. The board wanted to know if this is the first-time hearing from the company, since this case has begun before tonight? Officer Wells explained that the first response from the owners were today on April 7, 2022, when they received a letter in the mail from Christopher Ragucci.

A motion was made by Member Kent, seconded by Member Fotiades to find the property in violation of Code of Ordinances, Section 42-117 Exterior Structure (Maintenance) and

to suspend fines for 90 days and return to the July 7, 2022, Code Enforcement and Appeals Board hearing. Motion carried with all ayes.

6. BOARD BUSINESS

6.1 **There are 2 Board Vacancies available.** You can apply for a spot online at the City Clerk's office.

Board Discussion and questions were conducted, Amongst Member Kent and Attorney Bach.

David Sturges made a recommendation for the Boards process.

Board Discussion continued.

7. ADJOURNMENT

This hearing was adjourned at 7:32 PM.

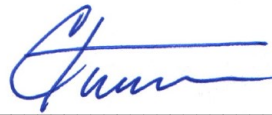
Quasi-Judicial – Denotes that the item must be conducted as a Quasi -Judicial hearing in accordance with City Commission established procedure and Florida Statutes.

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.



Chair, Adam Kaufman



Board Secretary, Crystal Turner