



AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
APRIL 7, 2025
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 November 7, 2024, and February 6, 2025, are presented for approval.

4. OLD BUSINESS

4.1 **DONNA PERKINS, 2673 GREGOR MCGREGOR BLVD., CASE #2024-0293.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-117 Exterior Structure (Maintenance). On February 6, 2025, the Code Enforcement and Appeals Board voted to delay action for 60 days and return to the April 6, 2025, hearing. *Requesting Board determination of the case.*

5. NEW BUSINESS

5.1 **DAVID & ALLYSON NEILSON, 843 ELLEN ST, CASE #2025-0363.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: LDC Chapter 7.01.05D Recreation Vehicle, Boats, Trailers and Similar Vehicles. *Requesting Board determination of the case.*

5.2 **PATSY SUE EST C/O JAMES GEORGE, 128 N 13TH TERRACE, CASE #2025-0337.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116 Duty to Maintain Property. *Requesting Board determination of the case.*

6. BOARD BUSINESS

7. ADJOURNMENT

“Quasi-Judicial” signifies that the proceeding must adhere to Quasi-Judicial hearing protocols as outlined by the City Commission’s procedures and Florida Statutes.

All members of the public are encouraged to attend and express their views. Individuals who do not speak English fluently may request language or sign interpreters at least ten (10) working days before the meeting. Persons with disabilities needing accommodation to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 for the hearing or speech impaired.

For inquiries regarding this matter, please reach out to the Code Enforcement Department at (904) 310-3440. Should any individual wish to challenge a decision made by the Code Enforcement & Appeals Board concerning any matter discussed during the meeting, they must ensure that a precise record of the proceedings is generated. This record should encompass the testimonies and evidence crucial for the appeal process.



**AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
FEBRUARY 6, 2025
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER AT 5:03PM.

ROLL CALL / DETERMINATION OF A QUORUM

BOARD MEMBERS PRESENT:

Frank Postma
Bernard Thompson
Ralph Stines
Mark Finkelstein
Andy Fotiades

We have a quorum.

2. PLEDGE OF ALLEGIANCE

Attorney Poole recommended moving agenda item 6.1 to the top of the list to establish a new Chair and Vice Chair before this hearing begins.

A MOTION WAS MADE BY MEMBER FOTIADES AND SECONDED BY MEMBER POSTMA TO NOMINATE AND ELECT VICE CHAIR STINES AS THE NEW CHAIR. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

A MOTION WAS MADE BY [NAME] AND SECONDED BY [NAME] TO NOMINATE AND ELECT MEMBER FOTIADES AS VICE CHAIR. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

3. APPROVAL OF MINUTES

3.1 The minutes from the November 7, 2024 hearing are presented for approval.

Member Postma recommended corrections in the minutes regarding attendance and item number 5 (fourth to the last paragraph). Secretary Rimes will make necessary corrections and place the minutes on the next agenda for approval.

Chair Stines asked the City is there have been any changes to the agenda? Officer Wells announced that Item 5.5 has complied and has been removed from the agenda. Attorney Poole then reviewed the quasi-judicial proceedings. Chair Stines asked if any ex-parte communications has taken place with the cases on the agenda and the board members? Mr. Postma has been by the house, but has not had any communication with the property owners.

4. OLD BUSINESS

4.1 **JAMES JOHN O'CONNER TRUST, 703 GARDEN STREET, CASE 2024-0029:** Property owner

petitioning for fine reduction. *Requesting Board determination of the case.*

Code Enforcement, Officer Wells, presented evidence and testimony, noting that the property was initially found in violation on May 9, 2024. On June 6, 2024, the Board assessed fines of \$50 per day for the continued violation. The total accumulated fines were \$5,650 with administrative fees of \$270.60.

James John O’Conner addressed the Board. He stated that he did not receive mailed notification of the initial hearing. He acknowledged the boat violation in the original case, and that the siding repairs were completed in October, and photographic evidence was emailed to the Code Enforcement Office. Mr. O’Conner agreed to pay the administrative fees but contested the violation fines, noting difficulties in obtaining materials and weather-related delays. He also noted a letter with an incorrect mailing address.

Officer Wells proposed a 50% reduction of the fines. Member Thompson indicated an agreement with a 50% fine reduction. Vice Chair Fotiades expressed concern that a 50% reduction was excessive and proposed a \$1,000 fine plus administrative fees. Following further discussion, board deliberation ended.

A MOTION WAS MADE BY VICE CHAIR FOTIADES AND SECONDED BY MEMBER THOMPSON TO FINE THE PROPERTY FOR \$50/DAY FINE FOR 20 DAYS OF DAILY FINES, REDUCING THE TOTAL FINE AMOUNT TO \$1,000 PLUS ASSESMENT OF ADMINISTRATIVE FEES OF \$270.60 THE MOTION PASSED BY UNANIMOUS ROLL CALL VOTE.

5. NEW BUSINESS

- 5.1 **GATEWAY TO AMELIA HOSPITALITY LLC, 960108 GATEWAY BLVD, CASE 2024-0300.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116 Duty to Maintain Property. *Requesting Board determination of the case.*

Code Enforcement, Officer Wells presented evidence and testimony regarding a violation of Section 42-116, Duty to Maintain Property, owned by Gateway to Amelia Hospitality, LLC (Holiday Inn). A complaint regarding vegetative overgrowth was received by Code Enforcement on October 25, 2024. A certified letter was mailed to the owner on October 30, 2024, granting an additional 30 days for compliance. Officer Wells also sent an email to the property owner, but received no response. Upon inspection, it was determined that 50% of the property remained in violation.

Member Postma inquired about communication with the owner. Officer Wells stated that communication was limited to email, although, Administrative Staff, including Boad Secretary Rimes, had engaged in phone communication. Attorney Poole clarified that Secretary Rimes’s communication was not sworn testimony.

Officer Wells read the City’s recommendation: a motion to be made to find the property in violation of section 42-116 Duty to Maintain Property, giving them an additional 30 days to come into compliance by March 8th, 2025. The City recommends a motion to be made that all administrative fees be paid by the respondent and a fine of \$50 per day to begin on March 9th, if not in compliance by March 8th, 2025.

Vice Chair Fotiades asked how long the property had been in its current condition. Officer Wells stated that the condition had persisted since work ceased over a year prior. Chair Stines inquired of Code Enforcement Director, Michelle Forstrom, of whether there had been communication with permitting

regarding this case. Ms. Forstrom stated that Code Enforcement was not aware of any such communication. Vice Chair Fotiades expressed concerns regarding the property's condition as a safety hazard. Chair Stines reiterated the City's recommendation. Board discussion began.

A MOTION WAS MADE BY VICE CHAIR FOTIADES, SECONDED BY MEMBER POSTMA TO FIND THE PROPERTY IN VIOLATION AND PROVIDE 30 DAYS TO COME INTO COMPLIANCE IF THEY DO NOT COME INTO COMPLIANCE WITHIN 30 DAYS (MARCH 8, 2025) THEY WILL BE SUBJECT TO A \$50 A DAY PENALTY, UNTIL THE WORK IS COMPLETED.

Board discussion continued on the motion. Chair Stines proposed increasing the daily fine to \$100. Member Postma suggested adding a requirement for periodic mowing and maintenance. Ms. Forstrom clarified that a subsequent violation would result in no additional time for compliance and fines could be increased to \$500 per day. Vice Chair Fotiades asked if the building was secured. Officer Wells stated that he could not enter the property due to trespassing concerns.

A vote was taken on the initial motion. The motion failed with a vote of Member Postma, no; Vice Chair Fotiades, no; Member Thompson, no; Chair Stines, no; and Member Finklestein, no.

A MOTION WAS MADE BY MEMBER POSTMA AND SECONDED BY MEMBER FINKLESTIEN TO FIND THE PROPERTY IN VIOLATION AND PROVIDE 30 DAYS TO COME INTO COMPLIANCE BY MARCH 8, 2025, ALL ADMINISTRATIVE FEES TO BE PAID AND FINES OF \$100 PER DAY TO BEGIN ON MARCH 9, 2025. THE MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

- 5.2 **DONNA PERKINS, 2673 GREGOR MCGREGOR BLVD, CASE 2024-0293.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

Officer Wells began his presentation by submitting all evidence into the record. The homeowner is present for this case tonight. This case began on October 21, 2024, Officer Wells observed damage after a storm to the fence, fascia and roof. The owner told Officer Wells that the insurance company has not been very cooperative regarding the claim.

City recommends finding the property in violation of 42-117, giving her an additional 30 days to come into compliance by March 8, 2025, assess administrative fees and a fine of \$50 per day to begin on March 9, 2025.

Donna Perkins, 2673 Gregor McGregor Blvd., owner, began her presentation by explaining the damage was to storm related issues. Ms. Perkins has been working with her insurance company (last week was the last communication) to get this resolved, as she is not in a financial position to repair the damage out of pocket. Ms. Perkins claims that all the damage was caused from this storm, rotten wood could have exacerbated the damage.

Vice Chair Fotiades asked about the unsecured pool. Officer Wells said the pool has been drained.

Chair Stines asked if Ms. Perkins has anything in writing denying the claim with Great American Insurance Company? Ms. Perkins explained that all communication has been over the phone.

Board discussion began. Vice Chair Fotiades said this property has been in disrepair for some time and does not believe the damage was caused by the storm. Member Thompson is concerned with the unsecured pool. Member Thompson would like to suggest focusing on securing the pool, allow for 30

days and have the homeowner return for an update.

Officer Wells asked Ms. Perkins back up to the stand. Officer Wells wanted clarification on if the property owner would have the means to secure the pool within 30 days' time, even if its temporary? Wanting to encourage compliance and not fines, he wanted clarification. She is sure she can find someone to do it for her. Member Postmas asked if the insurance company would be able to include fines from the board. Ms. Perkins said she is not sure.

Public hearing has been closed and board discussion assumed.

Member Postma favors Vice Chair Fotiades recommendation of a 60-day extension or continuing the hearing until the next meeting, either one of those avenues are acceptable to this board member. Establishing that a fence must be erected first to prevent safety concerns.

A motion was made by Member Thompson, Find the property in violation. Return in 30 days to provide an update and determine fines at that time. The boards expectation is for the backyard to be secured by the next hearing.

A MOTION WAS MADE BY MEMBER THOMPSON AND SECONDED BY MEMBER POSTMA TO FIND THE PROPERTY IN VIOLATION AND POSTPONE THE ASSESEMENT OF FINES FOR 60-DAYS. AFTER 60-DAYS THE BOARD CAN ADDRESS OTHER VIOLATION FINES AND FEES. RETURN TO THE APRIL 7, 2025 CODE ENFORCEMENT AND APPEALS BOARD HEARING.

- 5.3 **BETTY LEOLA WILLIAMS, 920 SOUTH 12TH ST., CASE 2024-0305.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: 42-116 Duty to Maintain Property and Land Development Code Chapter 7.01.05D. *Requesting Board determination of the case.*

Officer Wells began his presentation by submitting evidence into the public record. Officer Wells presented a report detailing the history of violations, specifically the parking of a utility trailer (owned by the owner's grandson) in the front yard, which violated Land Development Code, Section 7.01.05D. The Staff Report outlined multiple inspections, notices of violation, and attempts to contact the respondent, noting that as of January 30, 2025, the violation remained uncorrected.

Staff recommended the Board find the respondent in violation, grant ten additional days for compliance until February 16, 2025, require the respondent to pay all administrative fees, and impose a fine of \$50.00 per day, per violation, beginning February 17, 2025, if non-compliance continued.

Board Member Postma moved that the board find respondent in violation of Land Development Code, Section 7.01.05d, grant ten (10) days for compliance until February 16, 2025, the respondent pay all administrative fees, and impose a fine of \$50.00 per day, per violation, beginning February 17, 2025, if the violation remained uncorrected. Board Member Finkelstein seconded the motion. Upon a vote of two (2) in favor, three (3) opposed, the motion failed.

A motion was made by Member Postma to find the property in violation of Section 7.01.05D, to assess administrative fees, and a fine of \$10.00 per day if not in compliance on or before March 9, 2025, beginning on March 10th, until compliance is achieved. None seconds.

A MOTION WAS MADE BY VICE CHAIR FOTIADES AND SECONDED BY MEMBER POSTMA TO FIND THE PROPERTY IN VIOLATION OF SECTION 7.01.05D, TO ASSESS ADMINISTRATIVE FEES, AND A FINE OF \$25.00 PER DAY IF NOT IN COMPLIANCE ON OR BEFORE MARCH 9, 2025, BEGINNING ON MARCH 10TH, UNTIL COMPLIANCE IS ACHIEVED. MOTION PASSED UNANIMOUSLY.

- 5.4 **BARBI BECKER, 209 SEA WOODS DR, CASE 2024-0295.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-173 Wrecked or inoperable motor vehicle. *Requesting Board determination of the case.*

Officer Wells began his presentation by submitting all evidence into the record. The homeowner is not present for this hearing. Officer Wells explained a timeline of the events. The homeowner explained to Officer Wells that he could get the vehicle removed/towed from the property, after Officer Wells handed the Respondent a resource list of towing companies. As of January 30, 2025, the case remains in violation and no additional communication has been made with the Respondent.

A MOTION WAS MADE BY MEMBER POSTMA AND SECONDED BY VICE CHAIR STINES TO FIND THE PROPERTY IN VIOLATION OF SECTION 42-173, TO ASSESS ADMINISTRATIVE FEES, AND IF NOT IN COMPLIANCE BY FEBRUARY 16, 2025, TO ASSESS FINES OF \$50 PER DAY BEGINNING ON FEBRUARY 17, 2025.

- 5.5 **AMELIA LADIES MANAGEMENT, 1213 GUM ST., 2024-0318.** Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 42-116 Duty to Maintain Property & 42-117 Exterior Structure (Maintenance). *Requesting Board determination of the case.*

Case has been removed from the agenda.

6. **BOARD BUSINESS**

- 6.1 Election of Chair and Vice Chair position. Completed.

7. **ADJOURNMENT AT 6:51 PM.**

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**AGENDA
CODE ENFORCEMENT & APPEALS BOARD HEARING
NOVEMBER 7, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER AT 5:00PM

ROLL CALL / DETERMINATION OF A QUORUM

BOARD MEMBERS PRESENT:

Chair Kent
Vice Chair Stines
Member Postma
Member Thompson
Member Fotiades

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 The minutes from the October 3, 2024 hearing are presented for approval.

A motion was made by Member Thompson and seconded by Member Fotiades to approve the minutes from the October 3, 2024 Code Enforcement and Appeals Board hearing.

4. OLD BUSINESS

5. NEW BUSINESS

City Attorney Bach explained the quasi-judicial proceedings. Chair Kent asked the Board Members if any ex parte communications have taken place with either of these cases. None had. Board Secretary Best swore in the witnesses.

5.1 **ANTHONY J. & KAREN K. BEISLER, PARCEL 00-00-31-1640-000A-0180, CASE 2024-0254:** 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.*

City of Fernandina Beach, Code Enforcement Officer, George Wells (Herin Officer Wells), asked to submit all evidence into the record. No objections. This case began on September 19, 2024, after two inspections a certified Notice of Violation/Notice of Hearing letter was mailed to the owner. A total of four inspections were conducted with all of them remaining in violation. The City recommends 10 days to come into compliance by November 22, 2024, and to assess administrative fees \$255. and a fine of \$25.00 per day to begin on November 23, 2024, until compliance is achieved.

Board Member Discussion began.

A motion was made by Member Postma to accept the City's recommendation, seconded by Member Thompson. Motion passed with roll call vote. Motion passed unanimously.

City Attorney Bach will represent the City's case while Attorney Harrison Poole will represent the Board in item 5.2

5.2

KATHLEEN MORIARTY, 1015 LADIES ST., CASE 2024-0169. Violation(s) of the City of Fernandina Beach Code of Ordinances exist: Section 2.03.02 & 6.02.06. *Requesting Board determination of the case.*

Michelle Forstrom, Deputy Code Enforcement Director of the City of Fernandina Beach, employed with the City of Fernandina Beach for 19 years, 18 being in Code Enforcement.

City of Fernandina Beach is calling Michelle Forstrom as their first witness. Ms. Forstrom received an email from a neighbor on Ladies Street that was addressed as a complaint and a link to the online rental listing. Many phone calls were received regarding this issue. Ms. Forstrom made contact with one of the renters staying at the property. Due process was served to the owners. October 3, 2024 the last Notice of Violation/ Notice of Hearing letter was mailed out to the owners for this hearing. Contact was made with DBPR to inquire about Bed and Breakfast's and monthly rental listings. DBPR inspector emailed Ms. Forstrom explained that the owners were operating out of their scope of license and are operating as a vacation rental. In conclusion, please consider the neighbors testimony and absence of the property owner at the residence. The recommendation is to 1) obtain a state vacation rental dwelling license for rentals of 30 days or more & submit the necessary documentation to the City of Fernandina 2) Bring the property into compliance within 30 days 3) Assess administrative fees and daily fines of \$100 until compliance is reached.

City Attorney Bach questioned the licensing process with Ms. Forstrom. Due to the Code Enforcement Boards authority, Ms. Bach requested the Board to disregard recommendation #1 in the Staff Report. Ms. Bach explained that the property owners has a Bed and Breakfast license with the City of Fernandina. The City believes this property owner is operating this business as a short term rental rather than a bed and breakfast.

Chair Kent asked if Bed & Breakfast (B&B) Owners have to reside at the property for it to run? Regarding the Code, it does not define the word reside. Mr. Poole read the code from the supplemental standards to the Board for clarification.

Theresa Prince, Tomassetti and Prince, 303 Suite 203 Fernandina Beach, FL 32034, Attorney for the respondent(s) Michael and Kathleen Moriarty Pinho. Respondents Attorney is cross-examining the witness, Ms. Forstrom. Ms. Forstrom, have you had the opportunity to see the information regarding the state? No. For the record, Ms. Prince is submitting documentation into the record. Violation for a follow up inspection – establish provided information as property localized as a bed and breakfast. On Booking.com the property is now in compliance with their bed and breakfast licensing. Ms. Forstrom on the staff report, you mentioned the neighbors testimony as to whether or not, the property owners resides? Ms. Forstrom agreed yes.

Danny Morton, 1003 Ladies St. The short-term rental issue has been going on for years. About

six weeks ago, Mr. Moton stopped and spoke with Ms. Moriarty. The property owner said they are now a B&B and can do whatever they want. Mr. Morton feels like this issue should have been handled a very long time ago. He rarely sees the property owners there. Usually renters are present for 3-4 days to maybe one week in length. The main issue at hand is it doesn't qualify as a B&B in this zoning district. B&B are permissible in OT2.

Connie Chapman, 1017 San Fernando. About two years ago, a friend called Ms. Chapman and asked if there were any place to rent in "Old Town", after she looked into this, she tried to make contact with the property owners of 1015 Ladies St. The owners also asked for a recommendation on breakfast, that told Ms. Chapman that they were not serving breakfast like an average B&B would provide. Ms. Prince asked if the transaction

Jennifer Harrison, 800 Someruelus St. She heard about the short term rental. Ms. Harrison knocked on the front door. Ms. Harrison explained that renters knocked on the door. A few days later, Ms. Harrison went back to the property and knocked on the door and different renters opened the door. Member Thompson asked how long ago this was. Member Postma asked if she would recognize Ms. Pinhos vehicle if you seen it. Ms. Harrison would not.

City Rest. No further question.

Theresa Prince, Tomassetti and Prince, 303 Suite 203 Fernandina Beach, FL 32034. Ms. Prince wanted to clarify for the record. Does the Code Enforcement Board have the authority to revoke the license of the Bed & Breakfast? Can a Code Enforcement Board enforce a cease and desist? Attorney Bach responded no. Ms. Prince explained all of the documents that are being entered into the record. No objections for receiving these document in the record. Ms. Prince feels as if her clients are in compliance with the code due to meeting the residency requirements (that could be found) according to law.

Kathleen Moriarty, 1015 Ladies St. Operating the B&B started in March of 2024. There is a sign for the B&B that needed to get installed. Due to the controversy, the property owners decided not to install the sign. They have paperwork drawn up with RICE architects to build dedicated owners quarters. Ms. Moriarty provides a variety of pre-packaged food and coffee and teas for customers to use as they wish. Ms. Moriarty read a letter that she wrote to the board. She is confident that she is compliant with the City and State requirements, and ask the Board to not find her property in violation.

Attorney Bach conducted a cross-examine of the witness, Ms. Moriarty. Ms. Moriarty is legally married to Mr. Michael Pinho for more 20 years, 2125 Salt Myrtle Lane, Fleming Island, FL. The property in Fleming Island has been owned by both husband and wife for 15 years and they claim the homestead tax exemption. The 1015 Ladies St is not a homestead property. Ms. Prince said that husband and wife cannot have two different homestead properties. Nassau County businesses cannot be homesteaded. April of 2022 is when the Mr & Mrs. Pinho purchased the property at 1015 Ladies St, Ms. Pinho began her residency on October 2022. The neighbor across the streets name is Laura Kordosky. Since March of 2024 how many times have you booked the property as a short term rental? About 28 times. Of the 24 registrations, she was not present at the home. Ms. Pinho met the guest around 12 times in those reservations.

Board Discussion Began.

Member Thompson is not convinced that they are in compliance. Member Postma is looking

for the definition of “resides” and does not see how they are not in compliance. Member Fotiades agrees with Member Thompson regarding the neighbors testimony. Chair Kent announced that if the vehicle is in the garage, how do you prove otherwise.

A motion was made by Member Postma to not find the property in violation. Non seconded. Motion fails.

Member Stines suggested Board discussion be continued. Member Stines believes there is no clear definition. The neighbors testimony does matter tremendously, especially with this specific area. The documentation provided by the property owners seems sufficing but doesn’t prove the residency. Chair Kent stated that the documentation that is required by the state was provided to prove residency.

Attorney Poole announced that the Boards decision needs to be based off of the competent substantial evidence presented today. Case law studies suggest that a “hunch”, is not competent substantial evidence. A motion and a ruling needs to be based off of the evidence standards.

A motion was made by Member Postma that the property is found in compliance due to the definition of residency in the municipal code. No administrative cost or fines to be assessed. This motion was seconded by Member Fotiades. Vote 4 yes and 1 no. Motion passed.

6. BOARD BUSINESS

None

7. ADJOURNMENT 6:57 PM.

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STAFF REPORT
Case # 2024-0293
City of Fernandina Beach Code Enforcement & Appeals Board
April 7, 2025

Violation Information

Owner Donna Perkins
2673 Gregor McGregor Blvd.
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Code of Ordinances,
Section: 42-117 Exterior Structure (Maintenance)

Location: 2673 Gregor McGregor Blvd.

Summary and Background Information

October 21, 2024 – I observed a property that multiple sections of their privacy fence had blown over from the latest storm. I also observed damage to the fascia, soffit, and roof as well. I recorded photos of the violation.

October 22, 2024 – I mailed a certified NOV/NOH letter to the owner giving her until 12/2/2024 to come into compliance.

October 24, 2024 – I called Mrs. Perkins (Owner) about the multiple issues that were in violation. She explained she was waiting on an insurance adjuster to come out and inspect the damage done to the house and property.

November 5, 2024 – Our office received the green return receipt card with the owners' signature giving us proper service.

November 26, 2024 – I called Mrs. Perkins again asking about the status of the repairs. She explained that the insurance company was not being very cooperative with the claim. I asked Mrs. Perkins to come to the December 5, 2024 hearing and explain her situation to the CEAB.

November 27, 2024 – I conducted a pre-agenda inspection. All violation issues were still present.

December 5, 2024 – A pre-hearing inspection was conducted. Property remains in violation. The hearing was postponed due to lack of quorum.

January 29, 2025 – A 2nd pre-agenda inspection was conducted. Property remains in violation.

January 30, 2025 – A Notice of Hearing for February 6, 2025, was hand delivered to Ms. Perkins at the property, mailed first class to the owner, and posted at the Peck Center and City Hall. Affidavit of Service was prepared.

February 6, 2025 – The case was heard by the CEAB and they gave the respondent 60 day continuance to come into compliance or to appear back before the CEAB on April 7, 2025 to determine applicable administration fees and fines.

March 27, 2025 – I inspected the property finding the back yard has been cleaned up with most of the old fencing piled on a utility trailer in the rear of the property. The pool area is still unsecured.

Conclusion.

I understand dealing with insurance companies can be very difficult, but the fact of the matter is that multiple issues are still present needing repair.

Recommendation.

The City recommends a motion to be made to find the respondent in violation of Code of Ordinances, Section 42-117 giving the CEAB to grant any additional time to the owner. 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, per violation beginning on April 8, 2025.



Respectfully submitted,
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
ADDRESS: 2673 Gregor McGregor Blvd.
AS OF April 7, 2025
CODE CASE # 2024-0293**

<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	\$42.85	\$42.85
George Wells, Code Enforcement Officer	4.5	\$31.34	\$141.03
Crystal Turner, Administrative Coordinator/Board Secretary	2	\$27.68	\$55.36
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	1	\$8.69	\$8.69
First Class letters mailed	1	\$0.64	\$0.64

TOTAL ADMINISTRATIVE FEES DUE

\$272.07

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



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: FEBRUARY 6, 2025
Case Number: CODE-2024-0293

IN THE MATTER OF: Respondent Name: **DONNA K. PERKINS**
Respondent Mailing Address: 2673 GREGOR MCGREGOR BLVD.,
FERNANDINA BEACH, FL 32034

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on FEBRUARY 6, 2025, 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 JANUARY 30, 2025, and the Respondent was present at the hearing.
2. The real property on which the violations occurred is **2673 GREGOR MCGREGOR BLVD.**, Fernandina Beach, FL and a brief legal description being *BLOCK A LOT 19 PIRATES COVE #1 PB 4/6*.
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. FEBRUARY 6, 2025: Based on the foregoing findings of fact, the Board found the property in violation of Section 42-117, Exterior Structure (Maintenance). The Respondent is granted a sixty (60) day continuance to achieve compliance. The Respondent shall appear before the Code Enforcement and Appeals Board on April 7, 2025, or at the next scheduled hearing thereafter. At that time, the Board will determine the assessment of administrative fees, applicable violation fines, and review the progress toward compliance regarding the unsecured pool and other violations.
2. The City of Fernandina Beach shall record a certified copy of this order in the public records and this Order shall constitute a lien against the real property on which the violations exist and upon any other real or personal property owned by the Respondent if fines are not paid within forty-five (45) days of the date so ordered.
3. If the lien remains unpaid for a period of three (3) months from the date of the filing of the lien, the City of Fernandina Beach may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.



City of Fernandina Beach

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered February 6, 2025, at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing.

By: 

Chair, RALPH STINES

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 RALPH STINES 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 February, 2025.

(NOTARY SEAL)



Notary Public, State of Florida



Katie A. Newton
Notary Public
State of Florida
Comm# HH150272
Expires 7/13/2025

**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.*



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

October 22, 2024

Case Number: CODE-2024-0293

Cert. #: 9589 0710 5270 1049 2459 54

IN THE MATTER OF:

Donna Perkins
2673 Gregor McGregor Blvd.
Fernandina Beach, Florida 32034

PREMISES: 2673 GREGOR MCGREGOR BLVD., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLOCK A LOT 19 PIRATES COVE #1 PB 4/6

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:

42-117 Exterior Structure (Maintenance)

**Replace all rotten fascia and soffit on the exterior. Repair, By 12/2/2024
remove or replace all wooden privacy fence panels that
have fallen down and/or are missing.**

(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: December 5, 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.

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.

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:

Donna Perkins
2673 Gregor McGregor Blvd.
Fernandina Beach, FL 32034



9590 9402 8959 4064 0463 33

2. Article Number (Transfer from service label)

9589 0710 5270 1049 2459 54

COMPLETE THIS SECTION ON DELIVERY

A. Signature

DK Perkins Agent
 Addressee

B. Received by (Printed Name)

Perkins

C. Date of Delivery

11/05/24

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

RECEIVED

NOV 05 2024

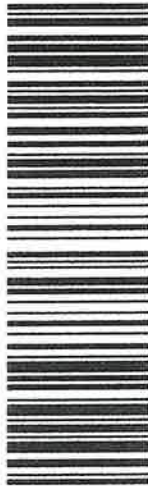
CODE ENFORCEMENT

3. Service Type *City of Fernandina Beach*
- 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



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

CERTIFIED MAIL®



9589 0710 5270 1049 2459 54
 9589 0710 5270 1049 2459 54

U.S. Postal Service™ *Code Env*
CERTIFIED MAIL® RECEIPT
677 8 mgjgof
 Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$	<i>4.40</i>	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)			
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$	<i>2.65</i>	
<input type="checkbox"/> Return Receipt (electronic)	\$		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$		
<input type="checkbox"/> Adult Signature Required	\$		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$		
Postage	\$	<i>.69</i>	
Total Postage and Fees	\$	<i>8.74</i>	

Donna Perkins
 2673 Gregor McGregor Blvd.
 Fernandina Beach, FL 32034

See Reverse for Instructions



10.21.2024 15:15



10.21.2024 15:15



City of Fernandina Beach
Code Enforcement Department

Mr. George Wells
gwells@fbfl.org

CODE ENFORCEMENT & APPEALS BOARD
NOTICE OF RESCHEDULED HEARING

JANUARY 30, 2025

Case Number: CODE-2024-0293

NOTIFICATION METHODS:
POSTED ON PROPERTY
FIRST CLASS MAIL

IN THE MATTER OF:

Donna Perkins
2673 Gregor McGregor Blvd.
Fernandina Beach, Florida 32034

PREMISES: 2673 GREGOR MCGREGOR BLVD., FERNANDINA BEACH, FL 32034

This letter constitutes formal notice that the City of Fernandina Beach has determined that you may have violated the following provisions of the Municipal Code of Ordinance: Section 42-117 Exterior Structure (Maintenance). YOU HAVE THE RIGHT to appear before the Code Enforcement and Appeals Board.

RESCHEDULED CODE ENFORCEMENT & APPEALS BOARD HEARING DATE:

DATE: **February 6, 2025**
TIME: **5:00 PM**
LOCATION: **City Commission Chambers, 204 Ash St**

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 GOVERN YOUR SELF ACCORDINGLY.

Contact us with any questions.
George Wells
Code Enforcement Officer

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



THE CITY OF FERNANDINA BEACH
CODE ENFORCEMENT
204 ASH ST. FERNANDINA BEACH, FL 32034

AFFIDAVIT OF SERVICE/POSTING

STATE OF FLORIDA

COUNTY OF NASSAU

CASE NO: CODE-2024-0293

Date: January 30, 2025

I. **SERVER.** I, George Wells ("Server"), being first duly sworn, depose and state that I am an employee of the City of Fernandina Beach, Code Enforcement. Part of my duties include preparation of case evidence to go before the Code Enforcement and Appeals Board, hand delivering Notice of Violations/Notice of Hearing letters, and other correspondence and the following documents were delivered and served in the following manner:

II. **DOCUMENTS.** The documents served are described as : Notice of Rescheduled Hearing.

III. **RECIPIENT.** The above-mentioned documents were delivered to:

- a.) Property Owner/ Respondent : Donna Perkins ("Recipient")
- b.) Address/Location of Violation: 2673 Gregor McGregor Blvd., Fernandina Beach, FL 32034.
- c.) Address/Location of Service: 2673 Gregor Mc Gregor Blvd., Fernandina Beach, FL 32034.
- d.) Date: January 30, 2025 Time: 2:04 PM

IV. **DELIVERY.** The Recipient received the documents by: (check one)

- **Mail.** The Server sent the documents in the mail by: (check all that apply)

- Standard Mail
- Electronic Mail (E-Mail)
- Certified Mail (with return receipt)
- FedEx
- UPS
- Other

Mailing Address: <u>2673 Gregor McGregor Blvd., Fern. Bch. 32034 FL.</u>

- **Direct Service.** The server handed the documents to a person identified as the Recipient.

- **Someone at the Residence.** The Server handed the documents to someone who identified as living at the residence and stated their name is Donna Perkins.

- **Leaving it at the Residence.** The Server left the documents in the following area: _____.

- **Recipient Rejected the Delivery.** The Server delivered the documents to the Recipient in-person and did not accept delivery.
- **Posting Rescheduled Notice of Hearing Letter on the Property.**

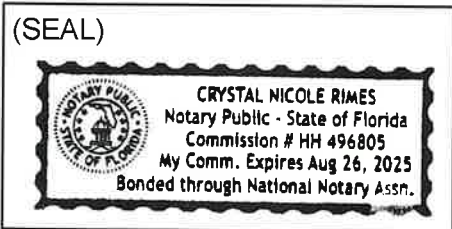
V. **VERIFICATION.** I declare that under the penalty of perjury under the laws located in the State of Florida, that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NAUGHT.

Servers Signature : *George Wells* Date: 1/30/25
Print Name: George Wells _____

VI. **NOTARIZATION.** Subscribed and sworn to before me, a Notary Public in and for the State of Florida, this 30th day of January, 20 25.

STATE OF FLORIDA
NASSAU COUNTY



Notary Signature: *Crystal Rimes*

Notary Printed Name: CRYSTAL RIMES

Personally Known X OR Produced Identification _____

Type of Identification Produced: _____

STAFF REPORT
Case # 2025-0363
City of Fernandina Beach Code Enforcement & Appeals Board
April 7, 2025

Violation Information

Owner David & Allyson Neilson
843 Ellen Street
Fernandina Beach, Florida 32034

Violation City of Fernandina Beach – Land Development Code – Chapter: 7.01.05D
Recreational Vehicle, Boats, Trailers, and Similar Vehicles. Corrective Action:
Remove or store the utility trailer in a properly enclosed carport or structure or in
a side or rear yard behind the front line of the house.

Location: 843 Ellen Street

Summary and Background Information

February 5, 2025 – I observed an enclosed utility trailer that was parked beyond the front line of the house. I opened a new case for this violation. This property has been previously cited for this same violation (4) times before but was corrected before going to the CEAB.

February 6, 2025 – Our department mailed a certified NOV/NOH letter to the owner giving them until 2/13/25 to come into compliance.

February 18, 2025 – I conducted a NOV/NOH inspection at this property. The violation was still present.

February 23, 2025- The USPS delivered the certified letter to the owner (David Neilson) where he signed the return receipt card giving us proper service.

February 25, 2025- I called Mr Neilson by phone asking him about the status of the trailer in violation. He replied he wanted to appear before the CEAB.

February 26, 2025- I conducted a Pre-Agenda inspection. The utility trailer is still in violation.

March 6, 2025 – The March hearing was cancelled due to lack of a quorum. The case will be moved to the April 7, 2025 hearing.

March 27, 2025 – I conducted a pre-agenda inspection. The utility trailer is still parked beyond the front line of the house.

Conclusion.

This respondent has been written up for this violation multiple times before but has moved the utility trailer before the CEAB hearing. He states that he uses his utility trailer for work which he believes gives him the right to violate the Land Development Code.

Recommendation.

The City recommends a motion to be made to find the respondent in violation of The Land Development Code Chapter 7.01.05D giving the owner (10) additional days to come into compliance by April 17, 2025. 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 per violation to begin on April 18, 2025 if not in compliance by April 17, 2025.

George Wells

A handwritten signature in blue ink that reads "George Wells". The signature is written in a cursive style with a large, sweeping initial "G".

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

843 Ellen Street

AS OF April 7, 2025

CODE CASE # 2025-0363

<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	\$42.85	\$42.85
George Wells, Code Enforcement Officer	5	\$31.34	\$156.70
Crystal Turner, Administrative Coordinator/Board Secretary	2	\$27.68	\$55.36
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	1	\$9.64	\$9.64
First Class letters mailed	1	\$0.69	\$0.69

TOTAL ADMINISTRATIVE FEES DUE

\$288.74

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



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

February 6, 2025

Case Number: CODE-2025-0363

Cert. #: 9589 0710 5270 1049 2462 89

IN THE MATTER OF:

David & Allyson Neilson
843 Ellen Street
Fernandina Beach, FL 32034

PREMISES: 843 ELLEN ST., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: LOT 39 IN OR 1898/504 SORENSENS OCEAN TERRACE UNR

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:

7.01.05 D Specific Parking Restriction for Boats and Trailers - Boats, boat trailers, utility trailers, and similar vehicles shall not be parked overnight in any zoning district except in an area specifically designated by this LDC for that purpose. Such vehicles, when unoccupied, may be parked or stored in a completely enclosed building, a carport attached to a principal building, or in a side or rear yard

Remove or relocate the enclosed utility trailer behind the front line of the house in a side or rear yard or inside a structure. **By 2/13/2025**

(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: March 6, 2025
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.

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.

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

CERTIFIED MAIL®



9589 0710 5270 1049 2462 89
9589 0710 5270 1049 2462 89

U.S. Postal Service™ *Code Ent*
CERTIFIED MAIL® RECEIPT
843 Elen St
 Domestic Mail Only

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

Certified Mail Fee	\$ 4.85	Postmark Here
Extra Services & Fees (check box, add fees as appropriate)		
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 4.10	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$.69	Postmark Here
Total Postage and Fees	\$ 9.64	
Sent To	David & Allyson Neilson 843 Elen St. Fernandina Beach, FL 32034	

PSN Form 3800, January 2023 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:

David & Allyson Neilson
843 Elen St.
Fernandina Beach, FL 32034

9590 9402 7747 2152 0387 58

843 Elen St

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X 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

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	

2. Article Number (Transfer from service label)

9589 0710 5270 1049 2462 89

Mail Restricted Delivery

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:

DAVID & ALLYSON NEILSON
843 ELLEN ST.
FERNANDINA BEACH, FL 32034



9590 9402 7747 2152 0375 60

2. Article Number (Transfer from service label)

9589 0710 5270 1049 2487 33

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *David Neilson*

- Agent
- Addressee

B. Received by (Printed Name)

David Neilson

C. Date of Delivery

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

RECEIVED

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
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

FEB 29 2024

PAID FOR ENFORCEMENT

Domestic Return Receipt

9589 0710 5270 1049 2487 33

U.S. Postal Service™ Code Ent.
CERTIFIED MAIL® RECEIPT
Domestic Mail Only 2024-0044

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

OFFICIAL 204

Certified Mail Fee	\$ 4.40
Extra Services & Fees (check box, add fee as appropriate)	\$ 3.65
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$ 8.69

Sent To **DAVID & ALLYSON NEILSON**
City of Fernandina Beach
843 ELLEN ST.
FERNANDINA BEACH, FL 32034

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

RECEIVED

Postmark Here

FEB 29 2024



2.5.2025 11:05





PROPERTY INFORMATION

Parcel Number 00-00-31-1700-0039-0000

Owner Name NEILSON DAVID & ALLYSON
 Mailing Address 843 ELLEN ST
 FERNANDINA BEACH, FL 32034
 Location Address 843 ELLEN ST
 FERNANDINA BEACH 32034
 Tax District 002 - FERNANDINA BEACH
 Millage 18.3806
 Homestead Yes
 Property Usage SINGLE FAMILY 000100
 Deed Acres 0
 Short Legal LOT 39 IN OR 1898/504 SORENSENS OCEAN TERRACE UNR

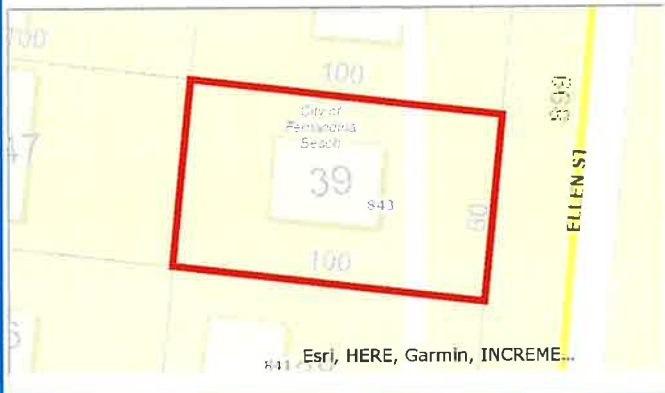
2024 Certified Values

Land Value	\$300,000
(+) Improved Value	\$240,567
(=) Market Value	\$540,567
(-) Agricultural Classification	50
(-) SOH or Non-Hx* Capped Savings	\$293,517
(=) Assessed Value	\$247,050
(-) Homestead	\$25,000
(-) Additional Exemptions	50
(=) School Taxable Value	\$222,050
(-) Non-School HX & Other Exempt Value	\$25,000
(=) County Taxable Value	\$197,050

-  Property Search
-  Map This Parcel
-  GIS Report
-  Property Record Card
-  Print Friendly Page

*Note: *HX Exemptions not apply to School Taxable Value

PARCEL MAP



2023 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	Building Sketch
SNGL FAM	2236	1872	3	2	ABOVE AVG.	REINF CONC	AIR DUCTED	FORCED AIR	1977	

MISCELLANEOUS INFORMATION

Description	Dimensions L X W	Units	Year Built
CONCRETE A	43 X 16	688	1985
CONCRETE A	0 X 0	364	1985

SALES INFORMATION

Sale Date	Book Page	Price	Instr	Qual	Imp	Grantor	Grantee
2014-04-15	1926 / 1543	\$100	WD	U	I	LABERGE CYNTHIA ANN ETAL	SIMMS GORDAN & KIM
2013-10-22	1898 / 504	\$100	WD	U	I	BARNES PAUL A & NANCY H	NEILSON DAVID & ALLYSON
2013-10-22	1885 / 1773	\$240,000	WD	Q	I	BARNES PAUL A & NANCY H	NEILSON DAVID & ALLYSON
2005-10-20	1360 / 718	\$400,000	WD	Q	I	SIMMS GORDON & KIM	BARNES PAUL & NANCY
2003-11-20	1190 / 218	\$252,500	WD	Q	J	LABERGE CYNTHIA ANN ET AL	SIMMS GORDON & KIM
1995-09-06	738 / 1020	\$14,200	QC	Q	I	WALKER CHARLES L	WALKER CHARLES L & BETTY B
1977-08-01	245 / 98	\$45,000	WD	U	I		
1976-11-01	227 / 575	\$4,500	WD	Q	V		
1972-01-01	123 / 621	\$1,700	TA	Q	V		

PROPERTY PHOTO



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

LOCATION MAP



BUILDING INFORMATION

Type	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	Building Sketch
SNGL FAM	2236	1872	3	2	ABOVE AVG	REINF CONC	AIR DUCIED	FORCED AIR	1977	

MISCELLANEOUS INFORMATION

Description	Dimensions L X W	Units	Year Built
CONCRETE A	43 X 16	686	1985
CONCRETE A	0 X 0	364	1985

SALES INFORMATION

Sale Date	Book Page	Price	Instr	Qual	Imp	Grantor	Grantee
2011-04-15	1926 / 1543	\$100	W/D	U	I	LARBERGE CYNTHIA ANN ET AL	SIMMS GORDAN & KIM
2013-10-22	1898 / 504	\$100	W/D	U	I	BARNES PAUL A & NANCY H	NEILSON DAVID & ALLYSON
2013-10-22	1885 / 1773	\$240,000	W/D	Q	I	BARNES PAUL A & NANCY H	NEILSON DAVID & ALLYSON
2005-10-20	1360 / 716	\$100,000	W/D	Q	I	SIMMS GORDON & KIM	BARNES PAUL & NANCY
2003-11-20	1190 / 218	\$252,500	W/D	Q	I	LARBERGE CYNTHIA ANN ET AL	SIMMS GORDON & KIM
1995-09-06	738 / 1020	\$14,200	Q/L	Q	I	WALKER CHARLES L	WALKER CHARLES L & BETTY B
1977-06-01	245 / 98	\$45,000	W/D	U	I		
1976-11-01	227 / 575	\$4,500	W/D	Q	V		
1972-01-01	123 / 62	\$1,700	TA	Q	V		

STAFF REPORT
Case # 2025-0337
City of Fernandina Beach Code Enforcement & Appeals Board
April 7, 2025

Violation Information

Owner: George, Patsy Sue EST C/O James George
228 Greenbriar Road
Kingsland, GA 31548

Violation: City of Fernandina Beach – Code of Ordinances,
Section: 42-116 Duty to Maintain Property & 42-117 Exterior Structure
(Maintenance)

Location: 128 N. 13th Terrace, Fernandina Beach, Florida 32034

Summary and Background Information

January 9, 2025 – Our office opened a new code case to correct the legal ownership of this property.

January 14, 2025 – Our office mailed a certified NOV/NOH letter to Mr. James George. The owner was given to 02/14/25 to correct the violations. I recorded photographs of the violations.

February 2, 2025 – The USPS returned the certified letter sent to the owner unclaimed.

February 13, 2025 – I posted a copy of the NOV/NOH letter on the front door at 128 N. 13th Terrace. I recorded a photo of the posting. A notarized affidavit of service was filled out and placed in this file.

February 13, 2025 – I sent an email to Mr. George with a copy of the NOV/NOH letter attached with an explanation.

February 18, 2025 – I called Mr. George by phone. He stated he was trying to get a contractor within the next thirty days to demo the structure. He stated he would have someone cut and clean the property.

March 17, 2025 – I inspected the property for compliance. The property was still in violation.

March 27, 2025 – I conducted a pre-agenda inspection of the property. All violations were present with no corrections to them.

March 27, 2025 – I called Mr. George by phone. He stated he was going to submit an application to the Building Department tomorrow 3/28/25 for a demo permit. He also stated he would send someone to cut and clean the entire property.

Conclusion.

The owner of this property is a Building Official and a Code Enforcement Officer in a neighboring county. He is quite aware of what needs to be done but has been very slow to achieve compliance.

Recommendation.

The City recommends a motion to be made to find the respondent in violation of Code of Ordinances, Section 42-116 Duty to Maintain Property & 42-117 Exterior Structure (Maintenance) giving the owner (30) thirty additional days to come into compliance by May 7, 2025. 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 to begin on May 8, 2025, if not in compliance by May 7, 2025.

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
ADDRESS 128 N. 13th Terrace
AS OF April 7, 2025
CODE CASE # 2025-0337**

<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	\$42.85	\$42.85
George Wells, Code Enforcement Officer	5.5	\$31.34	\$172.37
Crystal Turner, Administrative Coordinator/Board Secretary	2	\$27.68	\$55.36
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	1	\$23.50	\$23.50
Certified letters mailed	1	\$9.64	\$9.64
First Class letters mailed	1	\$0.69	\$0.69

TOTAL ADMINISTRATIVE FEES DUE

\$304.41

****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
2nd NOTICE OF VIOLATION/NOTICE OF HEARING

February 13, 2025

Case Number: CODE-2025-0337

Cert. #: ~~9589 0710 5270 1049 2461 42~~

POSTED AT PROPERTY

EMAIL: JGEORGE@KINGSLANDGEORGIA.COM

IN THE MATTER OF:

GEORGE PATSY SUE EST C/O JAMES GEORGE
228 GREENBRIAR ROAD
Kingsland, GA 31548

PREMISES: 128 N. 13TH TER., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLK 244 TRACT G & N 12 FT OF TRACT H OF LOT 6 & S 5 FT OF TRACT A OF LOT 6 IN OR 723/476

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:

42-117

Exterior Structure (Maintenance)

**Repair and replace all the rotten wood on the exterior.
Scrape, seal, and paint all peeling paint on the exterior.
The rear roof is covered in vegetation. Remove all the
vegetation and repair the damaged roof.**

**By 2/14/2025
By 3/15/2025**

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

42-116

Duty to Maintain Property

Cut and/or clean up the entire property. Remove all vines and vegetation growing up on the house and roof.

**By ~~2/14/2025~~
By 3/15/2025**

(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: April 7, 2025

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.

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.



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

January 14, 2025

Case Number: CODE-2025-0337

Cert. #: 9589 0710 5270 1049 2461 42

IN THE MATTER OF:

James George
GEORGE PATSY SUE EST C/O JAMES GEORGE
228 GREENBRIAR RD
Kingsland, GA 31548

PREMISES: 128 N. 13TH TER., FERNANDINA BEACH, FL 32034

The brief legal description of the real property upon which this violation occurred is: BLK 244 TRACT G & N 12 FT OF TRACT H OF LOT 6 & S 5 FT OF TRACT A OF LOT 6 IN OR 723/476

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:

- 42-117 Exterior Structure (Maintenance)**
Repair and replace all the rotten wood on the exterior. By 2/14/2025
Scrape, seal, and paint all peeling paint on the exterior.
The rear roof is covered in vegetation. Remove all the vegetation and repair the damaged roof.
- 42-116 Duty to Maintain Property**
Cut and/or clean up the entire property. Remove all vines By 2/14/2025
and vegetation growing up on the house and roof.

(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: March 6, 2025
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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PLEASE GOVERN YOUR SELF ACCORDINGLY.

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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.

ALERT: WINTER STORMS IN THE MIDWEST THROUGH THE NORTHEAST U.S. MAY DELAY FIN...



[FAQs >](#)

[Remove X](#)

Tracking Number:

9589071052701049246142

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item has been delivered to the original sender at 2:34 pm on February 6, 2025 in FERNANDINA BEACH, FL 32034.

Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Feedback

Delivered

Delivered, To Original Sender

FERNANDINA BEACH, FL 32034
February 6, 2025, 2:34 pm

Arrived at USPS Regional Facility

JACKSONVILLE FL DISTRIBUTION CENTER
February 5, 2025, 2:27 pm

In Transit to Next Facility

February 4, 2025

Arrived at USPS Regional Facility

GAINESVILLE FL DISTRIBUTION CENTER
February 2, 2025, 5:29 am

Unclaimed/Being Returned to Sender

KINGSLAND, GA 31548
January 31, 2025, 1:43 pm

- **Reminder to Schedule Redelivery of your item**
January 21, 2025
- **Notice Left (No Authorized Recipient Available)**
KINGSLAND, GA 31548
January 16, 2025, 11:45 am
- **Arrived at USPS Regional Facility**
JACKSONVILLE FL DISTRIBUTION CENTER
January 14, 2025, 9:45 pm
- **Hide Tracking History**

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs



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

CELEBRATED MAIL



quadrant
 FIRST-CLASS MAIL
 IMI
\$009.64
 01/14/2025 ZIP 32034
 043M31262762



9589 0710 5270 1049 2461 42

RECEIVED

FEB 18 2025

CODE ENFORCEMENT
 City of Fernandina Beach

James George
 George, Patsy Sue Est C/O James George
 228 Greenbriar Road
 Kingsland, GA 31548

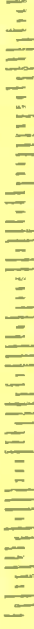
Handwritten initials/signature

NIXIE 326 DE 1 0002/02/25

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

UTFK1: 9352289921 UNC
 31548-2589071052701049246142

BC: 32034423004 *1538-04861-14-43



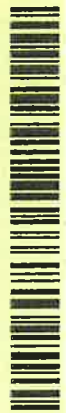
US POSTAGE

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:

James George
George, Patsy Sue Est C/O James George
228 Greenbriar Road
Kingsland, GA 31548



9590 9402 8959 4064 0462 27

2. Article Number (Transfer from Service Label)
9589 0710 5270 1049 2461 42

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

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
 Signature
 Agent
- 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

42 (over 3500) Mail Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Code Est
Domestic Mail Only
OFFICIAL USE
 For delivery information, visit our website at www.usps.com™

Certified Mail Fee	\$	4.40
Extra Services & Fees (check box, add fees appropriate)	\$	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$	2.65
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$.69
Total Postage and Fees	\$	8.74

James George
 George, Patsy Sue Est C/O James George
 228 Greenbriar Road
 Kingsland, GA 31548

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®



9589 0710 5270 1049 2461 42
 9589 0710 5270 1049 2461 42

for instructions



19.2025 13:47



1.9.2025 13:47



19 2025 13:47





1.9.2025 13:49



1. 9. 2025 13:48



1.9.2025 13:48