

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS  
PERMIT CENTER ~ 2<sup>ND</sup> FLOOR CONFERENCE ROOM  
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084  
MONDAY, April 15, 2024  
4:00 p.m.**

**MINUTES**

- 1) Meeting was called to order at 4:03 p.m.
- 2) Roll Call  
**Members present:** Keith Burney, Scott Lilley, Robert Blood, Jeff Hulsberg, Thomas Walsh.  
  
**Board Members absent/excused:** Bill Lanni, Alex Clay.  
  
**Staff Members present:** Roderick Potter, Code Enforcement Manager, Henry Irving, Code Enforcement Officer, Kealey West, Staff Attorney, Emily Lunn, Code Enforcement staff.  
  
**Members of the Public:** Harriet Fleming, 530 Colee Street; Larry Pacetti, 366 Jordine Avenue
- 3) Minutes from January 22, 2024, and March 18, 2024, reviewed for approval (Section 2)  
A motion was made by R. Blood, seconded by J. Hulsberg to accept the minutes of January 22<sup>nd</sup> and March 18, 2024 as presented.  
All in favor. So voted.
- 4) Public information, exparte communications, and identification of persons present for cases on the agenda read by the Chair (Section 1)
- 5) The Board Attorney swears in representatives testifying.
- 6) Old Business
  - a. **Unsafe Building Abatement Case #24-01 (Irving)**  
**387 Samara Lakes Pkwy, St. Augustine**  
On January 22,2024, the Board found SFR Investments V Borrower 1 LLC. located at 387 Samara Lakes PKWY. in violation of Chapter 2, Section 202 of the St. Johns County Ordinance 2000-48 Unsafe Building Abatement Code. The Board ordered the unsafe structure to be repaired or removed, along with any and all debris from the property. Exhibit A (3 pages).  
  
Proof of service was issued and received by the respondent on February 01, 2024 Exhibit B (1 page).  
  
Permit for demolition # 12402946 dated February 29, 2024. Exhibit C. (2 pages).  
  
An inspection on March 19,2024 revealed that the unsafe structure has been removed from the property along with all miscellaneous debris, by the respondent. Exhibit D. (1

Picture). These photographs were taken by myself, and are a true and accurate representation of the property at the time they were taken.

The County asks that you find the case in compliance and remove it from any further Board action at this time.

**A motion was made by R. Blood, seconded by J. Hulsberg motion 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 #24-03 (Irving)

#### 312 Roosevelt Terrace, St. Augustine

On June 27, 2023, a complaint of overgrown yard, abandoned vehicle was received in our division, and the subsequent inspection revealed that the two single family mobile home structures were in an unsafe condition and open to trespass. Exhibit A. (20 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 Mighty Oaks Properties LLC. The warranty deed shows ownership as the same. Exhibit B (13 Pages).

A Notice of Violation was sent by certified mail and returned unclaimed. On July 19, 2023, the property was posted, along with the St. Johns County Court House, and sent to the owner of record via regular mail. Exhibit C (11 pages).

A re-inspection on October 09, 2023, revealed no activity to abate the violation. Exhibit D (7 Photographs) These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

A Notice of Hearing was sent via St. Johns County Sheriffs Process Service and was signed on March 18, 2024. Exhibit E (2 pages).

A pre-hearing inspection performed on April 11, 2024, revealed no action taken to abate the hazardous conditions at this location. Exhibit F (11 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 respondent to correct the violations by repairing, removing, or demolishing the unsafe structures from the property, along the junk, trash, debris, and any unlicensed and inoperable vehicles by June 1, 2024, and secure the property safe from outside entry.

We also ask that the Board order the case returned on June 17, 2024, to hear further testimony on compliance or the need for the County to take further action.

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

- The respondent is to correct the violations by June 1, 2024, by either repairing, removing, or demolishing the two unsafe structures, along with the accessory structure in the rear, and remove any demolition debris.
- The respondent is to maintain the three structures secure from outside entry, remove any inoperable or unlicensed vehicles, repair any and all fencing, and maintain the property free of overgrown vegetation.

The Board will re-hear this case on June 17, 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 #24-04 (Irving)**

**530 Colee Street, St. Augustine**

On October 10, 2023, a complaint of unsecured open, uninhabitable homes, and mobile homes, and overgrown property lots was received in our division. The subsequent inspection revealed that the that five single family mobile home structures was in an unsafe condition and open to trespass. Exhibit A. (24 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 Dobbs Dorothy Trust D:01-16-2008 C/O Fleming Harriet. The warranty deed shows ownership as the same. Exhibit B (13 Pages).

A Notice of Violation was sent via Certified mail and signed for December 04, 2023, and January 16, 2024. Exhibit C (10 pages).

A re-inspection on February 21, 2024, revealed the property has been mowed, but not enough done to abate the violations. Exhibit D. (23 Photographs) These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

In June 07, 2016 and February 26, 2018, the respondent was brought before the Board and lots J, K, and E had structures demolished on it. Exhibit E. (2 pages recorded lien orders).

A Notice of Hearing was sent via Certified mail on February 22, 2024, and was signed on February 26, 2024, February 29, 2024, March 02, 2024. Exhibit F (4 pages).

A pre-hearing inspection performed on April 11, 2024, revealed three single family home structures and, two mobile homes are hazardous and in unsafe conditions at this

location. Exhibit G (16 Photographs). These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

I have been in contact with Ms. Fleming through this process. She was the was apart of the two previous cases as the Power of Attorney for the DOBBS DOROTHY TRUST D:01-16-2008.

The County recommends that you find the property in violation and order the respondents to correct the violations by repairing, removing, or demolishing the six unsafe structures, any septic tanks, wellheads, and drain fields from the property by June 1, 2024, secure the property safe from outside entry, and maintain all the properties free of overgrown vegetation and debris.

We also ask that the Board order the case returned on June 17, 2024, to hear further testimony on compliance or the need for the County to take further action.

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

- **The respondent is to correct the violations by June 1, 2024, by either repairing, removing, or demolishing the SIX unsafe structures, along with any and all septic tanks, wells, and drain fields associated with those lots, and remove any demolition debris.**
- **The respondent is to maintain the structures secure from outside entry, and maintain the property free of overgrown vegetation.**

**The Board will re-hear this case on June 17, 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.**

**c. Vacancies**

- a. Motion to recommend to the BoCC the reappointment K. Burney, A. Clay and S. Lilley for another term.**

**A motion was made by J. Hulsberg, seconded by R. Blood to make a recommendation to the BoCC for the reappointment of K. Burney, A. Clay and S. Lilley for another term.**

**All in favor. So voted.**

- b. Motion to recommend to the BoCC to move S. Lilley from Alternate to Regular member.**

**A motion was made by R. Blood, seconded by J. Hulsberg to make a recommendation to the BoCC to move S. Lilley from an Alternate to a Regular member.**

**All in favor. So voted.**

8) A motion was made, seconded and approved to adjourn the meeting at 4:34 p.m.

Respectfully submitted,

Approved by,

Kathleen Nichols  
Clerk of Court

Keith Burney  
Chairman