

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Special Meeting
December 28, 2009

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Monday, December 28, 2009, in the Alcazar Room at City Hall. The meeting was called to order by Irene Arriola, Chairperson, and the following were present:

1. ROLL CALL

Irene Arriola, Chairperson
Gary McMahon, Vice Chairperson
Enid Hurst
Chad Smith

Excused: Cathy Brown
William Rosenthal
Rhett Davis

Staff Present: Carlos Mendoza, Esq., Assistant City Attorney
Mark Knight, Director, Planning & Building Department
Nick Andrade, Building Official
Curtis Boles, Code Enforcement Inspector
Sharon O'Keefe, Administrative Coordinator, Recording

The City staff was sworn in.

(None)

2. APPROVAL OF MINUTES

(N/A)

6. REVIEW OF NEW CASES

Item 6(a) 2009-4306

Shanks Essie Estate

c/o Gabriel Holliday

69 Kings Ferry Way

City Code, Chapter 8, Section 301

Unsafe Building

3. DISCLOSURE OF EX-PARTE COMMUNICATIONS

(None)

Mr. Andrade reported the following:

4. VARIANCES/TREE REMOVAL

(None)

- The two story residence was severely damaged by fire on December 22, 2009
- The building was a total loss

5. REVIEW OF PREVIOUSLY HEARD CASES

- The debris that fell onto the right-of-way was removed by the city
- The debris left on the property constituted a nuisance
- Recommend the Board find the property was in violation and to issue an order to remove the debris
- Requested a further order approving abatement and lien if the owner failed to remove the debris within five days
- Spoke to Mr. Holliday when the Notice of Hearing was delivered and Mr. Holliday stated he did not have the funds to clean the property
- Advised Mr. Holliday that a lien would be placed on the property to cover the costs of the abatement

Curtis Boles, Code Enforcement Officer testified that he hand delivered a Notice of Hearing to Mr. Holliday on December 22, 2009. He stated that Mr. Holliday informed him that he owned the property but he was financially in no condition to abate the property.

There was no public comment.

MOTION

Mr. McMahon moved to find the case in violation and issued an Order Finding Violation allowing the respondent five (5) days to abate the property. He further ordered that if the Respondent failed to bring the property into compliance within the five days the City was authorized to abatement the property and place a lien for the costs associated with the abatement The motion was

seconded by Mr. Smith and approved by a unanimous voice vote.

7. CITY ATTORNEY ITEMS

(None)

8. OTHER BUSINESS

(None)

9. REVIEW OF CONFLICT STATEMENTS FROM PREVIOUS MEETING

(None)

10. ADJOURNMENT

There being no more business the meeting was adjourned at 3:15 P.M.

Irene Arriola, Chairperson

Sharon O'Keefe, Administrative Coordinator