AGENDA
MUNICIPAL CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, APRIL 29, 2020, 2:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES OF MARCH 25, 2020 MEETING

V. NEW BUSINESS

A. Per Section 11.03.03 of the City of St. Augustine Beach Land Development Regulations, the election of officers, consisting of a chairperson and vice-chairperson who shall serve for terms of one (1) year with no limitation on the number of consecutive terms in the same office, will take place every year as the first order of business at the regularly scheduled meeting for the month of April

VI. OLD BUSINESS

A. Review and follow-up to status of Citations to Appear issued to Debra L. Johnson, 720 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, and fines imposed by the Board at previous meetings for violation of St. Augustine Beach Land Development Regulations, International Property Maintenance Code, and Florida Building Code pertaining to structural requirements, exterior structures, and failure to obtain required permits for exterior construction of a second-story deck and stairs, at 720 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080

VII. PUBLIC COMMENT

VIII. BOARD COMMENT

IX. ADJOURNMENT
NOTICES TO THE PUBLIC

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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Manager’s Office no later than seven days prior to the proceeding at the address provided above, or telephone 904-471-2122, or email sabadmin@cityofsab.org

For more information on any of the above agenda items, please call the City of St. Augustine Beach Building and Zoning Department at 904-471-8758. The agenda material containing background information for this meeting is available on a CD upon request at the City Manager’s office for a $5.00 fee. Adobe Acrobat Reader will be needed to open the file.
I. CALL TO ORDER

Chairman Ernesto Torres called the meeting to order at 2:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairman Ernesto Torres, Vice-Chairman Kevin Sweeny, Marshall Schneider, Trish Gilpin, Gary List, and Edward Pritchett.

BOARD MEMBERS ABSENT: William Genovese and Senior Alternate Raymond Lovett.

STAFF PRESENT: Code Enforcement Officer Bill Ward, Building Official Brian Law, City Attorney Lex Taylor, Recording Secretary Lacey Pierotti and Incoming Code Enforcement Officer Jennifer Thompson.

IV. APPROVAL OF MINUTES OF DECEMBER 18, 2019 MEETING

Motion: to approve the minutes of the December 18, 2019 meeting. Moved by Mr. Sweeny, seconded by Mr. Pritchett, passed 6-0 by unanimous voice-vote.

The new city attorney Lex Taylor introduced himself and gave a short bio.

V. OLD BUSINESS

A. Review and follow-up of Citation to Appear to June D. Harper, Vernon J. Raegan, Ronald D. Webb, Fred W. Webb, and James V. Justin Jr., Hastings, Florida, property owners of 201 6th Street, for violation of the International Property Maintenance Code (IPMC), St. Augustine Beach Code and Land Development Regulations (LDRs), for failure to remove weeds, trash and unsanitary matter and failure to care for premises resulting in an unsafe and non-habitable condition for human occupancy at 201 6th Street, St. Augustine Beach, Florida, 32080

Mr. Ward said we are recapping on 201 6th St and is self-explanatory in the statement we responded to violations in the LDR’s relative to the condition of the house and the surrounding property and have been working with the owners of that property since then. We are here today for the following up because other than cleaning out the property there hasn’t been much more activity. There has been some unfortunate changes in the family status and have had some people that have passed away and
they thought they were going to go into settlement but Action Title said the settlement had stopped. The Contractor who was supposed to buy is still interested. He has talked to Mr. Harper and he has had a drastic family change with a death in the family and are at a standstill as far as selling the property or making any changes to the condition it is in. His recommendation along with Mr. Law is to give them time to make a sale and assumes we are still on the same path and he knows that Mr. Harper has gone though quite a bit and there is a problem in the legal aspect with the transfer of the deed.

Mr. Schneider said December 18 the board said they will give them 30 to 45 days so how many have transpired.

Mr. Ward said its been roughly 60 days. They did produce a bill of sale and were in an agreement. The contractor went there with a dumpster and started work on the house. The grounds have been kept up, but the renovations have not because of these other problems.

James Harper, 10535 Beckenger Avenue, Hastings, Florida, 32145, said his wife was on the deed and they were supposed to close on January 15, 2020 but there was a problem with her brother that had passed ten years ago with the deed and he didn't have a will so Joe Boles, their attorney was handling it and on December 26 his wife went into cardiac arrest and spent two months in intensive care and she passed on March 4th. He spoke with Mr. Boles about the probate because she did not have a will and he had to have the death certificate which wasn't issued until the March 14th. He has a meeting with Mr. Boles April 6th. Mr. Ruggieri is still interested in buying it and would have been here today but he's sick. He spent every minute he could with his wife up until the 4th. He knows this is important and has been in contact with Mr. Burkhardt and Mr. Ruggieri.

Mr. Schneider said they are very sorry for your loss and we need to take that into consideration moving forward and the important thing is that you have an April 6th meeting with the attorney. Did the attorney indicate a time frame?

Mr. Harper said takes at least 30 days for a probate to go through and he rode by the property today and he needs to cut the grass. He has been trying to stay at the house because he has his brother-in-law who's disabled so has been trying to take care of him.

Ms. Gilpin asked if you don't have a will you have to have a probate.

Mr. Harper said his name was not on the deed; it was his wife, her three brothers and cousin.

Mr. Torres asked if this information was provided to the city staff before the meeting today and how is the property being maintained. Are there any squatters in there now that he knows of or anything unsafe with the property the City should be concerned with?

Mr. Ward said yes, he has spoken with him and the place is locked up, so no safety concerns.

Mr. Sweeny said he's sorry for his loss and will echo Mr. Schneider's thoughts that he spent his time in the right place. If it is possible to direct the city attorney to call Mr. Boles because the gentleman is going through a lot of things right now and some things may have escaped him.
Motion: to table 2016 6th St violation of the International Property Maintenance Code until the April 29th meeting. Moved by Mr. Sweeny, seconded by Mr. List, passed 6-0 by the Board by unanimous voice-vote.

D. Citation to Appear issued to Debra L. Johnson, St. Augustine Beach, Florida, property owner of 720 A1A Beach Boulevard, for violation of St. Augustine Beach City Code for failure to renew the business tax receipt for transient lodging facilities and violations of the LDRs, IPMC and 2017 Florida Building Code (FBC) pertaining to structural requirements, exterior structures, and failure to obtain required permits for exterior construction of a second-story deck and stairs at 720 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080

Mr. Ward said this is a follow up on a case with a blue tarp on the roof to be removed and execute the roof, stairs and landing permits and determine the possibility of an encroachment of the raised deck and landing. We also advised her to modify the conditional use permit to include the ground floor use to residential use because this is a mixed use building upper floor for residential bottom floor is for commercial use. Also bring into compliance these violations specified after building compliance is met to complete those requirements pertaining to the transient lodging facility renewal which did not happen. He has sent multiple letters out and had very little communication with her relative to the compliance to this building. Her BTR was not renewed relative to the rental portion. He has been back in forth with the contractor who was allegedly going to do work on it but he currently hasn’t pulled any permits. He did put some safety railing on the landing that was on the second floor. They did pull a permit yesterday on the roof and asked him when he would start, and he said that was left up to the property owner.

Mr. Sweeny said last time gave them 30 days and after that a daily fine of $250 per day.

Mr. Schneider asked if the deck is encroaching on the setback?

Mr. Law said it is in violation of the variance that was granted when the order was given to build the house and the proposed contractor is aware of it.

Mr. Ward said if the owner fails to obtain the proper permit and commence work to correct the multiple violations within 30 days a daily fine of $250 per day shall be imposed until such permits are obtained and construction work has begun. To date $16,750.00 in fines.

Mr. Torres is the encroachment violation a code enforcement issue?

Mr. Law said this is a violation of several things it appears to be the removal and reinstallation of a second-floor landing without a permit and they made it a little bit bigger. It came to his attention when he was leaving Mangos and saw a landing on a second floor with no rails which is always a big concern and we authorized the contractor to temporarily rail it off. They not only did this deck without a permit, but they need to bring in design professionals to design the structures to make sure it doesn’t separate from the building which was not done and there are no permits applied for at this time to bring it into compliance. They need to bring it back into compliance or apply for another variance. My department has no intentions of supporting another variance to a pre-existing variance so at this point we expect to see a permit with signed and sealed plans restoring the building to what was allowed. This property had several variances believe three of the four sides have a variance.

Mr. Schneider asked if the second floor is currently occupied.
Mr. Ward said it is occupied by the property owner.

Mr. List asked if there was any internal way to get up to the second floor.

Mr. Ward said he is not sure if there is entrance from the garage, but the owner can tell you more about it when she comes up.

Mr. Sweeny asked, have we ever or do we have the power to have someone tear a structure down if there is no permit and the variance doesn’t meet code.

Mr. Law said the building official has the power in chapter one of the building code to authorize the removal of any structure constructed without a permit which is where he intends to go with the deck that was added on without a permit. Tear it down and rebuild it in accordance with the preexisting variance. The roof is why we are here today and as far as the BTR that is something that’s is being handled internally. The code enforcement case was brought for was the roof and the blue tarp. If there is no resolution with the landing, then we are going to expand the code enforcement case, but this is a continuation of December’s meeting.

Mr. Sweeny said we did bring up the lack of permits for the stairway and landing so even though we discussed those last meeting we’re not allowed to touch those at this point just the roof.

Mr. Law said he thinks we definitely include that in a timeline these stairs need to be brought into compliance as soon as possible and landing needs to be engineered and attached to the building properly.

Debra Johnson, 720 A1A Beach Boulevard, said the roofing company was out this morning and removed all the shoddy work done by the insurance company. They gave her $3,000 to replace the roof and every estimate she got was between 15 to 20 thousand dollars. Her monthly bills are around six to seven thousand dollars. The staff at the city has bent over backwards to work with her. She has had contractors take her funds and merchandise that she traded out like trailers, sporting equipment, and guns and never came back. The last two years she has done really well keeping her mortgage out of foreclosure. When she picked up the certified letter she panicked and was desperate because she knew she couldn’t handle five to seven thousand dollars a month let alone another $250 a day so made a huge mistake by getting up on the roof and tried to do it herself. She was in the hospital when we met in January because she fell three stories and broke two vertebrae in her back and neck trying to remove the tarp. She hasn’t rented the downstairs in this past year while she has been trying to get into compliance with this roof. The insurance company has been fighting her and has an attorney that has said they are looking for settlement on two properties she owns that are tied up with this property. She has one under contract with Chick-fil-a for $350,000 that will pull her out of debt and foreclosure. Her other property she has a potential buyer but now that the Corona virus hit she is nervous everything may fall through.

Mr. Schneider asked if she had a contractor’s license.

Ms. Johnson said no.

Mr. Schneider said then how do you know the deck was done properly.

Ms. Johnson said she has hired contractors in this city to do the work and was told it was a five-foot setback. Since finding out this meeting was not going to be canceled the roofers were out today and removed the tarp and did the patch work. She is praying that the contracts go through with Chick-fil-a so she can fix that property.
She is trying to have the insurance company come out and deem that it needs to be gutted because of the water damage that came in.

Mr. Sweeny asked when did the wind take out the roof.

Ms. Johnson said in Irma. She paid someone to put the temporary 3m stick down and then the insurance company came and ripped that off and put up the blue tarp with a bunch of sandbags.

Mr. Torres said the property you keep referring to that is going to assist you financially when is that supposed to be complete.

Ms. Johnson said at the end of this year it is a one-year contract. She thinks that she can save this property and the property deserves to be done properly. When she was removing the plywood, the three-quarter inch subfloor on the second floor were missing joists so when stepping on it she fell through the roof.

Mr. Schneider asked if she had an inspection on the building when you bought it.

Ms. Johnson said no because the purchase was done within two days. The blue tarp is off the top of the house and her daughter pressure washed the house this weekend so nobody in the community should be calling that it is an eyesore at this time. According to her contractor he was told there would not be any fines. She would have been at the last meeting whether she was in the hospital or not.

Mr. Torres said he thinks that is irrelevant because the citation from the city regarding the repair of the roof issued whether the board meets or not.

Mr. Sweeny said you mention January is when you had your accident, but the board met in December.

Mr. Torres said the motion gave you a 30-day grace period to receive the permit and commence work. The permit was issued yesterday, and work commenced today because we were meeting today according to you. Before we get too convoluted with the transient rental, the landing, deck and encroachment he would like to focus on the roof. He thinks it was clear when the board convened on December 18th their intentions.

Mr. Sweeny said he did want to validate she did receive some type of letter or citation that a clock had started beginning on January 17th of $250 a day.

Mr. Law said upon conclusion of the December 18th meeting he instructed Bill Ward to generate a letter with the implementation of the fine and the date. We did certified mail, regular postage and a hand delivery and do have a picture in our computer system that was delivered to her address.

Mr. Schneider said when did we first approach the owner about getting the blue tarp off the roof.

Mr. Ward said indirectly spoke to her late summer and we’re here because of lack of communication but was before August.

Mr. List asked what the delay was.

Ms. Johnson said four months behind on her mortgage and was going into foreclosure.
Richard Fulmer, 1093 A1A Beach Blvd, Richard Sean Construction said we are in the plan and design phase with an architect to see how we can design the deck and landing. When the funds are available, he could finish this project in three or four weeks.

Ms. Gilpin said the bottom half is commercial.

Ms. Johnson said her daughter is upstairs and since she has fallen on her back, she can't make it up and down the steps.

Mr. Law said it was approved as commercial on the first floor and to operate a business and living space above it. For her to live downstairs she would have to modify the conditional use permit.

Mr. Schneider said she bought the property three years ago and did the deal in two days she failed to get a professional inspector. The encroachment may have been caught if got an inspection.

Mr. Pritchett said she waited too long to start anything, and she is just now getting a permit.

Mr. Sweeny said he sees no good way out of this and thinks Ms. Johnson is in over her head and doesn't see how extra time will help her. We go above and beyond trying to work with people and hope they get things into proper compliance and proper permits. Some of this might not be her fault but if its not one thing is another and his fear is that they are just going to be here again in 90 days with more excuses especially if she's hopeful some money will come in at the end of the year.

Mr. Torres said he thinks the board is on the correct path as we treat each case that comes before them. We gave the 30-day leniency and didn't fine and the mere fact that the permit was just pulled yesterday, and the work just started today as she stated only because we were meeting. He thinks the fines need to continue until the project is complete. Once that is complete the board can consider all the things that have happened and perhaps settle on some lesser fine. He doesn't see how the roof is going to get complete unless they meet and fine.

Mr. Law said the landing was discussed in the last meeting and is a huge safety issue. The builder of the deck did not pull a permit and don't know if they are licensed and is unacceptable and needs to be rectified immediately.

Mr. List said it seems the safety issue would trump the roof issue.

Mr. Law said he considers them equal because if the roof is leaking it could be a structural failure and how long has it been leaking and considers it almost as damaging.

Mr. Torres asked if there was another access to the second floor inside the home.

Ms. Johnson said no.

Mr. List asked if the staircase safe enough for her to continue to use.

Mr. Ward said the problem was with the landing, but the contractor did put temporary railing.
Mr. Law said the Constituent just said she doesn’t have enough money to finish the roof at this time, so his question is how far the roofers are proceeding. Are they going to put the building in a secure underlayment and are the final roof covering materials on site?

Ms. Johnson said the materials were not onsite.

**Motion:** to direct the property owner of record, Debra L. Johnson, 720 A1A Beach Blvd, St. Augustine Beach, Florida, 32080, that the current imposed fines of $250 per day are to continue until the roof replacement is complete and final inspection is approved and that the stairs and landing must be brought into compliance by April 15th, 2020, otherwise, an additional $250 per day fine shall be imposed beginning April 16th, 2020. If there is a sincere effort of urgency to resolve these issues, the Board would welcome Ms. Johnson back to discuss the fines. **Moved** by Mr. Schneider’s, **seconded** by Mr. Sweeny, **passed** 5-1 by the Board by voice vote.

B. Citation to Appear issued to legal representative for Veronica L. Capellini, Center Hill, Florida, property owner of 205 7th Street, for violation of the IPMC, St. Augustine Beach Code and LDRs for failure to remove weeds, trash and unsanitary matter and failure to care for premises resulting in an unsafe and non-habitable condition for human occupancy at 205 7th Street, St. Augustine Beach, Florida, 32080

See below section C.

C. Citation to Appear issued to legal representative for Veronica L. Capellini, Center Hill, Florida, property owner of 206 8th Street, for violation of the IPMC, St. Augustine Beach Code and LDRs for failure to remove weeds, trash and unsanitary matter and failure to care for premises resulting in an unsafe and non-habitable condition for human occupancy at 206 8th Street, St. Augustine Beach, Florida, 32080

Mr. Ward said these two properties are also follow-ups it had multiple violations of the building code and since he has brought it to you, they have acted upon it and the attorney’s have come into play and money was funded. Ms. Capellini is still in a nursing home, but the roof, stairwell, and deck have been repaired. They have made great improvements on the house and recommend letting them continue functioning. They are doing a fair job in his opinion on both properties.

Mr. Law said he did issue the permits for both of them and one is for complete restoration of the building and the other was taking a new roof and repairing the exterior stairs. The building was to be stripped of all the sheetrock because of the water intrusions left a potential mold and mildew issue and the contractor is aware that additional permitting will be needed to bring it back into occupiable status.

Mr. Sweeny said that in his notes Mr. Torres had questions about that portion of the city being neglected and if he has been over to see these properties recently.

Mr. Torres said he saw it when this first started but has not seen the progress.

Mr. List asked Mr. Ward if he feels comfortable with the progress.

Mr. Ward said they put new roofs on both the decks are being replaced and the progress is continuing.
Mr. Torres said we didn’t give this a final date and he does not want this to drag on.

Mr. Law said we can investigate this week and see what the status is. The stairs and the roof were the big issues on both of them, but staff can look into it and send an update with the inspection history and reach out to the contractors and get you a memo on the individual properties.

Mr. Torres said he would like to hold them accountable to a certain date.

No action taken by the Board tabled 205 7th St and 206 8th St for violation of the IPMC until April 29th meeting.

E. Review and follow-up to status of the findings of fact, conclusions of law and order issued by the Code Enforcement Board on June 25, 2014, and status of foreclosure proceedings initiated by the City of St. Augustine Beach to Joseph John and Paula Grace Scala, San Diego, California, property owners of 106 2nd Street, for failure to appear, address and take action to correct multiple notice violations and citations to appear pertaining to a structure in derelict condition unfit for human occupancy at 106 2nd Street, St. Augustine Beach, Florida, 32080.

Mr. Ward said this is the house that has been on our radar for many years the house still exist the squatter still lives in it and is still filled with debris and grown up like a jungle. Mr. Wilson supposedly submitted paperwork to the courts and have a lien on the owner and waiting on a final judgement. We have new attorneys and is hopeful we can get this taken care of because the house is continuing to deteriorate.

Mr. Schneider said we have imposed fines on the house and have exceeded the purchase price.

Mr. Torres said back in December we were waiting for a court hearing date.

Mr. Taylor said he will look into it and let the board know the details next on April 29th meeting.

The new Code Enforcement Officer Jennifer Thompson introduced herself and gave a short bio.

VI. PUBLIC COMMENT

There was no public comment.

VII. BOARD COMMENT

Ms. Gilpin said she will probably be here for another three years and asked if everyone else coming back.

Mr. Torres said only reason why it was a stipulation with him was because he is running for office. April’s meeting if the quarantine is still in effect we may have to meet over the phone or computer due to the executive order.

VIII. ADJOURNMENT

The meeting was adjourned at 3:30 p.m.
Ernesto Torres, Chairman

Lacey Pierotti, Recording Secretary

(This meeting has been recorded in its entirety. The recording will be kept on file for the required retention period. Complete audio recording can be obtained by contacting the City Manager's Office at 904-471-2122.)
Certified Mail # 7018 0360 0002 1999 1912

Date: March 26, 2020

To: Debra L. Johnson
720 A1A Beach Blvd
St. Augustine Beach, FL 32080-0000

Re: Notice of findings and subsequent order imposed by the St. Augustine Beach Code Enforcement Board regarding non-compliance to that code enforcement case pertaining to building violations located at: #720 A1A Beach Blvd, St. Augustine Beach, FL.

Dear Property Owner,

The SAB Code Enforcement Board convened on 03/25/2020 in reference to a standing code enforcement case against you relative to unpermitted work (FBC Section 105) and those building violations specific to the stairway, deck landing and roof covering (IPMC Sec 304). The code board also discussed the scenario concerning the conditional use permit and the lack of attention by you to modify that document through an application process to the Planning and Zoning Board (modification from mixed-use to residential only).

The following is a summary of the Code Enforcement Board's order to which requires your full compliance:

Mr. Schneider (Board Member) made the motion to direct the property owner of record, Debra L. Johnson, 720 A1A Beach Blvd, St. Augustine Beach, Florida, 32080, that the current imposed fines of $250 per day are to continue until the roof replacement is complete and final inspection is approved and that the stairs and landing must be brought into compliance by April 15th, 2020, otherwise, an additional $250 per day fine shall be imposed beginning April 16th, 2020. If there is a sincere effort of urgency to resolve these issues, the Board would welcome Ms. Johnson back to discuss the fines. Mr. Schneider's motion was seconded by Mr. Sweeny and passed 6-1 by the Board by voice vote.

Our goal is to enforce the codes and ordinances of the City and protect the health, safety and welfare of the citizens of St. Augustine Beach and accordingly, your cooperation regarding this manner is greatly appreciated. Our office will assist you as needed. Please contact the Building
Department Monday-Friday from 8:00 a.m. to 5:00 p.m. at (904)-471-8758 if you have any questions regarding this correspondence.

Sincerely,

Jennifer Thompson
Code Enforcement Officer
Building & Zoning Department/Code Enforcement
City of St. Augustine Beach, Florida
jthompson@cityofsab.org

cc; Mr. Brian Law, Building Official
Ms. Lacey Pierotti, Code Enforcement Board Secretary
Mr. Lex Taylor, City Attorney
File
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:

   Debra L. Johnson
   720 A1A Beach Blvd
   St. Augustine Beach, Fl 32080

2. Article Number(s) and Quantity:

   7018 0360 0002 1999 1912

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

B. Received by [Printed Name]

C. Date of Dea.

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
   □ Collected on Delivery
   □ Delivery Restricted Delivery
   □ International Mail Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt
Liv,

Please read email below and refer to the attachment.

Best Regards,
Jennifer Thompson
Code Enforcement Officer
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-471-8758

From: Jennifer Thompson
Sent: Wednesday, January 08, 2020 3:31 PM
To: richard@construction904.com; richard@treesrcool.com
Subject: 720 A1A Beach Blvd.

From looking in the file for 720 A1A Beach Blvd, it appears that the setback for the East side of the property, (where the stairs are located) is 6ft. The distance from the house to the property line appears to be 10ft, therefore the stairs and deck can only be 4 ft wide. Please see attachments.

A reroof would not fall under the scope of work for a residential contractor. The reroof permit must be pulled by another contractor.

Best Regards,

Jennifer Thompson
Permit Technician
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-471-8758
MEMO

To: Max Royle, City Manager

From: Bonnie Miller, Administrative Assistant, Building and Zoning Department

Subject: Conditional Use File No. CU 2003-06

Date: July 16, 2003

Please be advised that at its regularly scheduled monthly meeting on Tuesday, July 15, 2003, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve a conditional use permit application for proposed construction of a single-family residence over a commercial building in a commercial land use district, per Sections 3.02 02 and 10.03 00 of the City of St. Augustine Beach Land Development Regulations, at 720 A1A Beach Boulevard.

The conditional use application was filed by J. Thomas Coates, Coates Construction Inc., 1829 Old Beach Road, St. Augustine, Florida, 32080, PERTAINING TO LOT 18, BLOCK 35, COQUINA GABLES SUBDIVISION, SECTION 3, TOWNSHIP 8, RANGE 30, REAL ESTATE PARCEL NUMBER 170270-0000, AKA 720 COUNTY ROAD A1A BEACH BOULEVARD, AS RECORDED IN MAP BOOK 3, PAGE 30, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA.

The motion to recommend the City Commission approve this conditional use permit application for construction of a single-family residence over a commercial building in a commercial land use district on Lot 18, Block 35, Coquina Gables Subdivision, at 720 A1A Beach Boulevard, was made by Mr. Galantowicz, seconded by Ms. McCarthy, and passed unanimously 7-0 by the Board by roll-call vote. In conjunction with this conditional use permit request, the Board voted 5-2 by roll-call vote to grant a variance request for construction of the proposed three-story building with commercial use on the first floor and a single-family residence built above on the second and third floors to reduce the east side yard setback requirement from 10 (ten) feet to six (6) feet, the west street side yard setback requirement from 15 (fifteen) feet to 13 (thirteen) feet, the rear yard setback requirement for the single-family residence from 25 (twenty-five) feet to 20 (twenty) feet, and to waive the minimum setback requirements for buildings exceeding 25 (twenty-five) feet, per Section 6.01.03.D, which requires buildings that exceed 25 (twenty-five) feet in height to have increased setbacks of 2 (two) feet for each story above 2 (two) stories. The motion to grant this variance request was made by Mr. Galantowicz, seconded by Ms. McCarthy, and passed 5-2 by roll-call vote, with Mr. Samuels and Mr. Haltof dissenting.
CERTIFICATE OF COMPLETION
City of St. Augustine Beach, Florida
Building and Zoning Department

This Certificate, issued pursuant to the requirements of the Florida Building Code, certifying that to the best of my knowledge, the permitted work has been inspected for compliance with the requirements of this code.

Building Permit #: P2000816
Site Address: 720 A1A BEACH BLVD
Parcel#: 1702700000
Date: 04/15/20
Description of Work: SINGLE FAMILY RESIDENCE-REROOF

Conditions:

Owner's/Authorized Agent's Name: JOHNSON DEBRA L ETAL
Owner's/Authorized Agent's Address: 720 A1A BEACH BLVD
SAINT AUGUSTINE, FL 32080-0000

FBC: 2017
Use Type: R-3 Res; 1 & 2 Family & Adult/Chil
Construction Type: SB
Occupant Load: NA
Flood Zone: X(S)
Sprinkler System: NA

For buildings and structures in flood hazard areas, documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction.

[Signature]
Building Official
Citation to Appear

Date: April 22, 2020

To: Debra Johnson
720 A1A Beach Blvd
St Augustine, Florida 32080

Re: Notice of Violation of St. Augustine Beach Land Development Regulations, International Property Maintenance Code and Florida Building Code pertaining to failure to obtain required permits for exterior construction of a second story deck and stairs at 720 A1A Beach Blvd, Saint Augustine Florida 32080

This document is a citation to appear before the St. Augustine Beach Code Enforcement Board relative to your failure to obtain permits for exterior construction of a second story deck and stairs.

This correspondence, which will serve as your "Official Notice" and requests your appearance before the Code Enforcement Board to answer any allegations against you.

Date and Time of Code Enforcement Board Meeting:

Time of Hearing: 2:00 PM

Location of Hearing: 2200 A1A South
Saint Augustine Beach, FL 32080

Wednesday April 29, 2020
Our goal is to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine Beach and accordingly, your cooperation regarding this matter is greatly appreciated. Please contact me Monday - Friday from 8:00 a.m. to 5:00 p.m. at (904) 471-8758 if you have any questions regarding this correspondence.

Sincerely,

Jennifer Thompson
Code Enforcement Officer
Building & Zoning Department/Code Enforcement
City of St. Augustine Beach, Florida
jthompson@cityofsab.org

cc; Mr. Brian Law, Building Director
    Ms. Lacey Pierotti, Code Enforcement Board Secretary
    Mr. Lex Taylor, City Attorney
Hello Liv,

Just a reminder that we are having a Code Enforcement Board meeting this Wednesday the 29th at 2:00 pm.

Best Regards,

Jennifer Thompson
Code Enforcement Officer
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-471-8758

Hi Jennifer,

Thank you for confirming the boards cancellation as it just came through- delays are pretty common here on the Island when it’s storming and overcast like today.

Fortunately, it’s ready for inspection and now that it’s done, I’m sure the surrounding community is much happier- as are we. It’s been more than depressing to only get 3,467 my insurance co.- who tore off the patch and caused the additional damage to the roof in the first place. Chuck of A-Z witnessed what they did after Irma and was kind enough to finance the roof job, which was the “only option” to complete the roof.

Please give everyone there my thanks for their patience and I hope and pray you all stay well during this pandemic.
Sincerely,
Liv Johnson
Liv,

There will not be a Code Board meeting on April 15th. The next Code Board Meeting is scheduled for April 29th.

At this time, we are unsure whether we will be meeting physically or virtually. I will keep you updated and give you a call once I have the information.

Best Regards,
Jennifer Thompson
Code Enforcement Officer
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-471-8758
Pending Fines for: 720 A1A Beach Blvd./Debra Johnson (Owner)

March 25th, 2020 Code Enforcement Board Meeting:

Motion: to direct the property owner of record, Debra L. Johnson, 720 A1A Beach Blvd, St. Augustine Beach, Florida, 32080, that the current imposed fines of $250 per day are to continue until the roof replacement is complete and final inspection is approved and that the stairs and landing must be brought into compliance by April 15th, 2020, otherwise, an additional $250 per day fine shall be imposed beginning April 16th, 2020. If there is a sincere effort of urgency to resolve these issues, the Board would welcome Ms. Johnson back to discuss the fines. Moved by Mr. Schneider, seconded by Mr. Sweeny, passed 5-1 by the Board by voice vote.

Roof:

30 days from December 18th, 2019 is January 17th, 2020 (fines begin).

Final inspection for Permit P200816 performed & passed on April 15th, 2020

January 17th to April 15th is 89 days.

$250 x 89 = $22,250.00 (Total Fines for Roof)

Stairs & Landing:

April 16, 2020 to April 29, 2020 is 13 days.

13 x $250 = $3,250.00 (current fines for stairs and landing)

Total for roof, stairs, and landing (to date): $25,500.00
This violation(s) was generated through code enforcement relative to multiple complaints concerning specific building violations as specified below. These violations which are outlined within the International Property Maintenance Code (section 304) and the FBC are specific to structural maintenance and requirements of an exterior structure.

The following needs to be addressed:
1. Remove the blue tarp on the top of the structure.
2. Execute the roof permit (P1914794) and repair the same (presently the permit has expired).
3. Obtain proper permits (roof, stairs and landing etc) and determine the possibility of enroachment of the raised deck/landing. Building Inspector Glenn Brown has conversed with Ms. Johnson in the many months prior relative to correction of this stair and deck landing modification scenario.
4. Modify the conditional use permit to include use of the ground floor for residential use. See conditional use permit dated Aug 4 2003.
5. Bring into compliance the violations as specified. After the building compliance is met, complete those requirements pertaining to a transient lodging facility renewal (Code 3.09).

Conditions:

Ordinances:

<table>
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<tr>
<th>Ordinance Id</th>
<th>Description</th>
<th>Compliance Deadline</th>
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<tr>
<td>LDR 3.09</td>
<td>Sec. 3.09.06 - Transient lodging establishments within medium density land use districts.</td>
<td>08/09/19</td>
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A. ?Applicability. This section shall be applicable to the rental of all attached dwellings, detached dwellings, dwelling units, and accessory buildings, provides for the allowing of transient lodging establishments within medium density land use districts within the City of St. Augustine Beach, but shall not apply to hotels, motels, resort
condominiums, or bed and breakfast inns as defined in these Land Development Regulations, nor to manufactured housing as defined in F.S. § 320.01(2)(b). The term transient lodging establishments is defined in section 2.00.00 of these land development regulations, and which have been appropriately licensed by the State of Florida. This ordinance shall not be applicable or be taken to authorize the establishment or operation of more than a total of one hundred (100) individual transient lodging establishments within medium density residential districts within the city. In the event that there shall be less than a total of one hundred (100) individual lodging facilities within medium density residential districts, new units may be given priority by date of application for a business tax receipt with the office of city manager.

B. Business tax receipt required. A business tax receipt shall be required for all rentals set forth in this section. Licensing procedures and requirements shall be as set forth in St. Augustine Beach Code, Chapter 12. The fee for such charged business tax receipt shall be as set forth by this ordinance. The issuance of the business tax receipt shall require owner information regarding property standards and city codes that apply to all residential and commercial structures within the city. The owner's signature shall serve as verification that owner shall comply with all requirements as mandated by this ordinance. The fee schedule is as per section 3.09.00 (1) of this code.

C. Transient lodging establishment requirements. Transient lodging establishments are for thirty (30) days or less and those individuals renting structures for six (6) months or less are subject to providing proof of a Florida Department of Revenue Sales Tax Number as required by F.S. ch. 212, prior to application for a city of St. Augustine Beach Business Tax Receipt. A valid and current license under F.S. § 509.241 is required if the property is rented more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is the lesser or which is held out to the public as a place regularly rented to guests. The property owner or designated representative/agent shall be held responsible for ensuring that guests abide by city codes. Guests shall be provided with a copy of applicable city ordinances prior to their stay and the same notice shall be posted within the rental property. The notice shall address noise, parking, dune protection, turtle nesting season, littering and trash requirements. Parking is restricted to the number of spaces provided on the site. Overflow parking for guests shall utilize public parking spaces not restricted by the city's land development regulations or traffic and parking ordinances. The property owner or designated representative/agent shall be held responsible for compliance with the city's trash requirements. Trash containers shall be placed and returned at the designated times. Violations will be subject to the enforcement as provided by city code.

The allowable occupancy is based on two (2) persons over fifteen (15) years of age per bedroom and an additional allowance for two (2), for one (1) sleeper sofa per floor of the residence.

Each property owner or designated representative/agent shall provide a rental report to the city by February 1 of each calendar year.

D. Local representation for business tax receipt; applications for residential units. Business tax receipt applications for residential rental shall include a local contact or representative. Such contact or representative shall maintain a current working local telephone number and current local address, not a public or private mail box and provide notification thereof of any changes to the city within thirty (30) days for physical location and telephone number. The telephone number shall be posted at the property for emergency contact.

E. Residential rental compliance. Notice requirements of minimum applicable standards form acknowledging notice of housing and development standards. Each owner of real property to which this ordinance is applicable shall receive notice of and shall file with an initial business tax receipt application or, for existing receipts, by October 1 of each occupational licensing year, a notice requirement of minimum applicable standards form with the city manager's office, acknowledging receipt of applicable City of St. Augustine Beach standards as located in the adopted city code or
other applicable documents so adopted by the State of Florida.

F. Inspections, noncompliance inspection fee. Complaint driven or inspector initiated inspections of properties subject to this ordinance shall be conducted by the city each year to ensure that such properties are in compliance with provisions of adopted codes. However, this provision shall not be interpreted as authorizing the city to conduct inspections of property without the consent of the owner or the occupant or without a warrant.

The City Manager or designee shall assess a fee of forty dollars ($40.00) (included with the application fee) for the initial inspection and the follow-up inspection if required. If the inspection reflects three (3) or more violations at the time of follow-up inspection, an additional fee of fifty dollars ($50.00) shall be made for any required reinspection.

G. Penalties. Failure to obtain or maintain a business tax receipt as required by subsection B., or failure to maintain a property in compliance with the Code requirements set forth in subsection F., shall subject the violator to enforcement proceedings and penalties in accordance with City Code.

H. Revocation or denial of business tax receipt. In addition to the enforcement proceedings and penalties provided for in subsection C., failure to comply with the provisions of this ordinance shall be considered just cause for denial of the issuance of a business tax receipt for the subject property in accordance with the procedure set forth in this section. Prior to the revocation or denial, the city manager or his/her designee shall issue a notice of revocation or denial notifying the residential licensee of the city's intent to revoke or deny. The notice shall be sent certified mail, return receipt requested, to the last known address for the residential rental licensee. Within ten (10) calendar days from the date of mailing of said notice, the license shall be automatically denied, revoked or nonrenewable, unless the residential rental licensee files with the city manager a written statement setting forth the grounds for an appeal. Upon the filing of such written statement, the city manager shall schedule and conduct a hearing before the city commission within thirty (30) days from the date the written statement was filed. The residential rental licensee shall be given notice of the hearing by certified mail, return receipt requested, and shall have the opportunity to present evidence, cross examine witnesses and be represented by counsel. The city shall have the burden of proof by a preponderance of the evidence presented at the hearing. Within ten (10) calendar days of the hearing, the city manager shall file a written decision to the residential rental licensee, containing the facts and conclusions of the legal basis for the decision. The decision shall become final within thirty (30) days of the date the city manager notifies the residential rental licensee unless the licensee files a petition for writ of certiorari in the Circuit Court for St. Johns County. The pendency of judicial review shall automatically stay the revocation until review has been exhausted unless the city obtains an order of the court lifting such stay. Any such residential rental licensee who has had a business tax receipt revoked or denied under this section or other city codes shall not be eligible to submit an initial or renewal application in the city until one (1) year has expired from the date the business tax receipt was revoked or denied by the city or, if an appeal is taken while the business continues in operation, until one (1) year from the later of the date of the last decision or order affirming the revocation or denial or the date the business ceases operations in compliance with the decision or order.

I. Fee schedule.

Business Tax Receipt: $28.75. (payable at the City Manager's Office)
Application Fee: $96.25 (payable at the Building and Zoning Department)
Initial inspection: $40.00 (includes a follow up inspection if required, if 3 or more violations exist at the time of the follow up inspection an additional $50 shall be made for any required inspection) (Payable at the Building and Zoning Department)
PERMITS

105.1 Required. Any owner or owner’s authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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<th>End Time</th>
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Notes:

- EMAILED MS. JOHNSON 4/27/2020 TO REMIND HER OF THE CODE BOARD MEETING SCHEDULED FOR 4/29/20 AT 2PM. SEE ATTACHED.
- HAND DELIVERED & MAILED CERTIFIED MAIL CITATION TO APPEAR, SEE ATTACHED.
- WHILE I WAS DELIVERING THE LETTER, I SAW SOME REMOVED SIDING, AND A REMOVED WINDOW. SEE ATTACHED PICTURES. --JT
- FINAL INSPECTION FOR ROOF PERMIT WAS APPROVED BY GLENN BROWN ON 4-15-2020 (SEE ATTACHED CERTIFICATE OF COMPLETION)
- Certified Mail signature card received on 4-1-20. Signed by Crystal. See attached.
- Certified Mail and a Hand Delivered letter were sent to Ms. Johnson regarding the code enforcement board meeting on 3/26/20. The letter and a photo of it being hand delivered to her residence are attached.
- Spoke with Ms. Johnson this am relative to the circumstances of events that surround her code enforcement case. There were excuses presented by Ms. Johnson concerning the compliance issue but no resolution was given. We reaffirmed the next code enforcement meeting (3/25 @ 1400hrs) in order to discuss the matter(s) pending. I advised Ms. Johnson to attend the meeting.
- A certified mailing was issued prior on 3/10 to Ms. Johnson @ her private address. A separate reg mailing was issued on 3/16 and a copy
of that doc (notice to appear) was also emailed accordingly.

03/10/20 03/10/20 certified mail sent relative to Citation to Appear for 3/25 to follow-up on non-compliance.

02/10/20 02/10/20 Staff notified the code enforcement officer this morn that Ms. Johnson inquired about permitting friday of last week. The staff advised Ms. Johnson of the pending code enforcement action against her and further stated that she contact this office. As of 0340 hrs this date, no contact has been made.

02/10/20 02/10/20 Certified mail dated 12/18 was returned by the USPS as undelivered. Last service attempt was 1/16/2020. Certified mail # 7018 1130 0002 0083 2918.

01/29/20 01/29/20 As of this date, no communication has been rec'd from Ms Johnson. Multiple letters have been issued concerning the scenario(s).

01/22/20 01/22/20 Contact Info for the contractor that Ms. Johnson hired: Richard Sean Construction @ 352 639-1060

01/22/20 01/22/20 Spoke with the contractor, Richard Fulmer on 1/21 relative to pulling permits on the deck. He advised that a building permit would be acquired. This is the second request. Also requested was info pertaining to the re-roof. Mr. Fulmer also stated that this project had a current estimate for the roof and the roofer (unk) was to pull their own permit. No action has occurred. As of this date there has been no communication with the property owner (Liv Johnson) to answer for the code enforcement action. The penalty phase sanctioned by the code board went into effect midnight 1/19 @ 250.00/day for non-compliance to violations of the SAB Building Code.

12/19/19 12/19/19 LETTER HAND DELIVERED ON 12-19-19 AT 245PM, LEFT IN DOOR. -JT (SEE ATTACHED PHOTO)

12/17/19 12/17/19 As of this date, no communication has commenced relative to compliance of this scenario concerning the building violations. Ms. Johnson further has ignored a correction her conditional use permit relative to the multi-use property @ the stated address. Bonnie Miller (Building Dept Admin Sec) offered assistance to Ms. Johnson in weeks past relative to applying for a revision through the PZB. Ms. Johnson never responded.

12/02/19 12/02/19 Ms. Johnson contacted this office @ 0830hrs to relay info concerning needed repairs relative to code enforcement case. Ms. Johnson asdived that a contractor was being hired to complete all issues. Permits are pending TBA. If permits are not acquired prior to the Dec board meeting, a notice to appear will be issued.

10/29/19 10/29/19 Certified Mail notice sent this date

08/26/19 08/26/19 Second notice sent this date. Regular mail.

08/26/19 12/17/19 Certified Letter issued Aug 1st returned.

* Multiple Use Types