



**AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
JANUARY 4, 2024
5:00 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 November 2, 2023, regular hearing are presented for approval.

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.*

5. NEW BUSINESS

5.1 **KAREN MOORE AND LAUREN C. CONRAD (JT/RS), 1426 LIME ST., CASE 2023-0256.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Land Development Code 5.01.07 A-H Dumpster Requirements. *Requesting Board determination of the case.*

6. BOARD BUSINESS

6.1 Welcoming New Member *Frank Postma*.

6.2 Election of Chairperson

6.3 Election of Vice-chairperson

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
NOVEMBER 2, 2023
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM

The meeting was called to order by Chair Kaufman at 5:03pm.

Board Members Present: Members Andy Fotiades, Joshua Jennings, Bernard Thompson, Ralph Stines, Nicole Kresse, Vice Chair Barb Kent, Chair Adam Kaufman.

Staff Members Present: Code Enforcement Director Michelle Forstrom, Code Enforcement Officer George Wells, City Attorney Tammi Bach, Recording Secretary Katie Newton

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

- 3.1 The minutes from the October 5, 2023, Regular Hearing, were presented for approval. A motion was made by Vice Chair Kent, seconded by Member Kresse, to approve the minutes as presented. Approval was made by voice vote unanimously.

City Attorney Bach described the quasi-judicial hearing process. Chair Kaufman asked the Board to disclose any ex parte communications, and there were none. Ms. Newton swore in all witnesses.

4. OLD BUSINESS

- 4.1 **LOS ARRAYANES INC., 530 CENTRE ST., CASE NO 2023-0132.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-42 Nuisances Prohibited; and Land Development Code, Chapter 7.01.04(C)5 Parking Standards and Parking Lot Design. *The respondent has failed to come into compliance. Requesting the Board to evaluate and determine the imposition of Administrative Fees and Daily Violation Fines.*

Chair Kaufman read the case and opened the hearing. Officer Wells presented the case for the City. He submitted all the backup material from the board packet into evidence. This case was originally heard at the August 3, 2023, regular hearing, at which time the Board found the respondent in violation and gave them 60 days to come into compliance. October 2 was the compliance date; however, the property owners did not finish the shielding of the lights until this week. Mr. Wells showed photos of the lights shielded in the parking lot and stated he feels they are now in compliance. Staff asked the Board whether they wish to assess a fine for the lateness in coming into compliance. Originally, staff recommended a fine of \$100 per day. Mr. Wells stated that fines and fees were now at discretion of the board.

Chair Kaufman asked Officer Wells if he found them in compliance of Chapter 7.01.04(C)5 Parking Standards and Parking Lot Design, and Officer Wells replied he believed they were in compliance.

Chair Kaufman invited the respondents to speak if they wished to add testimony at this time. They declined.

Chair Kaufman invited other affected parties to speak if they wished.

Mr. Frank Postma, 12 S 6th Street, stated that the light was unbearable. He presented photos for the board to view, which were entered into evidence. The lights are on a white background and the lights stay on all night. He demonstrated the light view with a flashlight.

Mr. Wells called Mr. Jorge Lopez, the property owner, to respond.

Mr. Jorge Lopez, 530 Centre Street, stated that he worked with Officer Wells over the last couple months. He wants to make sure they are following code and providing a safe space for their guests and employees. He described an issue of vandalism that occurred on the property a few weeks ago. The light on top of storage is on all night, but other lights are off at 11:00pm.

Vice Chair Kent asked what code says regarding lights all night. Chair Kaufman quoted the code section that no lighting should be visible from any adjoining property. Officer Wells feels the shielding makes the property in compliance with code. Staff met with respondents on August 7, and they came up with shielding solutions.

Member Fotiades stated he went by the property at 5:15am and it looked in compliance. He thinks streetlights are complicating the issue.

Chair Kaufman asked whether the lights, with shielding, no longer constituted a nuisance, and Officer Wells stated it was no longer a nuisance.

Vice Chair Kent asked Mr. Lopez how many contractors he contacted. Mr. Lopez had talked to a couple and chose the best solution. He invited the Board to check this evening and said that if it was still too bright, they were willing to work on it.

Officer Wells affirmed that he felt the property was in compliance, but that the property owner was willing to work with city if more was needed.

Chair Kaufman closed the public hearing.

City Attorney Bach explained that in these proceedings, the City is a party, and the Board is the unbiased panel of judges weighing the evidence presented. It is up to them, based on what has been presented, whether the property is in compliance. The staff is asking you to decide about fines and administrative fines as well.

Chair Kaufman asked about the definition of a “nuisance” in code as something that “substantially annoys” Ms. Bach stated the Board can discuss and decide if the lights qualify. She stated that the Land Development Code is a little more black and white than the municipal code.

Chair Kaufman asked for Board discussion.

Member Thompson asked when the modification was made, and Mr. Lopez stated 3 days ago.

Vice Chair Kent asked why there was such a delay, and Mr. Lopez responded that the first contractor didn’t do the work and they ended up doing it themselves. He met with Officer Wells twice in between

Code Board hearings.

Member Stines stated his opposition to imposing administrative fees. He is confused by the photo evidence presented by Mr. Postma.

Member Jennings asked where the light was coming from.

Chair Kaufman reopened the hearing to allow Mr. Postma to give further testimony. Mr. Postma stated that the surface of the storage unit is highly reflective, and he did not use flash on phone.

Member Stines asked about the location of streetlights, and Mr. Postma stated there were none close to his house.

A motion was made by Vice Chair Kent, seconded by Member Thompson, to find the property owners in compliance, to waive administrative fees and assess no fines. The motion carried, all being ayes.

5. NEW BUSINESS

No new business was discussed.

6. BOARD BUSINESS

Ms. Newton stated that three seats were up for reappointment at the beginning of the calendar year and reminded the members to re-apply through the City Clerk's Office if they wished to pursue another term.

7. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 5:30pm.

Submitted by:

Katie Newton, Recording Secretary

Adam Kaufman, Chair

Code Case #2021-0073

11 South 7th Street

01/04/2024

Summary and Background Information update

This case was presented before the Code Enforcement and Appeals Board on October 7, 2021. The CEAB decided to postpone action on Case Number 2021-0073 to grant an extension of six months to come into compliance, and to request regular status updates at 60 days intervals from the property owners regarding the alleged violation of the Municipal Code of Ordinances, Section: 42-117 Exterior Structure (Maintenance). At the April 2, 2022 CEAB hearing the case was brought back before the CEAB for further determination. The CEAB at this time found the property in violation of Section 42-117 Exterior Structure (Maintenance). The CEAB voted to suspend fines for ninety (90) days for the respondents to return to the CEAB on July 7, 2022 where the Board may determine to access fines and penalties. On the July 7th, 2022, hearing the CEAB voted that the fines and fees will be determined if the property is not in compliance by the October 6, 2022. At the October 6, 2022 hearing the CEAB voted again to find the property in violation of Municipal Code, Section 42-117 Exterior Structure (Maintenance) with a new compliance date of December 31, 2023 and the Respondents to return to the CEAB at the January 4, 2024 hearing where Administrative fees and fines may be determined and assessed at that time.

Recommendation: Mr. Charles George, Deputy City Manager/Engineer was tasked with creating a timeline of construction events beginning April 4, 2022, to a completion date of 12/16/23 for the respondents to attempt to follow to reach an attainable date for completion. The completed date on the timeline was December 16, 2023. The property as of December 21, 2023, is still in violation. The progress of this project has been slow, but the repairs have progressed continually with multiple setbacks encountered during the repair process. I would ascertain from the respondents what time frame would be an attainable goal of completion. The City will let the CEAB determine if fines are to be accessed at this time. Administrative fees as of 01/04/2024 are \$ 757.00. The recommended fine was \$100.00 per day per violation.

George Wells



Code Enforcement Officer

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	1st Quarter			
							Dec	Jan	Feb	Mar
1										
2										
3		11 S 7th Street Thompson House								
4		Site Cleanup	42 days	Mon 4/4/22	Tue 5/31/22					
5		Replace Existing Roof	46 days	Mon 5/2/22	Mon 7/4/22					
6		Partial Demolition Interior	255 days	Tue 12/7/21	Mon 11/28/22					
7		Replace Exterior Plumbing	55 days	Mon 5/9/22	Fri 7/22/22					
8		Repair Interior Plumbing	128 days	Mon 6/6/22	Wed 11/30/22					
9		Remove exist damaged chimney	32 days	Mon 4/18/22	Tue 5/31/22					
10		Partial Exterior Structural Demolition	64 days	Tue 8/9/22	Fri 11/4/22					
11		Repair Structural Foundations	200 days	Mon 8/8/22	Fri 5/12/23					
12		Repair interior moisture damage	80 days	Mon 1/16/23	Fri 5/5/23					
13		Install New Structural Exterior Framing	71 days	Fri 8/26/22	Fri 12/2/22					
14		Install New Interior Ceilings	55 days	Mon 1/9/23	Fri 3/24/23					
15		Repair Existing Window Framing	60 days	Mon 1/2/23	Fri 3/24/23					
16		Remove & Replace Interior Insulation	50 days	Mon 3/6/23	Fri 5/12/23					
17		Install New Kitchen	121 days	Fri 1/13/23	Fri 6/30/23					
18		Renovate Interior Rooms	80 days	Mon 6/12/23	Fri 9/29/23					
19		Install New Electrical	223 days	Mon 1/16/23	Wed 11/22/23					
20		Finish Exterior Renovations	86 days	Tue 11/1/22	Tue 2/28/23					
21		Exterior Paint	129 days	Tue 2/28/23	Fri 8/25/23					
22		Interior Paint	30 days	Mon 5/22/23	Fri 6/30/23					
23		General Cleanup	143 days	Thu 6/1/23	Sat 12/16/23					

Project: 11 S 7th Street Date: Tue 10/4/22	Task		Project Summary	Manual Task
	Split		Inactive Task	Duration-only
	Milestone		Inactive Milestone	Manual Summary
	Summary		Inactive Summary	Manual Summary

STAFF REPORT
Case # 2023-0256
City of Fernandina Beach Code Enforcement & Appeals Board
01/04/2024

Violation Information

Owner Karen Moore and Lauren C. Conrad (JT/RS)
1562 Park Lane
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach
Land Development Code – Chapter: 5.01.07 A-H Dumpster Requirements

Location: 1426 Lime Street

Summary and Background Information

September 9, 2023 - I opened a new code case because the respondent failed to comply with the LBTR requirements. When new LBTR inspections are conducted businesses that have existing dumpsters must comply with the LDC 5.01.07 that requires dumpsters to be enclosed with landscaping installed.

September 12, 2023 - We mailed a certified NOV/NOH letter to the owner giving the respondent thirty (30) days to comply.

October 11, 2023 – The certified letter was returned to our office unclaimed by the respondent.

October 16, 2023 – I conducted a compliance inspection from the original compliance date. There was no change to the existing dumpster.

October 24, 2023 – Michelle Forstrom and I hand delivered and posted a 2nd copy of the NOV/NOH letter on the front entry door at 1562 Park Lane. We recorded a photograph of the posting.

November 21, 2023 – I called Mrs. Moore and left a voice message for her to give me a call to discuss the violation and the upcoming CEAB hearing on January 4, 2024. Mrs. Moore has not returned my phone call.

December 21, 2023 – I performed a pre-agenda inspection. There have been no corrective actions to bring the dumpster into compliance.

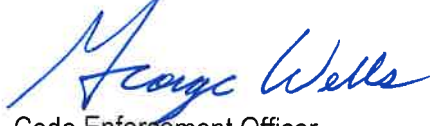
Conclusion.

Mrs. Moore has been advised on two (2) separate LBTR inspections that the dumpster at this business strip must be enclosed and landscaped. She has not made any attempt to communicate with the Code Enforcement Department. The dumpster is still in violation of the LDC code as of 12/21/23.

Recommendation.

The City recommends a motion to be made to find the respondent in violation of the Land Development Code, Section 5.01.07 A-H giving the owner thirty (30) additional days to come into compliance by February 3, 2024. The City recommends a motion to be made that all administration fees be paid by the Respondent and a fine of \$100.00 per day per violation to begin on February 4, 2024 if not in compliance, with a lien placed on this property in forty-five (45) days.

George Wells

A handwritten signature in blue ink, appearing to read "George Wells". The signature is stylized with a large initial "G" and a long, sweeping underline.

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
1426 Lime Street
AS OF 01/04/2024
CODE CASE # 2023-0256**

<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	\$39.71	\$39.71
George Wells, Code Enforcement Officer	4.5	\$27.13	\$122.09
Crystal Turner, Administrative Coordinator/Board Secretary	2	\$25.60	\$51.20
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	1	\$7.85	\$7.85
First Class letters mailed	1	\$0.51	\$0.51

TOTAL ADMINISTRATIVE FEES DUE

\$244.86

****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 12, 2023

Case Number: CODE-2023-0256

Cert. #: 7021 0950 0001 5739 6689

IN THE MATTER OF:

Karen Moore and Lauren C Conrad (JT/RS)
1562 Park Ln.
Fernandina Beach, FL 32034

PREMISES: 1426 LIME ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK 266
E1/2 OF LOT 10 IN OR 2172/132 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:

5.01.07

Dumpsters

The dumpster must be enclosed and landscaped.

By 10/12/2023

(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 2, 2023

TIME: 5:00 PM

LOCATION: City Commission Chambers, 204 Ash St

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

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 that reads "George Wells". The signature is written in a cursive, flowing style.

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.



City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

CODE ENFORCEMENT & APPEALS BOARD
2nd NOTICE OF VIOLATION/NOTICE OF HEARING

October 24, 2023

Case Number: CODE-2023-0256

POSTED AT PROPERTY

IN THE MATTER OF:

Karen Moore and Lauren C Conrad (JT/RS)
1562 Park Ln.
Fernandina Beach, FL 32034

PREMISES: 1426 LIME ST., FERNANDINA BEACH, FL 32034

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5.01.07	Dumpsters
	The existing dumpster must be enclosed and landscaped. By 11/24/2023
	Apply and obtain all permits as required for installation.

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

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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

DATE: January 4, 2024
TIME: 5:00 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.

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George Wells

Code Enforcement Officer

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL



7021 0950 0001 5739 6689
7021 0950 0001 5739 6689

U.S. Postal ServiceTM Code 09F
CERTIFIED MAIL® RECEIPT
Domestic Mail Only 2023-0250

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☐ Return Receipt (electronic)	\$	
☐ Certified Mail Restricted Delivery	\$	
☐ Adult Signature Required	\$	
☐ Adult Signature Restricted Delivery	\$	
Postage	\$	1.60
Total Postage and Fees	\$	7.85

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Street and Apt. No., or PO Box
City, State, ZIP+4®

**KAREN MOORE &
LAUREN C CONRAD (JT/RS)
1562 PARK LN
FERNANDINA BEACH, FL 32034**

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

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:

**KAREN MOORE &
LAUREN C CONRAD (JT/RS)
1562 PARK LN
FERNANDINA BEACH, FL 32034**



9590 9402 8421 3156 4998 99

2. Article Number (Transfer from service label)

7021 0950 0001 5739 6689

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

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 | ☐ 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 | |
| ☐ Registered Mail | |

Domestic Return Receipt



City of Fernandina Beach

204 Ash Street
Fernandina Beach, FL 32034

CERTIFIED MAIL



JACKSONVILLE FL 320

13 SEP 2023 PM 2 L

7021 0950 0001 5739 6689

Hasler
09/13/2023
US POSTAGE

RECEIVED

OCT 11 2023

CODE ENFORCEMENT
City of Fernandina Beach

KAREN MOORE & LAUREN C CONRAD (JT/RS)
1562 PARK LN
FERNANDINA BEACH, FL 32034

4/17

9-15

NIXIE 322 DE 1 0010/05/2023
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

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BC: 32034423004 *1538-03131-13

32034423004

U.S. Postal Service™ Code EnF.
CERTIFIED MAIL® RECEIPT
Domestic Mail Only 2023-0250

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OFFICIAL USE

FERNANDINA BEACH

Postmark Here
SEP 13 2023

4.00

7.85

KAREN MOORE &
LAUREN C CONRAD (JT/RS)
1562 PARK LN
FERNANDINA BEACH, FL 32034

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

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	
☒ Return Receipt (hardcopy)	\$3.45
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$7.85
Total Postage and Fees	\$11.85
Sent To	KAREN MOORE & LAUREN C CONRAD (JT/RS)
Street and Apt. No., or PO Box	1562 PARK LN
City, State, ZIP+4®	FERNANDINA BEACH, FL 32034

6899 6E25 1000 0560 1202

1562A
Park Lane



10.24.2023 10:22



City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

CODE ENFORCEMENT & APPEALS BOARD
2nd NOTICE OF VIOLATION/NOTICE OF HEARING

October 24, 2023

Case Number: CODE-2023-0256

POSTED AT PROPERTY

IN THE MATTER OF:

Karen Moore and Lauren C Conrad (JT/RS)
1562 Park Ln.
Fernandina Beach, FL 32034

PREMISES: 1426 LIME ST., FERNANDINA BEACH, FL 32034

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Development Code and contends that the following violation(s) exist:

5.01.07

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The existing dumpster must be enclosed and landscaped. By 11/24/2023
Apply and obtain all permits as required for installation.

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(904) 310-3440 • TDD/TTY 211 • www.fbfl.us/code

10.24.2023 10:22



12.21.2023 07:57