

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting  
August 14, 2018

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, August 14, 2018, in the Alcazar Room at City Hall. The meeting was called to order by Clyde M. Taylor, III, Chairman, and the following were present:

**1. ROLL CALL**

Clyde M. Taylor, III, Chairman  
Martha Mickler, Vice Chair - absent  
Dennis Wissel  
CeCe Reigle - absent  
Noel Mahr  
Larry Weeks  
Stephen Simmons - absent

**Staff Present:**

John Cary, City Attorney  
Richard Schauland, Building Official & Code Enforcement Manager  
Curtis Boles, Code Enforcement Inspector  
Robert van Mierop, Code Enforcement Inspector  
Sandra Partin, Administrative Coordinator, Recording

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The City staff was sworn in.

**2. GENERAL PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA**

None.

**3. APPROVAL OF MINUTES (July 10, 2018)**

**MOTION**

Mr. Wissel moved to approve the minutes as presented. The motion was seconded by Mr. Mahr and approved by unanimous voice vote.

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

None.

**5. VARIANCES/TREE REMOVAL**

None.

**6. REVIEW OF PREVIOUSLY HEARD CASES**

Item 6 (a)                      2018-0146

**Lee Bicknell**  
**19 Milton Street**

**Unsheltered storage of junk/debris;  
Inoperable or unlicensed motor  
vehicles; excessive growth of weeds  
and grass.**

**City Code, Chapter 19, Section 19-3 &  
19-4**

**Mr. van Mierop read from the staff  
report and commented to the  
following:**

- On July 10, 2018, this Board approved an Order Finding Violation, allowing the respondent fourteen days to bring the property into compliance or a fine in the amount of \$250 per day beginning July 26, 2018 would be imposed.
- He noted that the respondent had failed to acknowledge any correspondence from staff regarding the violations.
- On July 31, 2018, staff posted the property at 19 Milton Street with this Board's "Order Finding Violation" dated July 10, 2018.
- To date, the property had yet to be brought into compliance.
- Staff recommended that the Board impose a fine in the amount of \$250 per day beginning July 26, 2018, as stipulated in this Board's "Order Finding Violation" dated July 10, 2018, or beginning July 31, 2018, the date that the property was posted as previously stated.

Mr. Taylor asked why staff would not seek an order for abatement.

Mr. Birchim responded that historically abatement had not been ordered on properties that were homesteaded.

**Public comment was opened,  
however there was no response.**

**MOTION**

**Mr. Taylor moved to approve  
imposing a fine in the amount of \$250  
per day beginning July 31, 2018 and  
each day thereafter until the property  
had been brought into compliance.  
The motion was seconded by Mr.  
Wissel and approved by unanimous  
voice vote.**

**Item 6 (b) 2018-0382**

**Gertrude Mickler**

**36 Dufferin**

**Appeal of Staff Determination for  
removal of a 19" dbh preserved  
Water Oak tree.**

**City Code, Chapter 25, Section 25-56**

**Mr. van Mierop read from the staff  
report and commented to the  
following:**

- On July 10, 2018, this Board heard and continued this application to allow for the applicant to provide an arborist report of the tree that was being considered for removal.
- Since that meeting, the applicant had met with an arborist and

received recommendation for replacements.

- That the applicant’s property had six mature Oak trees, and one very healthy Magnolia tree. And that applicant was in favor of replacements, should the appeal for removal be approved.

**Public comment was opened, however there was no response.**

**MOTION**

**Mr. Wissel moved to approve removal of the 19” preserved Water Oak tree with replacement requirement of two shade trees to be placed on the property. The motion was seconded by Mr. Taylor and approved by unanimous voice vote.**

**Item 6 (c) 2018-0053**

**12 Poinciana Avenue**

**Vacant property in state of disrepair; Open to trespass; Property overgrown.**

**City Code, Chapter 8, Section 8-302 Chapter 103.2, Standard Housing Code, and City Code, Chapter 19, Section 19-3 & 19-4**

**Mr. van Mierop read from the staff report and commented to the following:**

- This property had come before the Board on June 12, 2018 and July 10, 2018, and had been

continued to allow for the sale of the property, as it had gone into foreclosure and was scheduled to be auctioned.

- On June 28, 2018, the property was sold, and staff was able to contact the new owner to advise of the existing code violations.
- As of July 21, 2018, staff observed that the property had been brought into compliance.
- Staff recommended the case be closed for compliance.

**Public comment was opened, however there was no response.**

**MOTION**

**Mr. Taylor moved to close the case for compliance. The motion was seconded by Mr. Wissel and approved by unanimous voice vote.**

**7. REVIEW OF NEW CASES**

None.

**8. CITY ATTORNEY ITEMS**

None.

**9. OTHER BUSINESS**

None.

**10. REVIEW OF CONFLICT STATEMENTS FROM PREVIOUS**

**MEETING**

None.

**11. ADJOURNMENT**

Meeting was adjourned at 3:14 P.M.

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Clyde M. Taylor, III, Chairperson

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Sandra Partin, Administrative  
Coordinator