

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting  
March 11, 2008

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, March 11, 2008, 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  
Cathy Brown  
Rhett Davis  
Enid Hurst  
Gary McMahan  
William Rosenthal  
Sheldon Smith

Staff present:

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

The City staff was sworn in.

**2. APPROVAL OF MINUTES**  
**(February 12, 2008)**

**MOTION**

**Mr. Rosenthal moved to approve the minutes. The motion was seconded by Ms. Hurst and approved by a unanimous voice vote.**

**3. DISCLOSURE OF EX-PARTE**  
**COMMUNICATIONS**

(None)

**VARIANCES**

**Item 4(a) 2008-**  
**Eve Chabot**  
**516 Arricola Avenue**

**City Code, Chapter 8, Section 8-401**  
**Flood control variance.**

Mr. Andrade reported the following:

- The property was located in an AE-9 Special Flood Hazard Area with a base flood elevation of 9 feet
- The applicant proposed to convert an existing storage/laundry room into a master bedroom and bath
- The existing storage room had a lower elevation than the main house and would be raised from 5.75 feet to 7.65 when converted
- He recommended the variance be approved with conditions as noted in his report

There was no public comment.

## **MOTION**

**Cathy Brown moved to approve the variance, subject to the conditions set forth in the report of Mr. Andrade. The motion was seconded by Mr. McMahon and approved by a unanimous voice vote.**

### **4. REVIEW OF PREVIOUSLY HEARD CASES**

(None)

### **5. REVIEW OF NEW CASES**

**Item 6(a) 2008-4258**

**Kenneth McClain Sr.  
64 Oneida Street  
City Code, Chapter 8, Section 301  
Unsafe building**

Mr. Andrade summarized the case as follows:

- The property was inspected on November 6, 2007 and declared substandard and unsafe
- Records showed the property having a homestead exemption; however it was unoccupied and did not qualify for the exemption
- A notice of violation was sent to the owner of record on November 8, 2007 requiring the property to be brought into compliance within 30 days
- The Respondent contacted staff and explained that he had a financial hardship and was unable to pay the application fee for the required HARB Certificate of Demolition and was also unable to pay to have the property abated

- Staff recommended that the CEAAB impose fines and liens for all costs incurred by the City for the abatement of the property, which included the HARB application fee and additional costs associated with the demolition or abatement of the property

There was no public comment.

## **MOTION**

**Mr. Davis moved to find the case in violation and ordered the structure abated or demolished by April 8, 2008 or a fine of \$250 per day would be imposed for each day after April 8, 2008 that the violation existed. He further moved to declare the Board's intention to place a lien on the property for any fines imposed and costs incurred by the City associated with abatement. The motion was seconded by Ms. Brown 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

Meeting was adjourned at 3:50 P.M.

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Irene Arriola, Chairperson

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Sharon O'Keefe, Administrative  
Coordinator