

Nassau County Code Enforcement

History

James Lindsey
85288 Claxton Road (Rental property)
Yulee, FL 32097

Property ID# 43-2N-27-4648-0003-0100

Complaint 3735

- August 13, 2018** - Received Anonymous complaint at the counter:
(1) Too many horses on property - OR zoned – during week usually 2 and from Friday PM – Monday AM 3-7 horses
(2) unserviceable vehicles
- Sept. 10, 2018 - Initial inspection by Officer Favors – there is a violation on the property #97-19, Section 22.01 - permitted uses and structures (A) the noncommercial keeping and raising of horses and ponies is permitted; provided, however, that no more than one (1) horse or pony six (6) months of age or older shall be permitted per one-half (1/2) acre of land. Structures for horses or ponies shall not be located in a required front yard. No structure used for the keeping of horses or ponies shall be located closer than thirty (35) feet to any property line of different ownership.
- Sept. 11, 2018 - CEO Favors spoke with property owner, Mrs. Lindsey. She will address all concerns reference complaint. Code will follow-up with re-check.
- October 17, 2018 - Re-inspected in compliance — case closed.

Complaint 3838

- November 5, 2018** - Received complaint from David Delille via Keith, Building Official in reference too many horses on property and Mr. Delille would like call back (423-237-3548)
- CEO Favors spoke with Mr. Delille and explained the ordinance reference the setbacks for keeping horses.
- Initial inspection by CEO Officer 4 horses on property at time – will contact property owner reference site visit and complaint received.
- Called property owner Ms. Lindsey, left voice message
- Dec. 6, 2018 - Called property owner, left voice message (wrong phone number was called on Nov. 5, 2018)
- Dec. 10, 2018 - Spoke with Mr. Lindsey – correction will be made, will call for re—check

Dec. 21, 2018 - Re-inspection conducted by CEO Bostick — 4 horses counted on property.

Dec. 26, 2018 - Called Ms. Lindsey, left voice message.

Dec. 27, 2018 - Spoke with Ms. Lindsey, explained ordinance and setbacks. Reviewed property appraiser's maps (potential wetlands identified on map). Ms. Lindsey will re-check all setbacks for structures and manure pile for location away from property lines. Ms. Lindsey will call back with status.

Jan. 7, 2019 - Re-inspection conducted by CEO Bostick 2 horses observed (1 white horse and 1 dark brown horse). Case closed.

Complaint #004046

Jan. 22, 2019 - Received complaint from Ms. Delille:
Encroachment of wetlands — manure pile “horses” needs to be removed from wetland area.

CEO Favors met with Mr. & Mrs. Delille at their property site, reviewed concerns. Will contact property owner to make correction of clearing wetland of manure and relocate pile.

March 8, 2019 - Re-inspection of concern “manure pile”. The case is being reviewed by DEP. Code Enforcement will reach out for update and/or status of their findings.

March 14, 2019 - Email to Jason Neumann, DEP from CEO Favors

April 3, 2019 –
March 20, 2019 Emails between CEO Favors and Jason Neumann in reference to status

April 4, 2019 - Email to CEO Favors from Jason Neumann

April 12, 2019 - Re-inspection – Case closed

April 15, 2019 - Emailed from CEO Favors to Jason Neumann

Complaint #004357

June 3, 2019 - Received complaint from Mr. Delille:
Too many horses in OR zoning district

June 3, 2019 - Initial inspection by CEO Favors – violation

June 6, 2019 - Notice of Violation (NOV) for Ordinance 97-19, Section 22.01 (A) mailed certified return receipt

June 10, 2019 - Certified NOV was accepted by Teresa Lindsey

June 24, 2019 - Received phone call from Mr. Delille concerned because Mr. Lindsey approached him about the complaint.

July 3, 2019 - Re-inspection by CEO Favors – property in compliance. *Mr. Delille granted permission to view violation from his property. (privacy fence was only half the way down the yard at this time)

July 15, 2019 - Compliance letter mailed. Case closed

Complaint #004540

August 7, 2019 - Received Anonymous complaint by phone:
Horses – OR zone, can be seen from Faye Road

August 8, 2019 - Initial inspection by CEO Favors – results “unfounded” could not see the violation. Privacy fence has been installed – last inspection was done from 85320 Claxton Road; since privacy fence was installed inspection from that location would not provide access to view the yard of 85288 Claxton Rd. Case closed

Complaint #004605

August 22, 2019 - Received complaint from Mr. David Delille:
Zoning -more than two horses on one-acre lot/parcel.

August 27, 2019 - Initial inspection – violation

August 29, 2019 - Notice of Violation (NOV) for Ordinance 97-19, Section 22.01 (A) mailed certified return receipt.

Sept. 19, 2019 - Certified NOV returned “unclaimed”

October 1, 2019 - Re-inspection – still violation

October 3, 2019 - NOV hand delivered to property owner and mailed 1st class.

October 16, 2019 - Re-inspection – property in compliance.

October 21, 2019 - Compliance letter mailed. Case closed.

Complaint #005099

March 2, 2020 - Received complaint from Mr. Delille: horses

March 2, 2020 - Initial inspection by CEO Favors – Three horses on property. CEO Favors spoke with the tenant and explained the ordinance.

CEO Favors spoke with Mr. & Mrs. Delille in reference to the complaint. Mrs. Delille had questions about citation process and how many times a person can be cited.

March 3, 2020 - Re-inspection by CEO Favors – property in compliance. Case closed.

Complaint # 005249

April 13, 2020 - Received complaint from Mr. Delille: more horses than allowed.

Code Enforcement will follow-up with tenant.

April 14, 2020 - CEO Favors spoke with tenant, Ms. Sanders. Ms. Sanders indicated that Code Enforcement should speak with the property owner, Mr. Lindsey and gave his contact number.

April 14, 2020 - CEO Favors call Mr. Lindsey; who explained that a legal issue was in progress against the Delille's and that Code can proceed with their process.

April 15, 2020 - Initial inspection – “unfounded” could not view violation. Case closed.

April 16, 2020 - Received email from Jason Neumann, DEP about complaints filed.

Complaint #005310

May 1, 2020 - Received complaint from Mrs. Dorothy Delille:
Silt fencing on top of privacy fence

May 4, 2020 - Initial inspection by CEO Favors – violation – requested courtesy letter to be mailed along with photograph of violation and copy of wood fence requirements obtained from Building Department.

May 13, 2020 - CEO Favors spoke with Mr. Lindsey and he requested to have till the end of May to address the matter.

June 5, 2020 - Re-inspection by CEO Bostick – the silt fencing has been removed. However different tarps are seen.

June 8, 2020 - CEO Favors spoke to Mr. Lindsey. He is still working on re-locating and construction of fence. Appointment to view fence will be scheduled this week; waiting on call from Mr. Lindsey to go onto property.

Received call from Mr. & Mrs. Delille, they still had questions reference inspection and what could be done reference horses at this address. CEO Favors explained the process; however, the Delille's still did not understand and wanted a search warrant executed on the complaint that there are more than 2 horses on the property. CEO Favors explained that

the request would be reviewed by the County Attorney for direction and will call back with results.

June 9, 2020 - Received phone call from the son of the Delille's questioning the complaint his parents filed on Mr. Lindsey. CEO Favors explained the code inspection and process on site visits. Discussion went on with the son asking who reviews his (meaning CEO Favors) evaluation. At that time CEO Favors asked, "why is that a concern". The conversation changed and the son asked to speak to the supervisor and the call was transferred to Valerie Feinberg.

June 15, 2020 - CEO Favors did site visit with property owner, Mr. Lindsey. There isn't any silt fencing attached to the fence. There are only two (2) horses on the property at the time of inspection. Also, CEO Favors indicated he did not detect any foul odors or smells and no signs of displaced waste. Case closed.

June 15, 2020 - CEO Favors and Janet Wylie met with Mike Mullin, County Attorney in reference to Mr. & Mrs. Delille's request for a search warrant. At this time Mr. Mullin confirmed there isn't enough evidence to go before a judge to request an administrative search warrant.

Complaint #005429

ACTIVE COMPLAINT

June 18, 2020 - Received a complaint from Ms. Dorothy Delille
Too many horses on property site

June 18, 2020 - Initial inspection by CEO Favors – violation (2 horses in the front yard and 2+ in back yard).

June 23, 2020 - CEO Favors issued a Notice of Violation (NOV) with zero (0) days to correct due to the numerous complaints about the horses. Also issued a Notice of Public Hearing (BN) for July. NOV and BN were mailed certified return receipt and were accepted.