



CODE ENFORCEMENT & APPEALS BOARD
SPECIAL HEARING
MAY 16, 2016
6:00 P.M.
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

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

2. APPROVAL OF MINUTES

2.1. MAY 5, 2016

Documents: [2016 05-05 CEAB RM Minutes Draft.pdf](#)

3. OLD BUSINESS

3.1. 501 SOUTH 10TH STREET, CASE 12-00015

Requesting board determination on Code Enforcement fines and fees.

Documents: [501 South 10th Street - Case 12-00015.pdf](#)

3.2. PIRATE PAINTING, 924 DIVISION STREET, CASE 15-00064

Repeat and continued violation(s) exist: Chapter 7.01.05 Specific Parking Restrictions for Commercial Vehicles, Recreation Vehicles, Boats and Trailers of the City of Fernandina Beach Land Development Code; and that Sections 74-62 thru 74-66; 74-72 thru 74-75, Local Business Tax Receipts of the City of Fernandina Beach Code of Ordinances; and Chapter 2.03.02 Table of Land Uses; 5.01.02 D & E Home Occupations of the City of Fernandina Beach Land Development Code continue to exist. ***Requesting board determination of the case.***

Documents: [924 Division St - Pirate Painting.PDF](#)

4. BOARD BUSINESS

5. ADJOURNMENT

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

All members of the public are invited to be present and be heard. Non-English speaking individuals may request a language or sign interpreter at least ten (10) working days prior to this meeting. Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

For information regarding this matter, please contact the Community Development Department (904) 310-3135. If any person decides to appeal any decision made by the Code Enforcement & Appeals Board with respect to any matter considered at such meeting he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

1. **Call to Order** – Chair Morrison called the hearing to order at 6:00 pm.

Roll Call/Determination of Quorum

Members Present

Benjamin Morrison, Chair
Henry Byrd
Marlene Chapman (alternate)

Andre' Desilet, Vice-Chair
Adam D. Kaufman

Members Absent

Carlton "Buddy" C. Boyd
Scott Steffen

Cynthia Crow
Gail Shults (alternate)

Others Present:

Valerie Faltemier, Board Attorney
Michelle Forstrom, Code Compliance Officer
Cathy Sabattini, Recording Secretary

Member Chapman was seated as a voting member for this meeting.

2. **Approval of Minutes** - The Minutes of the April 7, 2016 Regular Hearing Minutes were presented for approval. **A motion was made by Member Desilet, seconded by Member Byrd, to accept the Minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

3. **Old Business**

There were no ex parte communications to be disclosed by the board. Board Attorney Faltemier outlined the procedures for the quasi-judicial hearing. Recording Secretary Sabattini administered the oath to the parties that were about to present testimony.

3.1 PIRATE PAINTING, 924 DIVISION STREET, CASE 15-00064 - Repeat and continued violation(s) exist: Chapter 7.01.05 Specific Parking Restrictions for Commercial Vehicles, Recreation Vehicles, Boats and Trailers of the City of Fernandina Beach Land Development Code; and that Sections 74-62 thru 74-66; 74-72 thru 74-75, Local Business Tax Receipts of the City of Fernandina Beach Code of Ordinances; and Chapter 2.03.02 Table of Land Uses; 5.01.02 D & E Home Occupations of the City of Fernandina Beach Land Development Code continue to exist. *Requesting board determination of the case.*

Ms. Forstrom reported back in January she noticed the trailer appeared at the property more often, and on January 12, 2016 she sent a certified notice of repeat violation/notice of hearing. She stated that notice was returned unclaimed. She explained on April 21, 2016 the property was posted after she tried to hand deliver the notice and no one was at the residence. She pointed out a Local Business Tax Receipt (LBTR) was never applied for and the business has continued to operate. She presented pictures to the board to show that the trailer and items were being stored on the property again. She reported to date fees and fines are \$10,203.67. There was a brief discussion about the fines and fees.

Ms. Forstrom explained the respondents provided one portion of the application for the LBTR. She clarified that Mr. Gainey tried to hand the application in before the deadline, and at that time she explained to him there was more to the application and provided him the whole packet. She pointed out in the meantime they have continued to conduct business without a LBTR and due to the zoning of this property they cannot store materials there and have the trailer in the front. She stated this was before the board for repeat and continued violation. She commented obviously the fines and fees have not affected the situation. She entered the entire agenda packet and the fines and fees into the record. Copies of the fines and fees were presented to the respondents.

Chair Morrison inquired if there were any objections to the evidence presented. Mr. Ed Gainey replied yes. He commented the big deal is the trailer and it only sits at the house between jobs. Ms. KerryAnne Gainey explained they sold all the vans and removed the lettering from the car. Member Kaufman inquired if the pictures were accurate as of the time they were taken. Mr. Gainey replied yes. He referred to the \$50 fine per day and stated they took care of that and he couldn't understand why they were being charged \$50 a day. He explained they were given three weeks to clean up the property and get the trailer out of there and that was exactly what they did. He commented they can't afford this, and that he thought he did everything he was asked to do. Chair Morrison noted there was agreement that the evidence as presented as far as the pictures with the date were representational of what existed.

Member Desilet referred to the CEAB's prior decision on this case and noted it outlined cleaning the property and he believed that the trailer could be stored on the side of the property and be in compliance with the code. He commented the other item was filing out the application and receiving the LBTR, and questioned if it was a thirty day period to come into compliance. Mr. Gainey replied three weeks. Member Desilet pointed out the City received an incomplete application for the LBTR and that was one of the conditions of coming into compliance. He explained since the property wasn't in compliance with that violation those daily fees started accruing. He questioned if Mr. Gainey didn't get the final application back to the City. Mr. Gainey replied he filled it out and had it notarized, but when he came in to turn it in for some reason he wasn't able to turn it in and he never came back. Chair Morrison questioned if there are any reasons why this has been such a challenging thing. Mr. Gainey replied no. Member Desilet inquired if there was a reason the trailer couldn't be parked on the side of the house. Ms. Gainey explained they moved it to the side of the house and the property next door said that the trailer could not be stored there. It was noted the current trailer would not fit under the carport. There was some discussion with the respondents about the trailer and that the current violations were for the trailer and not obtaining a LBTR.

Ms. Forstrom explained the respondents were sent a Findings of Fact which outlined what the board ordered at the last hearing of this case. She read from the Findings of Fact "if the property is not brought into compliance on October 21st a fine of \$50.00 per violation (LBTR, parking of commercial vehicle, and storage of business equipment) per day." She stated the only thing the respondents were charged for was that they did not apply for a LBTR. She explained this was the board's order of \$50 a day until the property is brought into compliance, which was for the LBTR. There was a brief discussion that if you have a business within the City limits that you have to have a Local Business Tax Receipt (LBTR). It was noted that it was

the 5th year of Pirate Painting and they have not had a LBTR. The fines were based on \$50 per day for not having a LBTR, because the other two violations had come into compliance. The respondent acknowledged where the trailer was parked was in violation of the code, and there was an extensive discussion about various ways to come into compliance with the code.

Ms. Forstrom briefly explained the process of obtaining an LBTR and that Ms. Angie Lester works with businesses to process their applications. Member Kaufman inquired who the respondents would call if they have a question. Ms. Forstrom replied either Ms. Lester or her. There was some discussion about the application process for an LBTR. There being no further comments from the floor the public hearing was closed.

Member Byrd commented the last time the respondents were here they had 1,000+ gallons of paint stored on the property, and that was his biggest issue since he viewed that as a safety issue. He noted that was taken care of pretty quickly. He stated he didn't know that the board needed to do anything at this time, except maybe find them in continued violation. He pointed out everything is documented and it can continue until the situation is remedied, and at that point the board might be able to discuss the outstanding fines. Member Kaufman noted the fines include both fines and administrative costs. He commented if the respondents were to come into compliance with the LBTR and everything else he could be convinced to do away with the \$10,000 worth of fines if they paid the administrative costs. There was further discussion about this case including that the board already made a finding and that it was still in place. The board discussed the idea of having another meeting after the property was brought into compliance to discuss the fines and fees. It was noted that the purpose of the fine was as an incentive to get compliance. After some discussion about how to proceed, **a motion was made by Member Kaufman, seconded by Member Desilet, to table until the Special Meeting on May 16th. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

4. Board Business – Ms. Sabattini explained the City Manager received a letter asking to discuss 501 South 10th Street that had a lien filed against it due to fines and fees related to Code Enforcement action. Ms. Forstrom pointed out it would not be heard at this meeting, but staff needed to know if the board members were available on May 16th to schedule a Special Hearing. Ms. Sabattini reported that Members Crow, Boyd, Steffen, and Shults were available on May 16th. It was noted all members were available with the exception of Member Byrd. Ms. Sabattini reported she would work with the City Attorney and Ms. Forstrom to compile the agenda with supporting documentation. Chair Morrison questioned why it was so pressing. Ms. Forstrom explained Mr. Avila and Mr. Ericksen purchased the property and before moving forward they need to know how much money. Mr. Orlando Avila, 236 North 14th Street, stated they purchased the property at a tax deed sale and there was no dollar amount tied to the lien. He commented they found out post purchase because they looked under the parcel number not the name. He explained they want to come to an agreement with the City and try to move forward with this property.

Board Attorney Faltemier left the meeting at this time.

Ms. Forstrom polled the board members if future hearings of the CEAB could start earlier (5:00 or 5:30). After a brief discussion, it was suggested to change to 5:30 to give people time in case they have to work until 5. Ms. Forstrom explained she would check with the other board members first, and then let the board know at the Special Hearing.

Ms. Sabattini welcomed Ms. Chapman to the board and explained that both Ms. Chapman and Ms. Gail Shults were appointed to the board by the City Commission at their Tuesday meeting.

Next Meeting – The next regular meeting would be July 7, 2016.

Chair Morrison inquired about the discussion at the City Commission about Code Enforcement. Ms. Sabattini reported the City Commission approved the Ordinance where citations can be written for violations. Ms. Forstrom explained she would still do things like she has been doing, but the bonus of the citations is that it can be used instead. She reminded the board that her rate of obtaining compliance is very high. There was a brief discussion about the ability to issue citations.

6. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned 7:07 pm.

Secretary

Benjamin Morrison, Chair

APR282016PM2:26

CITY CLERK'S OFFICE

CITY OF FERNANDINA BEACH

April 26, 2016

Dale L. Martin, City Manager
204 Ash Street
Fernandina Beach, FL 32034
Ph: (904) 310-3100
Fax: (904) 310-3454

Dear Mr. Martin, et. Al

We are writing to you today to discuss the matter of the property at 501 S. 10th Street in Fernandina Beach. Mr. Todd Ericksen and I purchased this property at a tax deed sale on March 15, 2016 as an investment. After the purchase, we learned that there was a lien filed by the City of Fernandina Beach for fines and fees related to a Code Enforcement action.

We have requested, and received the minutes of the Code Enforcement board and the liens filed at the Clerk of the Court plus a breakdown of the fines and fees. We have reviewed the documents and would like to have a meeting with you, and any other city staff to discuss our position and bring some resolution to the matter in order for us to move ahead with either developing the property or selling it for development. We as of yet have not explored much in this regard with the exception of listing it for sale as we want to clear up this matter that is clouding the title.

Our contact information is below. We look forward to hearing from your office in the near future.

Sincerely



Orlando J. Avila

904-955-3122

orlando@asallc.com



Todd S. Ericksen

904-753-4484

toddericksen@yahoo.com

cc:

Tami Bach, City Attorney

Caroline Best, City Clerk

Johnny A. Miller, Mayor

Robin C. Lentz, Vice-Mayor

File No. 2015-066-td
Certificate No. 2664
Parcel ID. 00-00-31-1800-0143-0081

TAX DEED

State of FLORIDA
County Of NASSAU

The following Tax Sale Certificate Numbered 2664 issued on May 29, 2013 was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was sold on the 15th day of March, 2016, offered for sale as required by law for cash to the highest bidder and was sold to **ORLANDO AVILA AND TODD S ERICKSEN** whose address is **2398 SADLER RD FERNANDINA BEACH, FL, 32034** being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

Now, on the 15th day of March, 2016, in the County of Nassau, State of Florida, in consideration of the sum of (\$5,100.00) Five thousand one hundred dollars only, being the amount paid pursuant to the Laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

BLOCK 143 LOT N1/2 OF 8 CITY OF FDNA BEACH

Witness:
Rhoda Goodwin
RHODA GOODWIN
Shelly Murray
SHELLY MURRAY

John A Crawford
JOHN A. CRAWFORD
Clerk of the Circuit Court
NASSAU COUNTY, FL
 (Seal)

State of FL
County of NASSAU

On the 15th DAY OF MARCH 2016, before me LORI M. GAMBLE personally appeared JOHN A. CRAWFORD Clerk of the Circuit Court in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and office seal date aforesaid.

Lori M. Gamble
LORI M. GAMBLE, Notary Public

Prepared by:
John A. Crawford
Clerk of the Circuit Court
76347 Veterans Way
Yulee, Florida 32097

 LORI M. GAMBLE
Notary Public, State of Florida
My Comm. Expires Aug. 18, 2017
Commission No. FF 27444

FLORIDA'S ONLY WEEKLY NEWSPAPER
NEWS LEADER

AMELIA ISLAND • FERNANDINA BEACH • NASSAU COUNTY

Published Weekly
511 Ash Street/P.O. Box 16766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32035

NOTICE OF APPLICATION FOR TAX DEED NOTICE IS HEREBY GIVEN That HARRY STRATTON
The holder of the following certificate(s) has filed said certificate(s) for a tax deed to be issued thereon. The certificate number(s) and year of issuance, the description of the property, and the name(s) in which it is assessed are as follows:

File Number: 2015-066-TD
Certificate Number: 2664
Parcel Number: 00-00-31-1800-01-43-0081
Year of Issuance: 2013
Description of Property: BLOCK 143 LOT N1/2 OF 8 CITY OF FDNA BEACH
Assessed To: CORA BYRD EST
All of the above property is located in Nassau County, in the State of Florida.

Unless such certificate(s) shall be redeemed according to law, the property described in such certificate or certificates will be sold to the highest bidder at the MAIN ENTRANCE OF THE ROBERT M FOSTER JUSTICE CENTER, 76347 VETERANS WAY, YULEE, FL, on the 15th day of March, 2016, between the hours of 11:00 a.m. and 2:00 p.m. The Clerk of Court's Office Policy is to hold the sale at 11:30 a.m.
JOHN A. CRAWFORD
NASSAU COUNTY CLERK OF COURT
BY: RHODA GOODWIN, DEPUTY CLERK

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at (904) 548-4500 press 0, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.
4T 2-10-17-24-2016 & 3-02-2016 5864

**STATE OF FLORIDA
COUNTY OF NASSAU:**

Before the undersigned authority personally appeared
Michael B. Hanks

Who on oath says that he is the Advertising Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

**NOTICE OF APPLICATION FOR TAX DEED
HARRY STRATTON
2015-066-TD**

Was published in said newspaper in the issues of

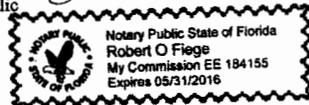
**2/10, 2/17, 2/24 & 3/02/2016
Ref #5864**

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
This 2nd day of March A.D. 2016.

Robert O. Fiege, Notary Public

Personally Known





Please Return to:
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: March 7, 2013
Case Number: 12-00015

IN THE MATTER OF: Respondent Name: Cora Byrd Estate
Respondent Address: 800 NW 153rd Street, Miami, FL 33169

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on March 7, 2013, a violation hearing having been held, and the Board having heard testimony, does hereby make the following finding of facts, and conclusions of law therefore imposing the following order and penalty:

SECTION 1 - FINDINGS OF FACT

1. The Respondent was properly served notice of these proceedings as required by law on February 11, 2013 and the Respondent was not present at the hearing.
2. The real property on which the continued violations are occurring at 501 South 10th Street, Fernandina Beach, FL and a brief legal description being **Block 143 Lot 2 N1/2 of 8 City of Fernandina Beach, FL 32034.**
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: 42-116 (a) & (b), Cleaning of lots; maintenance of structures.

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to assess fines of \$25 a day for maintenance of structure violation and \$25 a day for cleaning of lots violation starting March 20th until the property is brought into compliance.
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 thirty (30) days.
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 attorney may foreclose on the lien or sue to recover a money judgment for the amount of the lien plus accrued interest.

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered March 7, 2013 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing

By: _____
Chair Adam Kaufman

*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.



Please Return to:
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034



City of Fernandina Beach

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF ENFORCEMENT

Date: April 12, 2013

Case Number: 12-00015

IN THE MATTER OF: Respondent Name: Cora Byrd Estate

Respondent Address: 800 NW 153rd Street, Miami, FL 33169

This case having come before the Code Enforcement & Appeals Board of the City of Fernandina Beach on April 4, 2013, 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 March 26, 2013 and the Respondent was not present at the hearing.
2. The real property on which the continued violations are occurring at 501 South 10th Street, Fernandina Beach, FL and a brief legal description being **Block 143 Lot 2 N1/2 of 8 City of Fernandina Beach, FL 32034.**
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: 42-116 (a) & (b), Cleaning of lots; maintenance of structures.

SECTION 2 - CONCLUSION OF LAW & IMPOSITION OF FINE

1. Based on the foregoing findings of fact, the Board voted to proceed with foreclosure and requested the City Attorney to address the City Commission in June; and to continue fines and recover all administrative costs incurred until brought into compliance or until the City files foreclosure.
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 thirty (30) days.
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.

SECTION 3 - CERTIFICATION OF VOTE

Done and ordered April 4, 2013 at the City of Fernandina Beach, Nassau County, Florida Code Enforcement & Appeals Board Hearing

By: _____
Chair Adam Kaufman

*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.

<u>DATES</u>	<u># OF DAYS</u>	<u>FINE PER DAY</u>
March 20- March 30, 2013	10	\$50.00
April 1, 2013 - December 31, 2013	353	\$50.00
January 1, 2014 - December 31, 2014	365	\$50.00
January 1, 2015 - December 31, 2015	365	\$50.00
January 1, 2016	31	\$50.00
February 1 - February 13, 2016	13	\$50.00
Abestos Removal Fee paid by City of Fernandina Beach Demolition of Structure and Debris Removal (includes permit fee)		
Fees		
Total Fines Due as of March		

TOTAL

\$	500.00
\$	17,650.00
\$	18,250.00
\$	18,250.00
\$	1,550.00
\$	650.00
\$	5,500.00
\$	8,099.00
\$	-
\$	233.86
\$	70,682.86

I. Call to Order - Chair Adam Kaufman called the hearing to order at 6:07 pm.

II. Roll Call/Determination of Quorum

Members Present

Adam D. Kaufman, Chair
Henry Byrd

Cynthia Crow
Billy Ray Watkins (alternate)

Members Absent

Carlton "Buddy" C. Boyd, Vice-Chair
Scott Steffen

Andre' Desilet
Dylan Parker

Others Present:

Tammi Bach, Board Attorney
Michelle Forstrom, Code Compliance Officer
Cathy Sabattini, Recording Secretary

2013 SEP - 6 AM 10: 56
CITY CLERK'S OFFICE
CITY OF FERNANDINA BEACH

Chair Kaufman pointed out that at an earlier off the record discussion it was determined that there was not a quorum present.

III. Approval of Minutes - The Minutes of the February 7, 2013 Regular Hearing Minutes were presented for approval. *The Minutes were voted on after a brief discussion about item 4.1 while the Board Attorney researched if a quorum was present.*

IV. Old Business

4.1 CORA BYRD ESTATE, 501 SOUTH 10TH STREET, CASE 12-00015, Violation(s) of the City of Fernandina Beach Code of Ordinances: Sections 42-116 (a) & (b), Cleaning of lots; maintenance of structures. *Status update and consideration of the case by the board.*

Chair Kaufman noted that there was written communication from the Building Official and from the Community Development Department (CDD) Director concerning this property. Ms. Forstrom stated that it was the determination of the Building Official that it is a sound structure and he did not deem unsafe. She reported that the taxes have not been paid on this property in three plus years and she cannot get in touch with anyone from the estate. She explained that when the evidence packet was sent out it did not come back, but when she sent a Certified letter that did come back unsigned. Ms. Sabattini briefly explained that both evidence packets for the two cases on the agenda included Ms. Forstrom's business card and that for the second case they came into compliance and contacted Ms. Forstrom. She stated that she did not see the evidence packet come back for this case. Member Crow noted that the City met the notice requirements for this case. She inquired if there was local counsel for this estate. Ms. Forstrom reported that the only person she had been in contact with was the guardian, Ms. Taylor. She

pointed out that there is an interested party that would like to buy the property, but there have been no return calls. She stated that the City Manager has requested that this house be boarded up and that order was given to the maintenance department. Member Crow questioned if there are specific things/criteria the Building Official looks at to determine if a structure warrants demolition. Ms. Forstrom did not have an answer for this.

Board Attorney Bach reported that there was a quorum present for the board, since a majority of the seven members were present. After a brief discussion about having the Building Official attend the next meeting to answer questions from the board, Member Watkins was seated as a voting member.

A motion was made by Member Crow, seconded by Member Bryd, to approve the Minutes of February 7, 2013. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Member Crow pointed out that the board already found violations on this property, and now the board can give them a deadline to comply or fines start to run. She stated that historically with situations like this where this much work needs to be done the board gives very specific deadlines (i.e. have the roof done by a certain date). She commented that the Building Official would be the best person to tell the board all of that. There was some discussion about the best way to request having the Building Official attend the next hearing to ask questions about the structure at 501 South 10th Street.

Member Crow pointed out that she didn't want to order fines that the place needed to be demolished if it doesn't need to be demolished. She stated that the board needs a clear understanding to know what it would take to bring the structure into compliance. Ms. Forstrom reminded the board there was a somewhat similar case in the neighborhood off South Fletcher and the board made a recommendation to the City Commission to do the maintenance to get it cleaned up. She stated that in that case the bank ended up coming forth and fixing it. Member Crow explained that she didn't have the information to tell the City Commission what needs to be done. Chair Kaufman questioned what gives the City Manager the authority to board up a building. Board Attorney Bach replied under \$20,000 the City Manager doesn't have to go to the City Commission and he can do anything within reason to protect the health, safety, and welfare of the community. After a brief discussion about this, Ms. Forstrom questioned if because the City Manager was ordering securing this property instead of the board could the board still order a lien be done to recover all costs. Member Crow pointed out that her motion last month said the City would recover past costs and any costs through resolution of this case. Board Attorney Bach stated that there is a section of the code that specifically authorizes the City Manager to take those steps. She noted that the board has an ongoing order that says all administrative costs and that would be included.

Member Watkins inquired if the structure has 8 foot ½ inch ceilings in it and does it meet minimum requirements of the Health Department. Member Crow expressed her opinion that those questions need to be asked of the Building Official so that we can all be on the same page. Member Watkins pointed out that in the past there were a number of structures around town with 7 foot ceilings, which was legal sometime in the past. He stated that 20 years ago

the City was condemning and tearing down buildings that had 7 foot ceilings because the expense of coming up to code was prohibitive. He questioned if the structure itself based on current specifications including the Health Department meets the codes. Ms. Forstrom replied that she couldn't answer for the Building Official, but she knew that he did not go inside of the structure. She stated that when she met with Ms. Taylor the structure was open at that time, but after that the door was secured and locked. There was some discussion about how the Building Official could gain access to the structure to see the inside, which could be done with an inspection warrant. The board also had some discussion about the written information from the Building Official and the CDD Director that the property could be reclaimed with a reasonable amount of effort and investment.

Board Attorney Bach pointed out that if the City has a lien on this property and we can't get in touch with the owners then the City can foreclose on the property. She stated that after foreclosure the City can do what it wants with that parcel. She explained that the board could put fines on the property and lien it for administrative costs. She clarified that after three months of the lien being attached the City can foreclose on the property. Chair Kaufman questioned if the board should start assessing now to start the clock. There was some discussion about the best way to proceed with this property noting that if fines are not paid in three months then the case would come back before the board and it could order foreclosure. The board deliberated about an appropriate motion for this case and if the fine would be per violation.

Ms. Forstrom briefly explained that there are holes in the siding all around the structure, and that the pictures of the inside of the structure were taken from the doorway and it was falling down. Member Byrd noted that there are maintenance issues. Ms. Forstrom replied many maintenance issues. She stated that she has since tried to contact Ms. Taylor, but she has received no response. Chair Kaufman commented that essentially it has been abandoned. **A motion was made by Member Crow, seconded by Member Byrd, to assess fines of \$25 a day for maintenance of structure violation and \$25 a day for cleaning of lots violation starting March 20th until the property is brought into compliance. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Chair Kaufman inquired if the board wanted to invite Mr. Sasser to the April 4th meeting. Member Watkins suggested checking with the Health Department and commented that his understanding a professional engineer in the performance of his duties cannot be denied entrance. Ms. Forstrom replied the City no longer has a professional engineer on staff. Member Crow stated that if the Health Department can go and visit and give a written report or be here at the same time Mr. Sasser is here then we can all come to a meeting of the minds to address this. Ms. Forstrom stated that she would talk with the Fire Marshal as well. Chair Kaufman commented that this is not a unique case where someone has walked away from property. There was further discussion about this property and how to proceed.

Board Attorney Bach explained that she would have Ms. Best search the documents filed in the probate estate, because if the probate estate is closed then the lawful owner is not the estate it would be the beneficiaries. There was a brief discussion about this.

Approved

Code Enforcement & Appeals Board
Regular Hearing Minutes
March 7, 2013
Page 4 of 4

The consensus of the board was to have the Code Enforcement Officer contact the Building Official and any other people deemed appropriate; and to bring the Building Official and any others along with any additional information gathered to the April 4th meeting.

V. New Business

5.1 JEFFREY C & KAREN T HAAS, 2404 LOS ROBLES DRIVE, CASE 13-00001, Violation(s) of the City of Fernandina Beach Code of Ordinances: Sections 42-116 (b), Cleaning of lots; maintenance of structures. *Requesting Board determination of case.*

This property came into compliance so this case was not heard by the board.

VI. Board Business – Ms. Sabattini briefly explained to the members to check their email for information on the upcoming Government in the Sunshine Training that is encouraged for all board members to attend.

Ms. Forstrom reported that the Florida Association of Code Enforcement (FACE) educational conference would be held in June in Daytona and there is a class for board members. She requested that if any of the members were interested in attending to let her know. Chair Kaufman questioned if they provide materials. Ms. Forstrom would see if she could get the presentation for boards. She reminded the board that there was still a vacancy for an alternate.

VII. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned 6:49 p.m.



Secretary

Adam Kaufman, Chair

I. Call to Order - Chair Adam Kaufman called the hearing to order at 6:04 pm.

II. Roll Call/Determination of Quorum

Members Present

Adam D. Kaufman, Chair
Cynthia Crow
Scott Steffen

Carlton "Buddy" C. Boyd, Vice-Chair
Andre' Desilet
Dylan Parker

Members Absent

Henry Byrd (excused)

Billy Ray Watkins (resigned)

Others Present:

Tammi Bach, Board Attorney
Michelle Forstrom, Code Compliance Officer
Cathy Sabattini, Recording Secretary

2013 SEP -6 AM 10:56
CITY CLERK'S OFFICE
CITY OF FERNANDINA BEACH

Chair Kaufman explained that he requested Ms. Forstrom to present Mr. Watkins his nameplate and to express the board's appreciation for his service.

III. Approval of Minutes - The Minutes of the March 7, 2013 Regular Hearing Minutes were presented for approval. **A motion was made by Member Crow, seconded by Member Boyd, to approve the Minutes of March 7, 2013. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

IV. Old Business

4.1 CORA BYRD ESTATE, 501 SOUTH 10TH STREET, CASE 12-00015, Violation(s) of the City of Fernandina Beach Code of Ordinances: Sections 42-116 (a) & (b), Cleaning of lots; maintenance of structures. *Status update and consideration of the case by the board.*

Ms. Forstrom reported that nothing has really changed. She stated that she was unable to get in touch with her contact at the Health Department. She pointed out that the Sturges & Sturges were interested in purchasing the property and they made contact with the guardian, but she has not called them back.

Chair Kaufman explained that the board had concerns that when and if the building appears to be abandoned and all efforts fail to find the owner then when are those torn down. City Building Official Bob Sasser stated that he can't go in and make a determination, because that structure was built legally at the time it was built. He explained that it was still good as long as it hasn't been altered or modified then it has to be altered or modified under the code of the year it was done. He pointed out that he walked around this house and it shows no signs of

demolition by neglect yet, but it is beginning to slowly go bad. He noted that there are several bad areas on the siding, etc. that are visible that could be repaired. He commented that he spoke with Mr. Sturges and he was interested if he can make contact to make the house habitable. He stated that the City has boarded up the house and repaired the sidewalk out front. Chair Kaufman explained that this house raised the issue and it is the belief of some that there will be some others down the road. He questioned how to interact in these cases. Mr. Sasser pointed out that the property maintenance was now included in the City's Ordinance and in doing that the City can go after these homes differently than the old ways, which took almost a year. He stated that there are several things that have to be done and this board was one of those parts. He commented that he didn't have the budget to do demolition.

Member Boyd inquired who paid to board up this property. Mr. Sasser replied the City. It was noted that this was done at the direction of the City Manager. There was a brief discussion about this property noting that Ms. Forstrom had been working with the owner who had indicated that she was going to have it demolished, but since that time Ms. Forstrom was unable to get in touch with the owner. This property was brought to the attention of the City Manager since no progress had been made and the fact that the property appeared to be abandoned. It was noted that per the Building Official this structure did not need to be demolished. Chair Kaufman questioned if this happens with others properties how does the board interact and move through the process. Mr. Sasser explained that obvious structural failure is one of the reasons for demolition. He commented that there are two houses out by Rock Tenn that he would order to be demolished, but people are living in them. He stated that you can't take a person's property just because you don't like the way it looks. He pointed out that this particular structure could be rehabilitated. He explained that by the end of the year he hoped to have everything in place that it will be a simple decision made, brought to the board, and then done. He commented that it was taking time, because he doesn't have the personnel. Chair Kaufman inquired if down the road would the Building Official be making recommendations to the board for demolition. Mr. Sasser replied the board would get recommendations under the new process. He stated that the code would be strengthened with the 2013 code. Member Crow inquired if Ms. Forstrom had a question of demolition would she go to the Building Official and then he would make a determination. Mr. Sasser replied correct. There was some discussion about this case and the foreclosure process. The board also discussed if in cases where you cannot contact the owner the City should continue to assess fines until at some point the City forecloses on the property. It was noted that the purpose of the board was to have properties come into compliance, and if it cannot be brought into compliance it may need to be demolished.

Board Attorney Bach questioned what it would take to bring the property into compliance. Member Steffen inquired if it was a matter of a safety issue or bringing it up to a certain standard. He commented that if it is just safety mode where people can't get hurt then you just sit and wait to see what happens. There was some discussion about what bringing it into compliance would entail.

Ms. Forstrom pointed out that fines for this property started March 20th and they are up \$400. She stated that the building is in disrepair and there are holes in the side of the house. She reminded the Board that they wanted the Building Official to clarify what was said in his email.

There was further discussion about this property that was in violation of Section 42-116 (b) maintenance of structures. It was noted that there are holes in the side of the house and the porch overhang is falling down, and no one from the estate was responding to communications from the City.

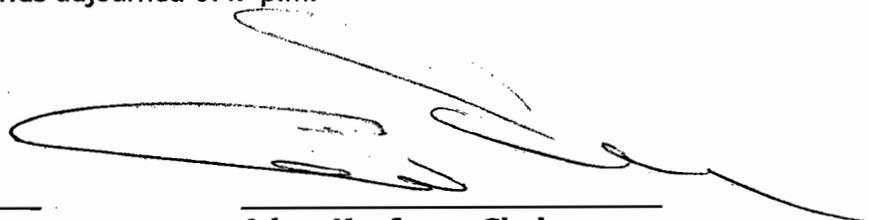
Mr. David Sturges questioned if the taxes were paid on this property. Board Attorney Bach replied no. Mr. Sturges noted that if the taxes aren't paid and the City forecloses the first thing that the City has to do is to pay taxes on it. Board Attorney Bach commented that it was less than \$2,000. Mr. Sturges explained that there are a lot of buildings boarded up, but that brings the neighborhood down. He pointed out that his father and he have made many attempts to locate the owner to try to purchase this property and rehabilitate it. Member Crow inquired if there was contact made. Mr. Sturges replied that they found the person and she had left a message on their answering machine; however when he returned the call she didn't return the call again. There was a brief discussion about this and it was noted that the City's certified letters have been going to the legal address in Miami and have come back unsigned.

Board Attorney Bach commented that staff believes that there is no mortgage and there are a couple of years of back taxes to pay. She explained that if the Board was interested in foreclosure then the Board needed to tell her that they want her to foreclose on the property. She stated that then she would take it to an upcoming City Commission meeting and tell them how much she thought it would cost for filing fees and then she would do it. Member Crow commented that she thought there had to be a certain amount of time. Board Attorney Bach replied that three months have to go by. Ms. Forstrom pointed out that March 20th was the date the Board ordered the fines to start if it was not brought into compliance. There was a brief discussion about when this was recorded and it was noted that three months from March 20th was the end of June, which would be the earliest to file foreclosure. There was also a brief discussion about the foreclosure process and then the Board had some deliberation about the best way to proceed. **A motion was made by Member Boyd, seconded by Member Crow, to proceed with foreclosure and request the City Attorney to address the City Commission in June; and to continue fines and recover all administrative costs incurred until brought into compliance or until the City files foreclosure.**

V. Board Business – Ms. Sabattini briefly explained to the members that there are two vacancies for alternates.

VI. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned 6:47 p.m.


Secretary


Adam Kaufman, Chair

Ms. Joyce Deidrich, 1846 Surfside Drive, stated that most of the people being charged for this didn't own the property when the backlog happened. City Manager Gerrity explained that it would only be three years back from the passage of this Ordinance. Ms. Deidrich requested the City Commission to take into consideration that some of the owners were taking on the debt of prior owners. There was a brief discussion about this noting that \$17,000 over 10 years would be \$1,700 a year that would be charged to the homeowners association for the 64 units in the development.

Ms. Elizabeth Rolson, 2880 Landyn Circle, representing the homeowners association, pointed out that they have been overcharged \$18,000 over 10 years and questioned if they would be refunded for this. City Manager Gerrity stated that he didn't believe they were overcharged based on the fee schedule. He pointed out that until this Ordinance is passed the fee of \$117 per hydrant is still in affect. He explained that prior to the City's purchase of the water system in 2003 the State sponsored public service commission approved a charge of \$135 per month per hydrant. He commented that the association may perceive they were overcharged, but they were charged the fee that was passed in the fee schedule. There was a brief discussion about this and it was noted that the Resolution before the City Commission reduces the fee from \$117 to \$37.

Mayor Pelican closed the public hearing at this time. **A motion was made by Commissioner Filkoff, seconded by Commissioner Gass, to approve Ordinance 2013-10. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

11.1 FORECLOSURE OF 501 SOUTH 10TH STREET -- CORA BYRD ESTATE: City Attorney Bach explained that this comes from the Code Enforcement and Appeals Board (CEAB). She pointed out that technically State statutes say that the CEAB can order a foreclosure of a property where fines have been running for a minimum of three months. She stated that fines have been assessed since March of this year, but the CEAB doesn't have a budget to pay for a foreclosure action. She estimated that her office could file this and it would cost roughly \$1,500. She explained that they didn't think there would be any response to this, because there has been no response to the Code Enforcement action. She pointed out that taxes have not been paid in two years and there is no mortgage on the property. She stated that City staff boarded up the property for safety reasons and the Building Official says the building is still salvageable, but it won't be a year from now. She explained that in order to take care of this property the CEAB requested to order foreclosure to get this property back on the market and on the tax rolls. Commissioner Boner inquired if there was an attorney in Miami. City Manager Gerrity stated that several certified letters have been sent to the last address and the City has not received any response. The letters have all been returned back to the City and it was noted that the City has been unable to locate anyone related to this property. Commissioner Filkoff questioned if there was advertising required as part of the foreclosure process. City Attorney Bach replied yes and pointed out that all the certified mail notices would be sent to the Miami address. After some discussion and deliberation about the best way to proceed, it was noted that the owner still has the opportunity to pay all the bills before foreclosure. *The consensus of the City Commission was for the City Attorney to proceed with the foreclosure process for 501 South 10th Street.*

City Attorney Bach pointed out that foreclosure is a lawsuit that has to be served personally and if there is no person that can be found the courts have other ways to serve them.

11.2 OCEAN HIGHWAY AND PORT AUTHORITY (OHPA) OF NASSAU COUNTY: Mr. Clyde Davis, OHPA Attorney, explained that after the joint workshop with the City Commission the OHPA passed three Resolutions asking the City to address issues of importance. He requested that

I. Call to Order – Chair Kaufman called the hearing to order at 6:01 pm.

Roll Call/Determination of Quorum

Members Present

Adam D. Kaufman, Chair
Cynthia Crow
Benjamin Morrison

Carlton "Buddy" C. Boyd, Vice-Chair
Andre' Desilet
Scott Steffen

Members Absent

Henry Byrd

Others Present:

Tammi Bach, Board Attorney
Tony Perez, Building Official
Michelle Forstrom, Code Compliance Officer
Angie Lester, Recording Secretary

II. Approval of Minutes - The Minutes of the February 5, 2015 Regular Hearing Minutes were presented for approval. **A motion was made by Member Crow, seconded by Member Desilet, to accept the Minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Ms. Forstrom reported that item 4.1 she received a notarized affidavit from T-Rays saying that by June 20th the sign would be removed and item 4.2 came into compliance on Sunday. She removed both items from the agenda at this time.

There were no ex parte communications to be disclosed by the board members and City Attorney Bach briefly explained the quasi-judicial procedures. Ms. Lester administered the oath to those parties that were about to present testimony.

III. Old Business

3.1 DEMOLITION OF 501 SOUTH 10TH STREET IN LIEU OF FORECLOSURE - CASE 12-00015 - Due to a probate estate having ownership and control of this property making foreclosure very difficult and notices being returned to the City with reasonable attempts at service of process, the Building Official will present evidence that this unsafe structure is ready for demolition under the Standard Unsafe Building Abatement Code incorporated by reference into the City Code of Ordinances. *Requesting Board determination of this case.*

City Attorney Bach explained that this case was being heard under the Standard Abatement Code, and the board would hear this case as an unsafe structure. She commented she believed

in the past Mr. David Sturges thought that the home could be repaired and come into compliance. She pointed out when she was working on foreclosure and during the investigation she found that the property was still in probate. She stated the tax bills are going to an address in Miami and staff found that this was under an estate (estate of Cora Bryd). She explained she decided that to foreclose on this property would be too much time and money, and the judge may say no you haven't given notice to the right people. She further explained she asked City staff and the Building Official to get a report to see what the structure looks like, and it turns out that it is not able to be rehabbed in their opinions. She stated it needs to come down because it is an unoccupied unsafe structure. She pointed out the structure was secured by the City and there are a lot of fines and liens already on the property. She commented at this point the Standard Abatement Code allows the City after bringing this to the board to take the structure down if the board decides the structure should be taken down. She stated there is money in the Building Department budget to do demolitions.

Member Morrison inquired after that demolition who has ownership of the property. City Attorney Bach replied the owner still owns the property, but it would just be a vacant lot that would not be blight on the neighborhood. She commented the City would probably have to go by now and again to mow the grass so it doesn't get too overgrown. She stated the only liens on this property besides the City's are the unpaid tax bills. Member Crow asked if this was the same house that someone came before the board years ago. Ms. Forstrom replied no and explained a few years ago she spoke to the guardian of the estate and they hired someone to clean up the property. She stated that she met the lady at the property, and at that time the property was in really bad shape. She pointed out since the lady was only a guardian she was unable to pull the permits for cleaning this up. She provided further clarification about this case that has been ongoing since about 2008. The board had some discussion about demolitions in the past and per the Standard abatement code staff can come to the board and request if the board concurs that this is an unsafe structure and if after a structural report confirms that it is unsafe the City can take the structure down.

Member Morrison noted the report from Mr. Asa Gillette is primarily focused on the structural integrity. He commented he also heard the visual blight on the neighborhood. He questioned when considering whether or not the structure should be demolish was the board just taking into consideration the structural aspect or also taking the aesthetic aspect and the impact on the neighborhood. City Attorney Bach replied just the structure. She briefly explained the process and that after this meeting she would send notice and wait a period of time prior to the demolition.

Ms. Forstrom explained that Mr. Tony Perez will testify as the Building Official, and this is the follow up to case that was brought before the board so that hopefully we can move forward with the demolition. Building Official Perez referred to the report from Mr. Asa Gillette and pointed out after attachment "A" are the field observations. He commented the structure has suffered over the years from neglect, vandalism, fire, and by people not living in it. He presented a series of photos and briefly described each of the photos. He explained he agreed with the conclusion from the engineer from Gillette & Associates, and read the conclusion into the record from the report. He stated he believes the building has far past its lifespan because of the neglect and damage that has been imposed on it. He pointed out it is also a health risk

because of the rats that are nesting in it and in the unkempt yard. He recommended that the structure be demolished.

Chair Kauffman inquired if the board was to agree with the recommendation of the Building Official or does the board make an independent judgement. City Attorney Bach replied it would be good for the board to make a decision whether or not the board agrees based on what has been heard. She stated the abatement code requires that the board has certain members (architect, engineer, etc.) and the board has the right membership to be able to make their own decision. There was some discussion about the process and it was noted that the Building Official was testifying on behalf of the City and Building Department.

Member Crow inquired if the board made the determination to foreclose. City Attorney Bach replied yes. Member Crow questioned if based on the facts and evidence presented that first the board makes a decision that foreclosure is not going to be feasible and in lieu of that the board agrees with demolition. Chair Kaufman explained he was questioning if the board was confirming the Building Official's recommendation or if the board was making an independent judgement. Member Steffen pointed out this hearing was also allowing a platform should there have been discussion from the other party, but they didn't show up. City Attorney Bach explained the abatement code calls for these hearings when there is an appeal. There was some discussion about possible cases in the future if there is differing opinions about a structure that the board would have to make a determination based on the evidence presented.

City Attorney Bach commented she knew of two structures that the owners are constantly asking for extensions, and there is a chance they may come forward at one of these hearings. Chair Kaufman inquired if a case was presented where the owner was asking for more time, but the Building Official says it is hazardous to the health and welfare of the City could the board decide to take it down or wait six months. City Attorney Bach replied the board could decide up front before the actual decision to do the demolition. She stated with this case she had to come before the board because the board had ordered foreclosure. She pointed out there is an appeal process for when the Building Official has made his decision without this board and has given notice to the owner that they have so many days to respond or appeal the decision. She explained when the appeal comes before the board the board would hear all the evidence fresh. There was some discussion about this process noting that the board doesn't order demolition the Building Official does, and that the board was available for owners that want to appeal that decision. The board had some discussion about the process including that staff does provide notice to the property owners and works to get property owners to get their property to come into compliance.

Ms. Forstrom explained that Code Enforcement is under Chapter 162 and she can only give 30 days, but she has the ability to give an extension. Building Official Perez commented this case has already gone through a long procedure of Code Enforcement. Member Crow stated she was hearing that it doesn't always come before the board, because it may go straight to the Building Official. The board had further discussion about the process, and it was pointed out that staff works with individuals during the process striving for the property to come into compliance.

A motion was made by Member Crow, seconded by Member Desilet, to confirm the recommendation of the Building Official on Case 12-00015, Demolition of 501 South 10th Street in lieu of Foreclosure at the Code Enforcement & Appeals Board Hearing on June 4, 2015, with the understanding all liens remain and fees and expenses continue to accrue until the property is bought into compliance. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

IV. New Business

4.1 Terrell Ray Mullis II, Mullis Standard T-Rays Burger Station, 202 S. 8th Street, Case 14-00049 - Violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: Abandoned Signs: Chapter 5.03.04 (G) of the City of Fernandina Beach Land Development Code. *Requesting Board determination of the case.*

This item was removed from the agenda per Ms. Forstrom.

4.2 Octavio Martinez, Yangas Land Company, LLC, 1008 S. 8th Street, Case 14-00053 - Violation(s) of the City of Fernandina Beach Code of Ordinances and contends that the following violation(s) exist: Abandoned Signs: Chapter 5.03.04 (G) of the City of Fernandina Beach Land Development Code. *Requesting Board determination of the case.*

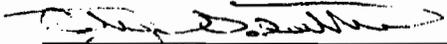
This item was removed from the agenda per Ms. Forstrom.

V. Board Business

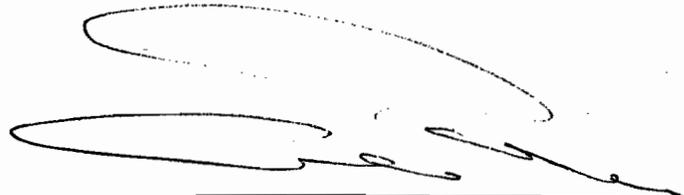
Ms. Forstrom reminded the board that there were still two vacancies for the alternate positions.

Chair Kauffman pointed out that we are in the midst of Code Enforcement Week and the board was acknowledged at the last City Commission Meeting. Ms. Forstrom expressed her thanks to the board for their volunteer hours and fairness with the cases.

VI. Adjournment - There being no further business to come before the Code Enforcement and Appeals Board, the meeting was adjourned 6:49 pm.



Secretary



Adam Kaufman, Chair

CORA BYRD ESTATE
PARCEL # 00-00-31-1800-0143-0081
501 S. 10TH STREET

CITY OF FERNANDINA BEACH
204 Ash Street
Fernandina Beach, FL 32034

Prepared 04/22/16

Original Sewer Service Charge lien Amount

\$532.00 8 % Interest

\$3.55 per mo. @ 1 month

From 07/11/1997	to 07/10/1998	42.56	\$574.56	42.56
From 07/11/1998	to 07/10/1999	42.56	\$617.12	
From 07/11/1999	to 07/10/2000	42.56	\$659.68	
From 07/11/2000	to 07/10/2001	42.56	\$702.24	
From 07/11/2001	to 07/10/2002	42.56	\$744.80	
From 07/11/2002	to 07/10/2003	42.56	\$787.36	
From 07/11/2003	to 07/10/2004	42.56	\$829.92	
From 07/11/2004	to 07/10/2005	42.56	\$872.48	
From 07/11/2005	to 07/10/2006	42.56	\$915.04	
From 07/11/2006	to 07/10/2007	42.56	\$957.60	
From 07/11/2007	to 07/10/2008	42.56	\$1,000.16	
From 07/11/2008	to 07/10/2009	42.56	\$1,042.72	
From 07/11/2009	to 07/10/2010	42.56	\$1,085.28	
From 07/11/2010	to 07/10/2011	42.56	\$1,127.84	
From 07/11/2011	to 07/10/2012	42.56	\$1,170.40	
From 07/11/2012	to 07/10/2013	42.56	\$1,212.96	
From 07/11/2013	to 07/10/2014	42.56	\$1,255.52	
From 07/11/2014	to 03/10/2015	<u>28.40</u>	<u>\$1,283.92</u>	

Sub-Total Interest \$ 751.92

Lien \$532.00

Interest \$ 751.92

Total Due \$ 1,283.92

A G.

NOTICE OF SEWER AND REFUSE CHARGE LIEN

BK0591PG1238 OFFICIAL RECORDS

TO: EVANS BYRD EST (10/0 CORA BYRD)

AND TO ALL WHOM IT MAY CONCERN:

You will please take notice and you are hereby notified that the City of Fernandina Beach, a municipal corporation, the County of Nassau and State of Florida, has, holds and intends to maintain a lien upon the following described lot, piece or parcel of land, situate, lying and being in the City of Fernandina Beach, County of Nassau and State of Florida, known and described upon and according to the official map or plat of the said City of Fernandina Beach as:

Block No. 132 Lot No. 1 of 2 Subdivision for the sum of one thousand seven hundred twenty and 04/100 Dollars (\$ 1720.04), and interest thereon from the 15th day of February 19 90, at the rate of eighteen (18%) per centum per annum until paid; said sum being unpaid sewer and refuse service charges as set forth in Sections 12-38 and 12-52 of the Code of Ordinances of the City of Fernandina Beach, Florida; Said sewer and refuse charges shall continue on a monthly basis as created by ordinances of the City of Fernandina Beach, Florida, and by Section 159.17 Florida statutes and by Section 240, Charter of the City of Fernandina Beach; as to said lot, piece of parcel of land above described, and is the extent of the lien thereon created, bearing interest as aforesaid; that the amount, with accrued interest, as aforesaid for which said lien is held, has not been paid, and that said lien is therefore wholly unpaid and unsatisfied.

IN WITNESS WHEREOF, the City of Fernandina Beach has caused this Notice of Lien to be signed in its name by its Mayor, and its corporate seal to be affixed and attested by its City Auditor and Clerk this 15th day of February, 19 90, in the City Hall, in the City of Fernandina Beach, County of Nassau State of Florida.

This instrument prepared by Wesley R. Poole Post Office Box P Fernandina Beach, FL 32034

(SEAL)

CITY OF FERNANDINA BEACH, FLORIDA

ATTEST:

By: [Signature] As Mayor

[Signature] City Clerk

VICKI P. WINGATE

9003135

RECORDED FOR THE PUBLIC RECORDS D. J. 30 MAR -5 AM 9:39

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 [Signature] and [Signature], to me well known to be the mayor and City Clerk, respectively, of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Notice of Lien for the City of Fernandina Beach as such Mayor and City Clerk; 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 15th day of Feb 1990.

Approved as to Form

[Signature]

[Signature] Notary Public, State of Florida at Large

My Commission expires:

NOTARY PUBLIC, STATE OF FLORIDA. MY COMMISSION EXPIRES: SEPT. 7, 1991. BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.

JAN 27 1987

NOTICE OF SEWER SERVICE CHARGE LIEN

30-0352

TO: Evars Byrd Est. (c/o Cora Byrd)

OFFICIAL RECORDS OWNER BOOK 0500 PAGE 0130

AND TO ALL WHOM IT MAY CONCERN:

You will please take notice and you are hereby notified that the City of Fernandina Beach, a municipal corporation, in the County of Nassau and State of Florida, has, holds and intends to maintain a lien upon the following described lot, piece or parcel of land, situate, lying and being in the City of Fernandina Beach, County of Nassau and State of Florida, known and described upon and according to the official map or plat of the said City of Fernandina Beach as:

Block No. 132 Lot No. N 1/2 of 2 Sub-Division for the sum of Five hundred thirty-two and 00/100 Dollars (\$ 532.00), and interest thereon from the 14th day of January 1987,

at the rate of eight per centum per annum until paid; said sum being unpaid sewer service charges as set forth in Section 12.52 of the Code of Ordinances of the City of Fernandina Beach, Florida; Said sewer charges shall continue on a monthly fixed rate basis as created by Ordinance of the City of Fernandina Beach, Florida, and by Section 159.17 Florida statutes; as to said lot, piece or parcel of land above described, and is the extent of the lien thereon created, bearing interest as aforesaid; that the amount, with accrued interest, as aforesaid for which said lien is held, has not been paid, and that said lien is therefore wholly unpaid and unsatisfied.

IN WITNESS WHEREOF, the City of Fernandina Beach has caused this Notice of Lien to be signed in its name by its Mayor, and its corporate seal to be affixed and attested by its City Auditor and Clerk this 14th day of January 1987 in the City Hall, in the City of Fernandina Beach, County of Nassau and State of Florida.

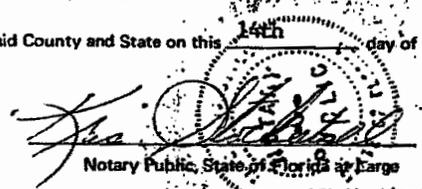


CITY OF FERNANDINA BEACH, FLORIDA By: Charles L. Albert, Jr. As Mayor

Vicki P. Wingate City Auditor and Clerk

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 Charles L. Albert, Jr. and Vicki P. Wingate, to me well known to be the Mayor and City Auditor and Clerk, respectively, of the City of Fernandina Beach, and known to me to be the persons who executed the foregoing Notice of Lien for the City of Fernandina Beach as such Mayor and City Auditor and Clerk; 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 14th day of January 1987



Notary Public, State of Florida at Large My Commission expires by Commission Expires June 26, 1989. Bonded thru Notary Public Underwriters.

THIS INSTRUMENT PREPARED BY: WESLEY R. POOLE POST OFFICE BOX 119 FERNANDINA BEACH, FL 32034

FILED 8701273

1987 JAN 27 PM 12:06

NOTARY PUBLIC



City of Fernandina Beach

CODE ENFORCEMENT

ADMINISTRATIVE FEES INCURRED FROM 924 DIVISION STREET AS OF 05/09/16 CODE CASE #15-00064

<u>STAFF PERSONNEL</u>	<u># OF UNITS OR HOURS</u>	<u>RATE PER HOUR</u>	<u>TOTAL</u>
Michelle Forstrom, Code Compliance Officer	5	\$18.69	\$93.45
Michelle Forstrom, Code Enforcement Manager	6	\$21.17	\$127.02
Cathy Sabattini, Board Secretary & Staff Assistant	3.2	\$15.25	\$48.80
Record Findings of Facts with the Clerk of Circuit Court of Nassau County	2	\$10.00	\$20.00
Certified letters mailed	2	\$6.48	\$12.96
First Class letters mailed	3	\$0.48	\$1.44
TOTAL			\$303.67



City of Fernandina Beach

CODE ENFORCEMENT

FINES AND FEES INCURRED FROM 924 DIVISION STREET AS OF 05/09/16 CODE CASE #15-00064

<u>DATES</u>	<u># OF DAYS</u>	<u>FINE PER DAY</u>	<u>TOTAL</u>
OCTOBER 21 THROUGH 31, 2015	11	\$50.00	\$550.00
NOVEMBER 2015	30	\$50.00	\$1,500.00
DECEMBER 2015	31	\$50.00	\$1,550.00
JANUARY 2016	31	\$50.00	\$1,550.00
FEBRUARY 2016	29	\$50.00	\$1,450.00
MARCH 2016	31	\$50.00	\$1,550.00
APRIL 2016	30	\$50.00	\$1,500.00
MAY 1 THROUGH 9, 2016	9	\$50.00	\$450.00
TOTAL FINES			\$10,100.00
TOTAL FEES			\$303.67
GRAND TOTAL DUE AS OF MAY 9, 2016			\$10,403.67

City of Fernandina Beach
LOCAL BUSINESS TAX RECEIPT
204 ASH ST, FERNANDINA BEACH, FL 32034
FOR LICENSE YEAR 10/01/15 to 09/30/16

No: 5775

Date: 5/10/16

Address: 924 DIVISION STREET
FERNANDINA BEACH, FL 32034
Activity: PA PAINTING CONTRACTOR
HOME BASED OFFICE

Issued to: PIRATE PAINTING
924 DIVISION STREET
FERNANDINA BEACH, FL 32034



TAX FEE	67.20
PENALTY	250.00
TRANSFER	
FIRE INSP	
PAST DUE	
Total Paid	317.20

Community Development Dept.
904.310.3146

A MUST BE POSTED CONSPICUOUSLY

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PAST DUE	
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Community Development Dept.
904.310.3146

B MUST BE POSTED CONSPICUOUSLY

As of 10:15am
5-11-16 LBTR
has NOT been
picked up & paid
for. *MJ*