

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, January 22, 2024
4:00 p.m.**

MINUTES

- 1) **The meeting was called to order at 4:02 p.m.**
- 2) **Roll Call**
Members present: Keith Burney, Bill Lanni, Thomas Walsh, Scott Lilley, Robert Blood

Board Members absent/excused: John Ruggeri, Jeff Hulsberg, Dale Jackson, Alex Clay

Staff Members present: Raquel Santiago, Lori Troxel, Henry Irving, Code Enforcement Officers, Roderick Potter, Code Enforcement Manager, Kealey West, Staff Attorney, John Adams, Senior Plans Examiner, Emily Lunn, Code Enforcement staff

Public present: Heather Harley Davidson, 284 Ale Road, St. Augustine. FL 32080
- 3) **Minutes from October 16, 2023 reviewed for approval (Section 2)**
A motion was made by B. Lanni, seconded by R. Blood to accept the October 16, 2023 minutes as presented.
All in favor. So voted.

November 13, 2023, reviewed for approval (Section 2)
A motion was made by R. Blood, seconded by B. Lanni to accept the November 13, 2023 minutes as presented.
All in favor. So voted.
- 4) **Public information, exparte communications, and identification of persons present for cases on the agenda read by Chair (Section 1)**
- 5) **Board Attorney swears in representatives testifying.**
- 6) **Old Business**
 - a. **Unsafe Building Abatement Case #23-09 (Troxel)**
285 Ole Road, St. Augustine
On November 13, 2023, the Board ordered the respondent to correct the violations by obtaining the required permits for the structure to remain in place, or moved to an appropriate approved location. Alternatively, the respondent was advised that removing the structure from the property would also constitute corrective action. The respondents were also ordered to reappear before you today. Exhibit A 3 pages.

The order was sent by certified mail and was delivered with signature to both the respondent and the financial institution on November 17, 2023. Exhibit B 2 pages.

The respondent completed the clearance sheet process and received a permit to remove the structure and relocate it to an approved location on the property. Exhibit C 3 pages.

At this time, the County requests you find the respondents in compliance with the Board's signed order and establish the date of final corrective action on March 10, 2024, for the structure to be removed from the current location.

We further request the respondent return before you on March 18, 2024, to hear further testimony on compliance or the need for County abatement action.

A motion was made by B. Lanni, seconded by R. Blood to find the respondents in partial compliance with Ordinance 2000-48 and order the following:

- **The respondent is to correct the violations by March 10, 2024, by obtaining removing the structure from its current location.**
- **The board will rehear this case on March 18, 2024, at 4:00 P.M. Therefore, the respondents are ordered to reappear, where the board will hear additional testimony on compliance.**

All in favor. So voted.

**b. Unsafe Building Abatement Case #23-10 (Santiago)
2170 Century Boulevard E., St. Augustine**

Board order for Violation dated October 14, 2023, was sent by Certified mail on October 18, 2023 and signed for on November 1st, 2023. Exhibit A (4 Pages)

On November 30, 2023, an inspection revealed that the unsafe structure and all related junk, trash, and debris had been removed from the lot. Exhibit B (2 photographs): these photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

The County recommends that you find this case in compliance and remove it from any further board action at this time.

A motion was made by R. Blood, seconded by B. Lanni to find the respondents in compliance with Ordinance 2000-48, Unsafe Building Abatement Code and dismiss the case from any further board action at this time.

All in favor. So voted.

7) New Business

**a. Unsafe Building Abatement Case #24-01 (Irving)
387 Samara Lakes Parkway**

On September 11, 2023, a complaint of a fire destroyed structure was referred to our division. The subsequent inspection revealed that the single-family home was destroyed by a fire on May 28, 2023, and is unsafe due to partial collapse. Exhibit A. (6 Photographs) These photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

Property Research with the St. Johns County Property Appraiser and the St. Johns County Tax Collector shows the ownership of the property to be SFR Investments V Borrower TRS 1 LLC. The warranty deed shows ownership as the same. Exhibit B. (10 Pages)

Our office obtained the fire report where the fire occurred on May 28, 2023. Heavy smoke and fire was venting out of the roof. Exhibit C. (13 pages).

A Notice of Violation was sent by certified mail to then Owner SFR Investments V Borrower 1 LLC C/O Brian Buffington & CORPORATION SERVICE COMPANY, and received on October 24, 2023, and September 20, 2023. Exhibit D. (6 pages)

A Notice of Hearing and Notice of Violation was sent by certified mail and was signed on December 05, 2023, by the new owner of record SFR Investments V Borrower TRS 1 LLC. C/O Brian Buffington & regular mail to Corporation Service Company Exhibit E. (6 pages).

Recheck performed on January 17, 2024, revealed no action taken to abate the hazardous conditions at this location. Exhibit F. (4 Photographs). These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

The County recommends that you find the property in violation and order the respondents to correct the violations by removing the unsafe structure from the property by March 1, 2024.

We also ask that the Board order the case returned on March 18, 2024, to hear further testimony on compliance or the need for the County to take abatement action.

A motion was made by R. Blood, seconded by B. Lanni to find the Respondent in Violation of Ordinance 2000-48, Unsafe Building Abatement Code, and order the following:

- **The Respondent shall correct the violations by March 1, 2024, by obtaining the required permits to repair the structure per Florida Building Code requirements, or the Respondent may choose to remove the structure from the property via demolition and remove all demolition debris. The Respondent is responsible for obtaining all required permits to demolish the structure.**
- **Respondent shall secure and maintain the structure from outside entry.**
- **The Board will re-hear this case on March 18, 2024, at 4:00 P.M.; therefore, the Respondent is ordered to reappear, and the Board will hear additional testimony on compliance or the need to take further action.**

All in favor. So voted.

**b. Unsafe Building Abatement Case # 24-02 (Santiago)
1421 Wentworth Avenue, St. Augustine**

On November 5, 2021, a complaint was received in the Building Department about a structure that was built without permits. Exhibit A (Complaint) 1 page.

The complaint was addressed via the St. Johns County Building Department Contractor Licensing Department and Contractor Review Board until it was requested that the Unsafe Building Abatement Officers address the complaint due to lack of compliance with the Contractor Review Board requirements. Exhibit B (Contractor Review Board Order) 3 pages.

On December 21, 2022, the official Notice of Violation from Unsafe Building Abatement Officer Lori Troxel was sent by certified mail and by Sheriff's Office to the respondent and via certified mail to their financial institution for non-compliance. Exhibit C (Notice of Violation and Return Receipts) 5 pages.

Property research shows the Tax Collector and the Property Appraiser list the property ownership to Trent Sebok. The Warranty Deed details ownership to the same. Exhibit D (Property Research) 7 pages.

On January 2023, a letter dated December 30, 2022 was received from the financial institution stating that they no longer hold an interest in the property. Exhibit E - 1 page. A Notice of Hearing dated October 11, 2023, was sent via certified mail upon notice from the Building Department that no further actions were taken by the respondent to comply with the requirements. Exhibit F (NOH and Signature Card) 4 pages.

At this time, the County requests you find the respondents in violation of erecting a structure without the required permits and jurisdictional oversight of inspections on the structure and all sub-work such as plumbing, mechanical, and electrical. We request that you order the respondent to correct the violations by March 1, 2024, by obtaining the required approvals and permits for the structure to remain in place or have obtained the approvals and permits necessary to remove the structure entirely from the property. We ask that the Board order the case to be returned on March 18, 2024, to hear further testimony on compliance or the need for County abatement action.

A motion was made by R. Blood, seconded by B. Lanni to find the respondent in violation of Ordinance 2000-48 and order the following:

- **The respondent is to correct the violations by March 1, 2024, by obtaining the required approvals and permits for the structure to remain in place or have obtained the approvals and permits necessary to remove the structure entirely from the property.**
- **The board will rehear this case on March 18, 2024, at 4:00 P.M. Therefore, the respondents are ordered to reappear, where the board will hear additional testimony on compliance or the need for County abatement action.**

All in favor. So voted.

8) A motion was made, seconded and approved to adjourn the meeting at 4:28 p.m.

Respectfully submitted,

Approved by,

**Kathleen Nichols
Clerk of Court**

**Keith Burney
Chairman**