

**Nassau County Code Enforcement Board**

**May 11, 2021 6:30 P.M.**

**Commission Chambers, 96135 Nassau Place, Yulee, Florida.**

Call to Order, Invocation, and Pledge of Allegiance to the American Flag.

**Board Members:**

**Present:** Chair Sarah Bell, Christine Connery, Joan Knutson, and Mimi Vitale.

**Absent:** Stephanie Estep, Cathy Gladden, and Jonathan Petree.

**Other Officials Present:** Michael S. Mullin, County Attorney.

**Staff Present:** Michael Favors and Robert Bostick, Code Enforcement Officers; Jessica White, Administrative Specialist; and Janet Wylie, Secretary. Also present were Heather Nazworth, Deputy Clerk, and Jennifer Marlatt, Recording Secretary.

**Official Agenda Summary:**

**AUDIENCE INPUT:**

**210511CE - 6:35:01** How to Provide Input: Mr. Mullin reviewed the procedures for attending the meeting in-person and remotely.

**210511CE - 6:36:14** Approve minutes from the April 13, 2021 meeting as presented.

**Motion:** Approve minutes from the April 13, 2021 meeting as presented.

**Maker:** Board Member Knutson

**Second:** Board Member Vitale

**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale

**Absent:** Board Members Petree, Estep, and Gladden

**QUASI-JUDICIAL PUBLIC HEARING(S)**

**210511CE - 6:38:41** Mr. Mullin read the Quasi-Judicial procedures applicable for Cases 21-5928 and 21-5940.

**Board Member Ex-parte Communications:**

None.

**210511CE - 6:45:55** Documents submitted into the record: PowerPoint Presentation for Cases 21-5928 and 21-5940 - 29 pages; Case Summary for Case 21-5928 - 2 pages; and Case Summary for Case 21-5940 - 1 page.

**Motion:** Accept documents into the record as identified above.

**Maker:** Board Member Vitale

**Second:** Board Member Knutson

**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale

**Absent:** Board Members Petree, Estep, and Gladden

**Motion:** Open the floor to public discussion for Cases 21-5928 and 21-5940.

**Maker:** Board Member Connery

**Second:** Board Member Vitale

**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale

**Absent:** Board Members Petree, Estep, and Gladden

Ms. Wylie swore in staff to provide testimony.

**210511CE - 6:48:35** Case 21-5928, Estate of John W. Smith Jr., 95311 Catalina Drive, Fernandina Beach, Florida.

**Discussion:** Officer Bostick provided a PowerPoint presentation regarding the property known as 95311 Catalina Drive in Fernandina Beach, Florida. He reviewed Ordinance 2015-10, Section 6.01 (3)(7) and (8), General Nuisances affecting Public Health, which the property owner has violated. The Notice of Violation was issued on January 14, 2021, and sent certified mail and left at the residence giving the property owner the timeframe of thirty (30) days to correct the violation. He referenced pictures that depicted general nuisances affecting public health and unserviceable vehicles. The property was re-inspected on March 5, 2021, and continued to violate the ordinance. Officer Bostick stated that on March 10, 2021, a Notice of Hearing was posted on the property and mailed to the property owner. He referenced pictures from March 5, 2021 that showed the property still in non-compliance with the ordinance. Officer Bostick reviewed the most recent pictures taken on May 11, 2021, which now references the violation as only general nuisances affecting public health. He advised that staff recommends that the property be in violation and impose a fine with a beginning date and continuing until such time as

the violation is brought into compliance, including assessing administrative fees of \$342.73 to be paid by a certain date.

Officer Bostick responded to a question posed by the Board regarding items on the property and the type of violation. He stated that one of the items mentioned in the picture appears to be a refrigerator, and he is unsure if the RV placed on the property is a residence. He stated that as of this date, there had been no contact with the property owners.

Public Input: None

- Motion:** Close the floor to public discussion.  
**Maker:** Board Member Vitale  
**Second:** Board Member Knutson  
**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale  
**Absent:** Board Members Petree, Estep, and Gladden
- Motion:** Based upon competent substantial evidence and testimony received in the record, Case 21-5928, Estate of John W. Smith Jr. violates Ordinance 2015-10, Section 6.01(3), (7), and (8), General Nuisances affecting Public Health.  
**Maker:** Board Member Connery  
**Second:** Board Member Knutson  
**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale  
**Absent:** Board Members Petree, Estep, and Gladden
- Motion:** It is hereby ordered that the Respondent shall correct the violation(s) on or before June 8, 2021; that in the event that the property is not in compliance prior to that date, a fine in the amount of \$ 1000.00 per day shall commence and accrue until such time as the property does come into compliance; that administrative fees in the amount of \$ 342.73 be assessed to cover the administrative costs incurred in prosecuting this case which amount shall be paid on or before June 8, 2021; that pursuant to *Florida Statute* 162.08-09, this order be recorded in the Official Records of Nassau County, Florida and shall constitute as a lien against Respondent(s) in the amount equal to any and all fees and fines hereby imposed.

**Maker:** Board Member Connery  
**Second:** Board Member Vitale  
**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale  
**Absent:** Board Members Petree, Estep, and Gladden

**210511CE – 7:04:53** Case 21-5940, Stephen W. Hoffman and Cheryl A. Harper, 85225 Faye Road, Yulee, Florida.

**Discussion:** Officer Bostick provided a PowerPoint presentation that references the property known as 85225 Faye Road in Yulee, Florida. He reviewed Ordinance 2003-17, Section 3, Unserviceable Vehicles Prohibited, in which the property owner is violating. The Notice of Violation was issued, posted, and certified mailed on January 7, 2021, giving the property owner a time frame of thirty (30) days to correct the violation. He referenced the pictures taken on January 7, 2021, which depict unserviceable vehicles. The property was re-inspected on April 9, 2021, and found still being in violation, and on April 15, 2021, a Notice of Public Hearing was posted and mailed to the property owner. Officer Bostick reviewed the pictures from April 9, 2021, and May 11, 2021, which show the unserviceable vehicles still present on the property. He advised that staff recommends that the property be in violation and impose a fine with a beginning date and continuing date until the violation is brought into compliance, including administrative fees in the amount of \$369.02 to be paid by a certain date.

The Board further discussed the pictures of vehicles on the subject property and the notice to the homeowner.

Public Input: Mr. Hoffman was sworn in and came forward to provide testimony. He stated that he just saw the notice yesterday due to working out of town. The vehicles on the property are operational and will be removed from the property. He further explained that a tenant is squatting on the property, and the box truck belongs to her. However, due to the COVID-19 moratoriums, he is unable to pursue the eviction process right now.

In response to the Board's inquiry regarding eviction moratoriums, Mr. Mullin stated that the moratoriums should expire on or around July 1, 2021. Further discussion ensued regarding a continuance.

**Motion:** Continue to August 10, 2021, at 6:30 p.m. or soon thereafter as the matter may be heard.  
**Maker:** Board Member Connery  
**Second:** Board Member Vitale  
**Action:** Aye: Board Members Bell, Connery, Knutson, and Vitale  
**Absent:** Board Members Petree, Estep, and Gladden

**210511CE - 7:26:19** Administrative Fees update on and satisfaction of liens or fines collected for the Fiscal Year 2020-2021.

**Discussion:** Ms. Wylie reviewed the request.

**210511CE - 7:26:36** Mr. Mullin and Board Members congratulated Officer Favors on his retirement and expressed appreciation for the work he has done for the County as a Code Enforcement Officer.

**210511CE - 7:34:30 INFORMATIONAL ITEM(S):** Next Code Enforcement Meeting will be held on June 8, 2021.

There being no further business, the regular session of the Code Enforcement Board adjourned at 7:34 p.m.

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Sarah Bell, Chairman

Attest:

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