AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
NOVEMBER 3, 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 from October 6, 2022 Code Enforcement and Appeals Board are presented for approval.

4. OLD BUSINESS

5. NEW BUSINESS

5.1 **DORENE THOMPSON, 2139 HIGH RIGGER PL., CASE NO. 2022-0943.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 18-10 - Animal Waste and Land Developement Code, Chapter 5.01.10 Fences and Walls (application for a permit to install or construct a fence is required). *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 6, 2022
5:30 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER 5:35 pm.

ROLL CALL / DETERMINATION OF A QUORUM:
Present:
Barb Kent **Chair, Adam Kaufman**
Bernard Thompson **Vice Chair, Nicole Kresse**
Ralph Stines

Absent:
Andy Fotiades
Gail Shults

Others Present:
George Wells, Michelle Forstrom, Crystal Turner, Tammi Bach, Charlie George, Commissioner Ross, Paul Lore, Jose Miranda, Walter Sturges, Ruth Maestre.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes from the September 1, 2022 hearing are requesting approval.

A motion was made by Member Kent and seconded by Member Thompson to approve the minutes from the September 1, 2022, hearing. Motion passed unanimously.

There are no changes to the agenda. Chair Kaufman requested Attorney Bach to explain the quasi-judicial proceedings. Board Secretary swore in the witnesses.

4. OLD BUSINESS

4.1 **MAESTRE RUTH E & LORE PAUL A (JT/RS), 11 S 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 fines & fees for this case.*

Chair Kaufman introduced the case, he read the last finding of facts that was produced from the July 7, 2022, Hearing for this case. Found the property to be in violation of 42-117 Exterior Structure Maintenance and postponed fines and fees until after September for the October hearing at the request of Mr. Lore.

Officer Wells announced that today (10/06/22) is the compliance date that was set by the Board. Mr. Lore was supposed to report back, and the Board was going to determine the fines and fees at this time. Officer

Wells requested Mr. Charlie George to come to the podium to announce his evidence on this case.

City Engineer, Charlie George reached out to Mr. Lore to understand what was going on with this case to provide guidance and gather a better understanding for scheduling procedures and the construction of the property. Mr. Lore and Mr. George walked through the historic structure together to view the construction and condition of the home. Mr. Lore is rebuilding this home from the bottom-up. Mr. George created a construction timeline so the board could understand the magnitude of what he was doing to assist with understanding of the exterior aesthetics. Mr. George is a structural engineer; he was interested in looking at the bones of this project. Mr. Lore explained that he couldn't deal with the painting portion of this project until the bones of the structure could be resolved. As Mr. Lore has continued the project, he has discovered more rotten wood and issues that has needed to be addressed. The timeline is based on what the materials and labors and cost would also consist of.

Officer Wells requested to submit all documents into the record, including the construction timeline that Mr. George created. Chair Kaufman agreed with Mr. George on the concern of the Board is the exterior of the home. Chair Kaufman asked the board members if they have any questions for Mr. George. Member Kent inquired about the estimated completion date being December 2023, is this what he is anticipating? Mr. George agreed to that completion date, if he was bidding on this job, this is how he saw the sequence of events unfolding. Mr. George explained that every time the property owners discover more wood, it must be addressed, and it sets them back more in time on the project of completing the exterior maintenance of the home. Member Stines asked about line 11 on the construction timeline where it says to repair structural foundations, could Mr. George elaborate on that? Mr. George explained how the brick and mortar of the home is deteriorating, you must jack the home up and replace portions of the home in small areas, with hopes of it not collapsing, which in turn drags the process out more. Mr. George understands the Board is focusing on the exterior of the home, but he did this timeline for the project as its entirety, which does include the inside of the home. Member Thompson asked if the contractors are on board with this timeline as well? Mr. George explained that this is an owner builder project, and he is still having to work out the kinks of this timeline.

Officer Wells explained the last item on the list is what pertains to the Code Enforcement Department and the office would like the property in compliance by August 25, 2023, if not fines would begin at that point. Chair Kaufman explained that it would be essentially a year including putting them on the Agenda for the hearing after August.

Mr. Jose Miranda, Miranda Architects, 309 ½ Centre St. Suite 206, he has been working with Ms. Maestre Mr. Lore for the last year making plans for the renovation project. Mr. Miranda is an architect with a preservation background. The last thing that you worry about with a preservation job is exterior paint especially if you put paint on wood that is on the verge of failure. They have had to repoint an original brick fireplace restructure issue, Rob Sworkowsky, whom is a local contractor that is assisting the structure. This is a lengthy task. They are carrying the water of a decades of a deteriorating home. Please work with them and provide patience. Mr. Miranda wanted to offer his support of Mr. Lore and Ms. Maestre.

Mr. Lore, 11 S 7th St., wise man once told him, less is more. His experience during this code enforcement processes has been upsetting to him. He put a lot together tonight and wants to submit this into evidence into the record, he does not want to present it at this time. He invited all board member to come out to the house to view it. There is a competing interest between Code Enforcement and the Historic Preservation process.

The City recommends setting a compliance date for September 7, 2023. Fines to begin if not in compliance. Mr. Wells understands that there are many factors involved. Officer Wells spoke on behalf of Code Enforcement that we would never want someone to paint over rotten wood. We hope that someone would repair it like Mr. Lore would and do it correctly. We are never advocating to paint over rotten wood, just a clarification. Officer Wells conducted an inspection today and he was impressed with the amount of work that has been done.

Chair Kaufman said the City's recommendation is August 5, 2023, to place it on the agenda for September 7,

2023. No person(s) offered a motion to this recommendation.

Come into compliance with violation 42-117 Exterior Structure Maintenance, completion of the exterior, completed by August 5, 2023, and return to the Code Enforcement and Appeals Board on September 7, 2023 to assess fines and fees. Chair Kaufman waited for a motion; he cannot make it.

Member Kent wanted to make a more generous motion to extend it to December 2023. Thompson seconded that for the compliance date.

Motion clarification made by Chair Kaufman: Completion of the exterior on or before December 31, 2023, to be placed on the January 4, 2024, Meeting of the Code Enforcement Board.

A motion was made by Member Kent and seconded by Member Thompson to set a completion date of December 31, 2023, to come into compliance with violation 42-117, Exterior Structure (Maintenance) and return to Code Enforcement and Appeals Board on January 4, 2024. The Board Secretary took the vote, motion passed unanimously.

5. NEW BUSINESS

6. BOARD BUSINESS

The November Hearing will be at 5:30. We will not begin the 5:00 start time until the December hearing.

7. ADJOURNMENT at 6:08 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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STAFF REPORT
Case 2022-0943
City of Fernandina Beach Code Enforcement & Appeals Board
November 3, 2022

Violation Information

Property Owner	Dorene Thompson 2193 High Rigger Place Fernandina Beach, FL 32034
Violation	City of Fernandina Beach- Municipal Code *Section 42-116 Duty to Maintain Property.* *Section 18-10 Animal Waste* *City of Fernandina Beach – Land Development Code* Chapter 5.01.10 Fences and Walls
Location:	2193 High Rigger Place, Fernandina Beach, Florida 32034

Summary and Background Information

September 8, 2022 – I performed a complaint driven inspection of the property. I found a vinyl tarp fence had been erected without a permit. The fence was above the six-foot height maximum requirement, along with non-approved vinyl tarp fence material. There was cat feces placed in multiple plastic bags along the base of the tarp fence. The yard needed to be cut and cleaned.

September 12, 2022 – We mailed a certified NOV/NOH letter to the owner giving fourteen (14) days to correct the violations.

September 21, 2022 – We had an office visit with Mrs. Dorene Thompson regarding the code case at 2193 High Rigger Place. The meeting included Michelle Forstrom, Taylor Hartman, Daphane Forehand and myself. We explained that the fence needed to be permitted and modified to meet current codes. She stated that the Planning Department told her the fence was ok as it was and did not need a permit. The Planners were present and expressed to Mrs. Thompson that was not what they conveyed to her. Mrs. Thompson denied what the Planners had said to her saying that was not what they told her. We explained to her we had mailed a NOV/NOH hearing letter by certified mail. She stated she had not received any NOV/NOH letter in the mail. We printed a copy of the letter and gave her a copy of the letter in the office. We filled out a notarized affidavit of service of the hand delivery.

October 3, 2022 – The original certified NOV/NOH letter was returned unclaimed by the respondent from the post office.

October 4, 2022 – I performed a NOV/NOH inspection that had been scheduled. The property was still in violation.

October 27, 2022 – I performed a pre-agenda inspection. The yard had been cut and cleaned, but all other violations were still in violation.

Conclusion.
The property is still in violation with the fence and the cat feces. We have tried multiple times to express what she needed to comply. Mrs. Thompson hears what she wants to hear or her interpretation of what was stated,

Recommendation.

I recommend that you find the Respondent in violation of the Land Development Code Chapter - 5.01.10 Fences and Walls, along with a violation of Municipal Code *Chapter 18-10 Animal Waste.* The Respondent is to pay all administrative fees accrued until compliance is reached and a $ 100.00 fine per day beginning November 17, 2022, if not in compliance. A lien will be placed on the property in forty-five (45) days from November 17, 2022, if it remains in violation.

George Wells
Code Enforcement Officer

CITY OF FERNANDINA BEACH
Code Enforcement Department
(904) 310-3440

George Wells
Code Enforcement Officer
(904) 310-3442

ADMINISTRATIVE FEES INCURRED FROM
2193 High Rigger Place
AS OF 11/03/2022
CODE CASE # 2022-0943

STAFF PERSONNEL OR ITEMS	# OF UNITS OR HOURS	PRICE OR RATE PER HOUR	TOTAL
Michelle Forstrom, Code Enforcement Director	2	$28.42	$56.84
George Wells, Code Enforcement Officer	5.5	$27.15	$149.33
Crystal Turner, Administrative Coordinator/Board Secretary	3.5	$20.19	$70.67
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	$23.50	$23.50
Certified letters mailed	1	$7.82	$7.82
First Class letters mailed	1	$0.51	$0.51

TOTAL ADMINISTRATIVE FEES DUE $308.67

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

AFFIDAVIT OF SERVICE

State of Florida
County of Nassau

Code Enforcement Case Number: CODE-2022-0943

I, George Wells, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Code Enforcement.

2. That part of my duties include hand delivering Notice of Violation/Notice of Hearing letters, and other correspondence; and

3. That on the 21st Day of September 2021, at 11:00 A.M. I, George Wells, hand delivered the Notice of Violation/Notice of Hearing letter for **Case CODE 2022-0943, to Ms. Doreen Thompson at 2193 High rigger pl., Fernandina Beach, FL 32034**.

FURTHER AFFIANT SAYETH NAUGHT.

Signature: George Wells

George Wells
(Printed name)

Subscribed and sworn to before me, a notary public in and for the State of Florida, this 21st day of September 2022.

(SEAL)

Signature: Crystal Turner

CRYSTAL TURNER
(Printed name of Notary)

CRYSTAL NICOLE TURNER
Notary Public - State of Florida
Commission # HH 170342
My Comm. Expires Aug 26, 2025
Bonded through National Notary Assn.

City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

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

September 12, 2022

Case Number: CODE-2022-0943

Cert. #: 7020 3160 0001 2541 0277

IN THE MATTER OF:

Dorene Thompson
2193 High Rigger PL
Fernandina Beach, FL 32034

PREMISES: 2193 HIGH RIGGER PL., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: LOT 46 IN OR 1615/1120 THE RESIDENCE @ AMELIA

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:

18-10	**Animal Waste**	
	Remove animal waste placed along the bottom of the tarp fence.	**By 9/26/2022**
5.01.10	**Fences and Walls (application for a permit to install or construct a fence is required)**	
	The tarp fence must be removed. There has been no application for a fence permit. The tarp is not an approved fencing material along with the height exceeding the 6' maximum.	**By 9/26/2022**
42-116	**Duty to Maintain Property**	
	Cut high grass and weeds and/or clean up property.	**By 9/26/2022**

City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

(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 3, 2022
TIME:	5:30 PM
LOCATION:	City Commission Chambers, 204 Ash St

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

If the Board finds that you are in violation, they will consider all appropriate actions required to bring the property into compliance, which may include, but is not limited to the recovery of fees, fines which may be imposed for the duration of the non-compliance (NOT TO EXCEED $250.00 per day, per violation), and in some cases demolition.

Please be advised that the Rules of the Code Enforcement & Appeals Board and the Code of Ordinances of the City of Fernandina Beach govern the procedures of the Board.

PLEASE GOVERN YOUR SELF ACCORDINGLY.

If you have any questions, please feel free to contact me (please see my attached business card for contact information).

George Wells

Code Enforcement Officer

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

little free library
8.4.2022 13:31

8.15.2022 10:49

8.15.2022 10:48

8 15 2022 10 48

CERTIFIED MAIL®

Hasler
09/12/2022
US POSTAGE $007
FIRST-C
ZIP 011E1

City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

JACKSONVILLE FL 320
12 SEP 2022 PM 2 L

7020 3160 0001 2541 0277

CODE ENFORCEMENT
City of Fernandina Beach

OCT 03 2022

RECEIVED

DORENE THOMPSON
2193 HIGH RIGGER PL
FERNANDINA BEACH, FL 32034

9-14
9-19
9-29

NIXIE 322 DE 1 0010/02/2

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC 32034-4510 BC: 32034423004 *1538-02567-12-

7020 3160 0001 2541 0277

7020 3160 0001 2541 0277

U.S. Postal Service™ Code Enforcement
CERTIFIED MAIL® RECEIPT
Domestic Mail Only 2022-0943

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

OFFICIAL USE

Certified Mail Fee	$ 4.00
Extra Services & Fees *(check box, add fee as appropriate)*	
☒ Return Receipt (hardcopy)	$ 3.25
☐ Return Receipt (electronic)	$
☐ Certified Mail Restricted Delivery	$
☐ Adult Signature Required	$
☐ Adult Signature Restricted Delivery	$
Postage	$ .57
Total Postage and Fees	$ 7.82

Postmark Here

2193 High Rigger Pl.

Sent To DORENE THOMPSON
Street and Apt. No 2193 HIGH RIGGER PL
City, State, ZIP+4 FERNANDINA BEACH, FL 32034

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

2022-0943 2193 High Rigger Pl.

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:

DORENE THOMPSON
2193 HIGH RIGGER PL
FERNANDINA BEACH, FL 32034

9590 9402 6837 1074 1310 23

2. Article Number *(Transfer from service label)*
7020 3160 0001 2541 0277

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

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

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

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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

A. Michael Hickox, CFA
Cert. Res. RD1941

NASSAU COUNTY
PROPERTY APPRAISER

PROPERTY INFORMATION

Parcel Number 00-00-31-1651-0046-0000

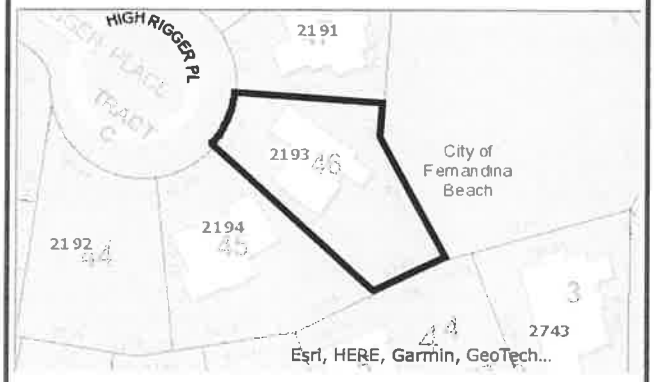
Owner Name	THOMPSON DORENE
Mailing Address	2193 HIGH RIGGER PL
	FERNANDINA BEACH, FL 32034
Location Address	2193 HIGH RIGGER PL
	FERNANDINA BEACH 32034
Tax District	FERNANDINA BEACH
Milage	19.5052
Homestead	No
Property Usage	SINGLE FAM 000100
Deed Acres	0
Short Legal	LOT 46 IN OR 1615/1120 THE RESIDENCE @ AMELIA

2022 Preliminary Values

Land Value	$160,000
(+) Improved Value	$195,105
(=) Market Value	**$355,105**
(-) Agricultural Classification	$0
(-) SOH or Non-Hx* Capped Savings	$28,041
(=) Assessed Value	**$327,066**
(-) Homestead	$0
(-) Additional Exemptions	$0
(=) School Taxable Value	$355,107
(-) Non-School HX & Other Exempt Value	$0
(=) County Taxable Value	**$327,066**

Note - 10% Cap does not apply to School Taxable Value

PARCEL MAP

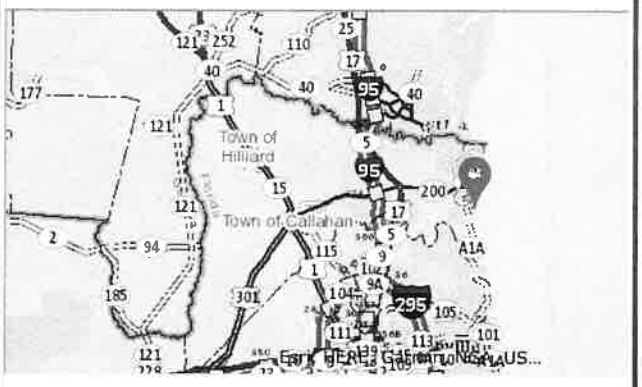


2021 AERIAL MAP

PROPERTY PHOTO

If this picture is incorrect, please email info@nassauflpa.com

LOCATION MAP



BUILDING INFORMATION

Type	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built
SNGL FAM	2348	1671	3	2	ABOVE AVG.	WD FR STUC	AIR DUCTED	FORCED AIR	1995

MISCELLANEOUS INFORMATION

Description	Dimensions L X W	Units	Year Built
FP-PRFB-GD	0 X 0	1	1995
FP-PRFB-GD	0 X 0	1209	1995