City of Atlantic Beach

Agenda

Code Enforcement Special Magistrate Meeting

Thursday, May 2, 2024 - 2:00 p.m.

City Hall, Commission Chamber

800 Seminole Road, FL 32233

Page(s)

1. CALL TO ORDER

2. APPROVAL OF MINUTES

2.A. Approve minutes of the March 7, 2024 regular meeting of the Special Magistrate. 3 - 4

3-7-24 Code Enforcement Special Magistrate Draft Minutes

3. ADMINISTRATION OF OATH

4. OLD BUSINESS

4.A. CASE: 23-038 5 - 60
NAME: ROBERT JOSEPH WILLIAMS JR
ADDRESS: 67 CORAL ST
CE 67 Coral St Case #23-038
Case Details 23-038

4.B. CASE: 24-014 61 - 80
NAMR: ROBERT SCHLENOFF
ADDRESS: 1094 STOCKS STREET (VIOLATION IS IN RIGHT OF WAY NEXT TO ADDRESS)
Case Details 24-014
CE 1094 Stocks St Case #24-014

5. NEW BUSINESS

5.A. CASE: 24-004 81 - 108
NAME: CLIFFORD WILSON DUNLOP LIFE ESTATE
ADDRESS: 338 PLAZA
Case Details 24-004
CE 338 Plaza Case #24-004

5.B. CASE: 22-096 109 - 171
NAME: MITCHELL SKAFF, CONNER MILLSAPS
ADDRESS: 1110 SCHEIDEL CT
Case Details 22-096
CE 1110 Scheidel Ct Case #22-096

6. ADJOURNMENT

* Homesteaded Properties

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, visit www.coab.us/live.

If any person decides to appeal any decision made by the Code Enforcement Special Magistrate with respect to any matter considered at any meeting, such person may need a record of the proceedings, and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26 of the Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office not less than three (3) days prior to the date of this meeting at (904) 247-5800 or 800 Seminole Road.

MINUTES
Code Enforcement Special Magistrate Meeting
Thursday, March 7, 2024 - 2:00 PM
City Hall, Commission Chamber
800 Seminole Road, FL 32233

Present: Suzanne Green, Special Magistrate
Angela Irizarry, Code Enforcement Officer
Donna Bartle, City Clerk (CC)

1. CALL TO ORDER
Magistrate Green called the meeting to order at 2:00 PM.

2. APPROVAL OF MINUTES

A. Approve minutes of the January 4, 2024 regular meeting of the Special Magistrate meeting.

The minutes were approved as submitted.

3. ADMINISTRATION OF OATH
Magistrate Green administered the Oath to the attendees, staff and respondents.

4. OLD BUSINESS

A. CASE # 23-088
NAME: 1400 MAYPORT ROAD LLC
ADDRESS: 1400 MAYPORT ROAD

Testified: CE Officer Irirzarry

Respondent: 1400 Mayport Road LLC was not present.

Action: The Respondent shall forthwith make application for a permit to come into compliance with the building sign violation. The Respondent has thirty (30) days from the date of this Order to come into compliance. Failure to do so will result in a fine of Two Hundred and Fifty and 00/100 ($250.00) a day.

5. NEW BUSINESS

A. CASE # 23-186
NAME: MICHAEL KOSTER

DRAFT

ADDRESS: 791 PARADISE LANE

Testified: CE Officer Irirzarry and respondent Micahel Koster.

Respondent: Michael Koster was present.

Action: The Respondent is found in violation, however no fine shall be imposed at this time.

B. CASE # 23-194
NAME: JEFFREY KLOTZ
ADDRESS: 0 EDGAR ST

Testified: CE Officer Irirzarry

Respondent: Jeffrey Klotz was not present.

Action: The Respondent is now in compliance and no fines assessed.

C. CASE # 24-014
NAME: ROBERT SCHLENOFF
ADDRESS: STOCK STREET RIGHT-OF-WAY ADJACENT TO 1094 STOCKS STREET

Testified: CE Officer Irirzarry

Respondent: Robert Schlenoff was not present.

Action: The matter is continued until the May hearing date

4. ADJOURNMENT
The meeting adjourned at 2:16 PM.

Attest:

Suzanne Green, Special Magistrate

Ladayija Nichols, Deputy City Clerk

DRAFT

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233-5815

Primary Site Address
67 CORAL ST
Atlantic Beach FL 32233

Official Record Book/Page
03272-00124

Tile #
9409

67 CORAL ST

Property Detail

RE #	169595-0000
Tax District	USD3
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03096 OCEAN GROVE UNIT 01
Total Area	5380

The sale of this property may result in higher property taxes. For more information go to Save Our Homes and our Property Tax Estimator . 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification Learn how the Property Appraiser's Office values property.

Value Summary

Value Description	2022 Certified	2023 In Progress
Value Method	CAMA	CAMA
Total Building Value	$60,509.00	$59,933.00
Extra Feature Value	$574.00	$574.00
Land Value (Market)	$483,000.00	$552,000.00
Land Value (Agric.)	$0.00	$0.00
Just (Market) Value	$544,083.00	$612,507.00
Assessed Value	$250,887.00	$258,413.00
Cap Diff/Portability Amt	$293,196.00 / $0.00	$354,094.00 / $0.00
Exemptions	$50,000.00	See below
Taxable Value	$200,887.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value	
Assessed Value	$258,413.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Taxable Value	**$208,413.00**

SJRWMD/FIND Taxable Value	
Assessed Value	$258,413.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Taxable Value	**$208,413.00**

School Taxable Value	
Assessed Value	$258,413.00
Homestead (HX)	- $25,000.00
Taxable Value	**$233,413.00**

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
03272-00124	9/24/1971	$13,000.00	MS - Miscellaneous	Unqualified	Improved
05598-01516	12/14/1976	$100.00	QC - Quit Claim	Unqualified	Improved
05786-01541	3/23/1984	$40,000.00	WD - Warranty Deed	Unqualified	Improved
06399-00043	9/11/1987	$73,000.00	WD - Warranty Deed	Unqualified	Improved
07813-01326	3/10/1994	$81,500.00	WD - Warranty Deed	Qualified	Improved
09405-01766	8/25/1999	$61,600.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	DKWR2	Deck Wooden	1	0	0	104.00	$574.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0101	RES MD 8-19 UNITS PER AC	ARG	50.00	110.00	Common	50.00	Front Footage	$552,000.00

Legal

LN	Legal Description
1	15-82 09-2S-29E
2	OCEAN GROVE UNIT NO 1 S/D PT LOT 7
3	LOT 18 BLK 8

Buildings

Building 1

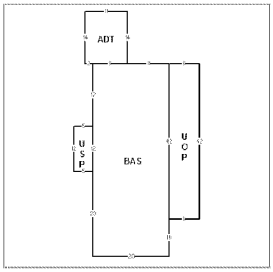
Building 1 Site Address
67 CORAL ST
Atlantic Beach FL 32233

Building Type	0101 - SFR 1 STORY
Year Built	1947
Building Value	$59,933.00

Type	Gross Area	Heated Area	Effective Area
Base Area	1040	1040	1040
Unfin Open Porch	336	0	67
Addition	154	154	139
Unfin Screened Porch	60	0	15
Total	1590	1194	1261

Element	Code	Detail
Exterior Wall	7	7 Cem Fib Shing
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	5	5 Drywall
Int Flooring	7	7 Cork/Vnyl Tile
Int Flooring	14	14 Carpet
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central

Element	Code	Detail
Stories	1.000	
Bedrooms	3.000	
Baths	1.000	
Rooms / Units	1.000	



2022 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	$250,887.00	$50,000.00	$200,887.00	$1,577.91	$1,612.36	$1,482.81
Public Schools: By State Law	$250,887.00	$25,000.00	$225,887.00	$778.14	$730.97	$707.16
By Local Board	$250,887.00	$25,000.00	$225,887.00	$491.37	$507.79	$446.56
FL Inland Navigation Dist.	$250,887.00	$50,000.00	$200,887.00	$6.19	$6.43	$5.77
Atlantic Beach	$250,887.00	$50,000.00	$200,887.00	$624.97	$648.56	$581.31
Water Mgmt Dist. SJRWMD	$250,887.00	$50,000.00	$200,887.00	$42.37	$39.66	$39.66
Urban Service Dist3	$250,887.00	$50,000.00	$200,887.00	$0.00	$0.00	$0.00
			Totals	$3,520.95	$3,545.77	$3,263.27

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	$394,430.00	$243,580.00	$50,000.00	$193,580.00

Current Year	$544,083.00	$250,887.00	$50,000.00	$200,887.00

2022 TRIM Property Record Card (PRC)
This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)
The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2022

2021

2020

2019

2018

2017

2016

2015

2014

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here:

More Information
ontact Us | Parcel Tax Record | GIS Map | Map this property on Google Maps | City Fees Record

CITY OF ATLANTIC BEACH

800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

2/16/2023

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233-5815

Real Estate Number: 169595 0000 **Case Number:** 23-038
Location of Violation: 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A code enforcement inspection at 67 CORAL ST was conducted on 2/15/2023. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

NATURE OF VIOLATION: There is missing siding and rotten areas of wood on the home. The porch on the west side of the house is collapsing.

APPLICABLE CODES:
IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

IPMC 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

This letter requests that the noted violation(s) be corrected by repairing all areas of the home within thirty (30) days of the receipt of this notice.

Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or airizarry@coab.us if you have any questions or need additional information.

I, Angela IRizarry, hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

CITY OF ATLANTIC BEACH

800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

POSTED ON PROPERTYAND
ATLANTIC BEACH CITY HALL

5/26/2023

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233-5815

Real Estate Number: 169595 0000 **Case Number:** 23-038
Location of Violation: 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A code enforcement inspection at 67 CORAL ST was conducted on 5/26/2023. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

NATURE OF VIOLATION: There is missing siding and rotten areas of wood on the home. The porch on the west side of the house is collapsing.

APPLICABLE CODES:
IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

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This letter requests that the noted violation(s) be corrected by repairing all areas of the home within fifteen (15) days of the receipt of this notice.

Thank you for your cooperation in this matter. Failure to correct the violation by the required date WILL result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or airizarry@coab.us if you have any questions or need additional information.

I, Angela IRizarry, hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

6/26/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233-5815

POSTED ON PROPERTY AND ATLANTIC BEACH CITY HALL

Property Address: 67 CORAL
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **July 6, 2023 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

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STATEMENT OF CODE ENFORCEMENT OFFICER: There is missing siding and rotten areas of wood on the home. The porch on the west side of the house is collapsing.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

WILLIAMS ROBERT JOSEPH, JR.
67 Coral St
Atlantic Beach, Florida 32233-5815

Respondent.

First Class and Certified Mail Return Receipt Requested: 7022 2410 0000 9397 1414

Property Address: 67 CORAL ROAD
Atlantic Beach, FL 32233

CASE NUMBER: 23-038
REAL ESTATE NUMBER: 169595-0000
LEGAL DESCRIPTION: 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK ATLANTIC BEACH, FLORIDA

ORDER ON CASE NO. 23-038

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on July 6, 2023, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, issues findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. The Respondent is the owner of the property located at 67 Coral Street, Atlantic Beach, Florida 32233 ("the Property"). Proper notice of the hearing posted on the Property and at City Hall in Atlantic Beach, FL. The Respondent appeared at the hearing.

2. The violations cited were for Violations of IPMC Sec 304.6 Exterior walls having holes, breaks, loose or rotting materials. Additionally, for violations of IPMC Sec 304.7 for roof and flashing being in disrepair and deteriorated. The City of Atlantic Beach presented photographs and evidence of neighbors' complaints.

3. The Respondent stated he is aware of the needed repairs and will meet with the City of Atlantic Beach, FL forthwith.

CONCLUSIONS OF LAW

4. Proper notice was provided to the respondent who appeared at the hearing. The City of Atlantic beach, Florida presented photographs and documentation of the violations. The Respondent did not contest the violations except that he wasn't sure if the violations could be seen from the Street.

5. The Property was properly assessed for the Code violations. The City of Atlantic Beach provided time for a hearing for the Respondent on the issue of addressing the repairs immediately with the City of Atlantic Beach to be continued until the September 7, 2023 hearing date.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law and pursuant to the authority granted in Chapter 162, Florida Statutes, and the Code of Ordinances of the City of Atlantic Beach, Florida it is Ordered:

A. The matter is deferred until the September 7, 2023 Code Enforcement hearing date. If the Respondent's Property is not in significant compliance by that date, the Respondent is fined $250.00 per day commencing September 7, 2023.

DONE AND ORDERED THIS 6th DAY OF JULY, 2023.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

Ladayija Nichols, Deputy City Clerk

Suzanne W. Green, Special Magistrate

Executed this 21st day of JULY, 2023.

PLEASE NOTE: Florida Statutes § 162.11 requires that any appeal of this Order must be filed in the circuit court for Duval County within 30 days of this Order's execution.

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

8/1/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 9813

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **September 7th, 2023 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

VIOLATION CODE(S):

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STATEMENT OF CODE ENFORCEMENT OFFICER: This case was heard at the 7/6/2023 and a final order was entered requiring Respondent to come into significant compliance before the next hearing. Case was deferred for a follow up on 9/7/2023.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

POSTED ON PROPERTY AND ATLANTIC BEACH CITY HALL
DATE: 8/28/23

8/1/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 9813

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

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International Property Maintenance Code / City Code of Ordinances

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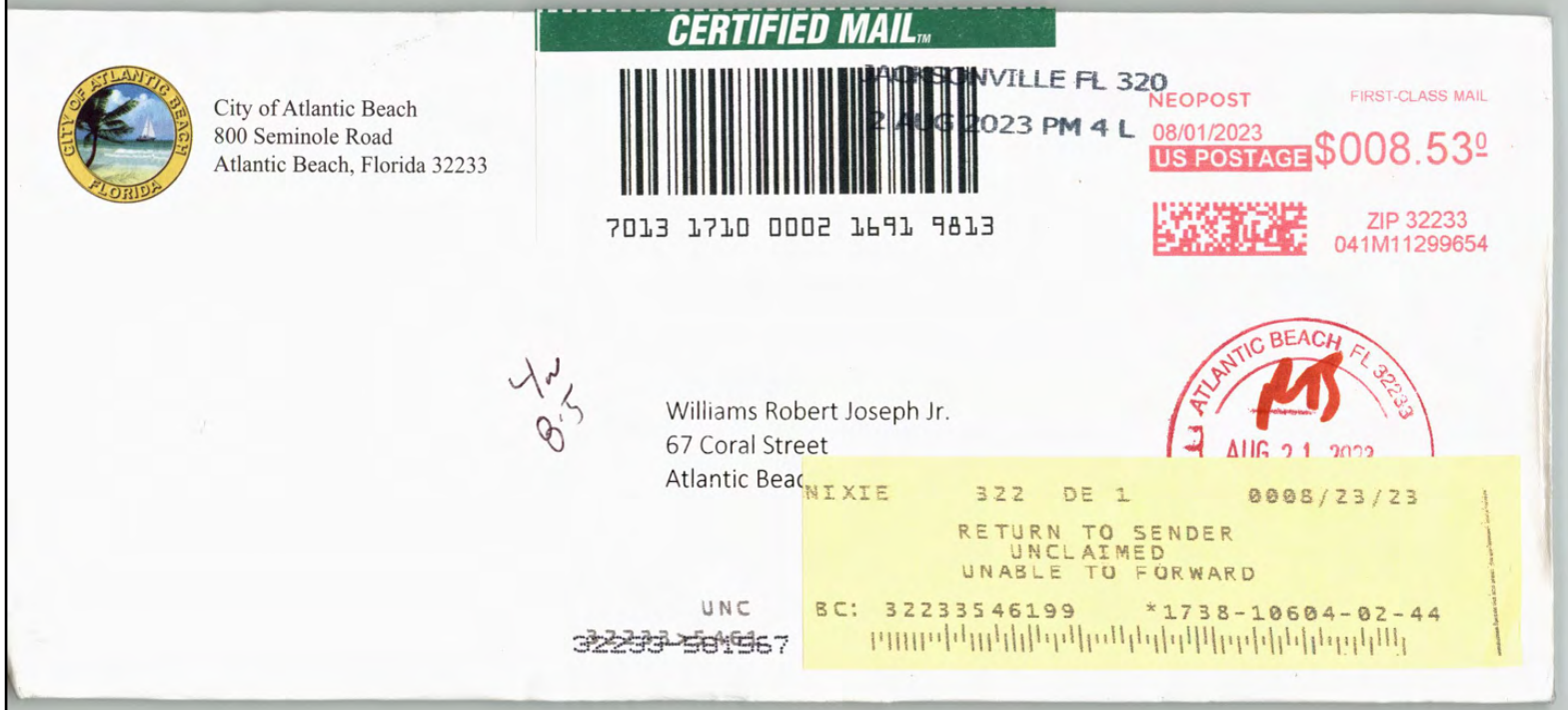
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I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk



CERTIFIED MAIL™

City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233

JACKSONVILLE FL 320
2 AUG 2023 PM 4 L

7013 1710 0002 1691 9813

NEOPOST FIRST-CLASS MAIL
08/01/2023
US POSTAGE $008.53⁰

ZIP 32233
041M11299654

ATLANTIC BEACH FL 32233
AUG 21 2023

4w
8-5

Williams Robert Joseph Jr.
67 Coral Street
Atlantic Beac

NIXIE 322 DE 1 0008/23/23
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 32233546199 *1738-10604-02-44

UNC
32233-581567

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

WILLIAMS ROBERT JOSEPH, JR.
67 Coral St
Atlantic Beach, Florida 32233-5815

Respondent.

First Class and Certified Mail Return Receipt Requested: 7022 2410 0000 9340 7111

Property Address: 67 CORAL ROAD
Atlantic Beach, FL 32233

CASE NUMBER: 23-038
REAL ESTATE NUMBER: 169595-0000
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FINDINGS OF FACT

1. The Respondent is the owner of the property located at 67 Coral Street, Atlantic Beach, Florida 32233 ("the Property"). Proper notice of the hearing posted on the Property and at City Hall in Atlantic Beach, FL. The Respondent appeared at the hearing.

2. The violations cited were for Violations of IPMC Sec 304.6 Exterior walls having holes, breaks, loose or rotting materials. Additionally, for violations of IPMC Sec 304.7 for roof and flashing being in disrepair and deteriorated. The City of Atlantic Beach presented photographs and evidence of neighbors' complaints.

3. The Respondent stated he is aware of the needed repairs and will meet with the City of Atlantic Beach, FL forthwith. The Respondent appeared at the July 6, 2023 hearing and was ordered to come into significant compliance. The City of Atlantic Beach and the Respondent both stated that no permit applications have been applied for and no repairs have been completed.

4. In the July 6, 2023 Order, the Respondent was fined $250 per day commencing September 7, 2023. The Respondent stated that he was attempting to hire contractors and obtain financing for the repairs.

CONCLUSIONS OF LAW

5. Proper notice was provided to the respondent who appeared at the hearing. The City of Atlantic beach, Florida presented photographs and documentation of the violations. The Respondent did not contest the violations and further stated he was attempting to obtain financing and contractors.

6. The Property was properly assessed for the Code violations. The City of Atlantic Beach provided time for two (2) hearings for the Respondent on the issue of addressing the repairs immediately with the City of Atlantic Beach.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law and pursuant to the authority granted in Chapter 162, Florida Statutes, and the Code of Ordinances of the City of Atlantic Beach, Florida it is Ordered:

A. The Respondent shall provide written documentation to the City of Atlantic Beach showing a contract and commencement of repairs on or before September 14, 2023. If the Respondent fails to comply by that date, the Respondent is fined $250.00 per day commencing September 15, 2023.

DONE AND ORDERED THIS 7th DAY OF SEPTEMBER, 2023.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

Ladayija Nichols, Deputy City Clerk

Suzanne W. Green, Special Magistrate

Executed this 15th day of September, 2023.

PLEASE NOTE: Florida Statutes § 162.11 requires that any appeal of this Order must be filed in the circuit court for Duval County within 30 days of this Order's execution.

CERTIFIED MAIL®
7022 2410 0000 9340 7111
JACKSONVILLE FL 320
18 SEP 2023 PM 3 L
NEOPOST
09/15/2023
US POSTAGE $008.53⁰
FIRST-CLASS MAIL
ZIP 32233
041M11299654
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
WILLIAMS ROBERT JOSEPH, JR.
67 Coral St
Atlantic B
NIXIE 322 DE 1 7211/13/23
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 32233546199 *1638-02288-18-43
32233>5461
REASON CHECKED
Unclaimed
Refused
Attempted Not Known
Insufficient Address
No Such Number/Street
No Such Office in this State
Do not remail in this envelope

Irizarry,Angela

From: Robert Williams <joeycoma1962@icloud.com>
Sent: Friday, September 15, 2023 5:52 PM
To: Irizarry,Angela
Subject: Fwd: New Roof Estimate
Attachments: Estimate - 67 Coral St.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

> **From:** "Pimentel Roofing, Inc." <pimentelroofing@gmail.com>
> **Date:** September 14, 2023 at 7:42:45 AM EDT
> **To:** joeycoma1962@icloud.com
> **Subject: New Roof Estimate**
>
> Attached
>
> Thanks,
> Ray Pimentel
> Pimentel Roofing, Inc.,

Attachment to email dated 9/15/23

PIMENTEL ROOFING INC.,
50yrs Experience
CCC1330935

Estimate

67 CORAL ST
DATE: 9/14/2023
EXPIRATION DATE 45 DAYS

SUBMITTED TO:

Joey Williams
67 Coral St.
Atlantic Bch, FL 32233
Joeycoma1962@icloud.com

SUBMITTED BY	JOB SITE	DEPOSIT REQUIRED	BALANCE DUE
R.P.	67 Coral St	**50% to start**	Upon Completion

TYPE	DESCRIPTION	LABOR/MATERIALS
Complete Re-Roof	Remove old shingle roof, repair wood rot at additional cost* re-nail sheathing, install S.A. underlayment, 6" eave drip metal, plumbing boots, roof vents, Architectural shingles, and ridge cap	
	Labor and Materials	$13,500
	*any additional cost for wood will be added onto final payment	

*ALL TRASH AND DEBRIS WILL BE REMOVED BY PIMENTEL ROOFING, INC., AND JOB SITE LEFT CLEAN. WORKMANSHIP HOLDS A 5YR GUARANTEE AND MATERIALS CARRY THE MANUFACTURERS WARRANTY.

*NOT RESPONSIBLE FOR A.C., PLUMBING OR ELECTRICAL WIRING IN CLOSE PROXIMITY TO THE ROOF SHEETING. ANY ALTERATION OR DEVIATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COST, WILL BE EXECUTED ONLY UPON WRITTEN ORDERS AND WILL BECOME AN EXTRA CHARGE OVER THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKE, ACCIDENTS OR DELAYS BEYOND OUR CONTROL. OWNER TO CARRY FIRE, TORNADO AND OTHER INSURANCE UPON WORK. WORKMANS COMPENSATION AND PUBLIC LIABILITY INSURANCE ON THE ABOVE TO BE TAKEN OUT BY PIMENTEL ROOFING, INC.

ACCEPTED BY: _____ DATE _____

402 SAINT AUGUSTINE BLVD., JACKSONVILLE BEACH, FL 32250
904-591-5498
pimentelroofing@gmail.com

THANK YOU FOR YOUR BUSINESS!

Irizarry,Angela

From: Irizarry,Angela
Sent: Monday, September 18, 2023 9:12 AM
To: 'Robert Williams'
Subject: RE: New Roof Estimate

Did you accept the bid? When are they starting?

From: Robert Williams [mailto:joeycoma1962@icloud.com]
Sent: Friday, September 15, 2023 5:52 PM
To: Irizarry,Angela <aIrizarry@coab.us>
Subject: Fwd: New Roof Estimate

Sent from my iPhone

Begin forwarded message:

> **From:** "Pimentel Roofing, Inc." <pimentelroofing@gmail.com>
> **Date:** September 14, 2023 at 7:42:45 AM EDT
> **To:** joeycoma1962@icloud.com
> **Subject: New Roof Estimate**
>
> Attached
>
> Thanks,
> Ray Pimentel
> Pimentel Roofing, Inc.,

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

10/16/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 9868

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **November 2, 2023 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

VIOLATION CODE(S):

IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

IPMC 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

STATEMENT OF CODE ENFORCEMENT OFFICER: This case was heard at the 9/7/2023 hearing and a final order was entered requiring Respondent to show a contract and commencement of repairs on or before September 14, 2023. Respondent emailed one roof estimate on 9/15/2023. As of today, 10/16/2023, no permit applications have been submitted to begin any repairs on the property.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk

CERTIFIED MAIL
JACKSONVILLE FL 320
NEOPOST
10/16/2023
US POSTAGE $008.53
FIRST-CLASS MAIL
ZIP 32233
041M11299654
7013 1710 0002 1691 9868
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
Robert Joseph Williams Jr.
67 Coral Street
Atlantic B
NIXIE 322 DE 1 0011/10/23
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 32233546199 *1638-00844-16-41
UNC
RELSON CHECKED
Unclaimed
Refused
Attempted
Insufficient
No
No such Office
Do not remail to this address
10-18

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

POSTED ON PROPERTY AND ATLANTIC BEACH CITY HALL
DATE: 10/23/23

10/16/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 9868

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **November 2, 2023 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

VIOLATION CODE(S):

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STATEMENT OF CODE ENFORCEMENT OFFICER: This case was heard at the 9/7/2023 hearing and a final order was entered requiring Respondent to show a contract and commencement of repairs on or before September 14, 2023. Respondent emailed one roof estimate on 9/15/2023. As of today, 10/16/2023, no permit applications have been submitted to begin any repairs on the property.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk



CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

WILLIAMS ROBERT JOSEPH, JR.
67 Coral St
Atlantic Beach, Florida 32233-5815

Respondent.

First Class and Certified Mail Return Receipt Requested: 7022 2410 0000 9340 7135

Property Address: 67 CORAL ROAD
Atlantic Beach, FL 32233

CASE NUMBER: 23-038
REAL ESTATE NUMBER: 169595-0000
LEGAL DESCRIPTION: 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 ATLANTIC BEACH, FLORIDA

ORDER ON CASE NO. 23-038

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on November 2, 2023, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, issues findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. The Respondent is the owner of the property located at 67 Coral Street, Atlantic Beach, Florida 32233 ("the Property"). Proper notice of the hearing posted on the Property and at City Hall in Atlantic Beach, FL. The Respondent appeared at the hearing.

2. The previous and ongoing violations cited were for Violations of IPMC Sec 304.6 Exterior walls having holes, breaks, loose or rotting materials. Additionally, for violations of IPMC Sec 304.7 for roof and flashing being in disrepair and deteriorated. The City of Atlantic Beach presented photographs and evidence of neighbors' complaints.

3. The Respondent stated he is aware of the needed repairs. The Respondent previously appeared at the July 6, 2023 hearing and was ordered to come into significant compliance. As of November 2, 2023, the City of Atlantic Beach and the Respondent both stated that no permit applications have been applied for and no repairs have been completed. The Respondent was ordered to be in compliance with a contract and a pulled permit by September 2023. On September 15, 2023, the City received "an estimate" for repairs, but no signed contract or permit.

4. The Respondent stated he had a neighbor who could do repairs as well. The City of Atlantic Beach requested a daily fine be imposed.

CONCLUSIONS OF LAW

5. Proper notice was provided to the respondent who appeared at the hearing. The City of Atlantic Beach, Florida presented photographs and documentation of the violations. The Respondent did not contest the violations and further stated he was attempting to obtain financing and contractors.

6. The Property has been properly assessed for the Code violations. The City of Atlantic Beach provided time for three (3) hearings for the Respondent on the issue of addressing the repairs immediately with the City of Atlantic Beach.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law and pursuant to the authority granted in Chapter 162, Florida Statutes, and the Code of Ordinances of the City of Atlantic Beach, Florida it is Ordered:

A. The Respondent shall provide written documentation to the City of Atlantic Beach showing a contract and commencement of repairs on or before seven (7) days from the date of this Order. If the Respondent fails to comply by that date, the Respondent is fined $100.00 per day commencing seven (7) days from the date of this Order.

DONE AND ORDERED THIS 2nd DAY OF NOVEMBER, 2023.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

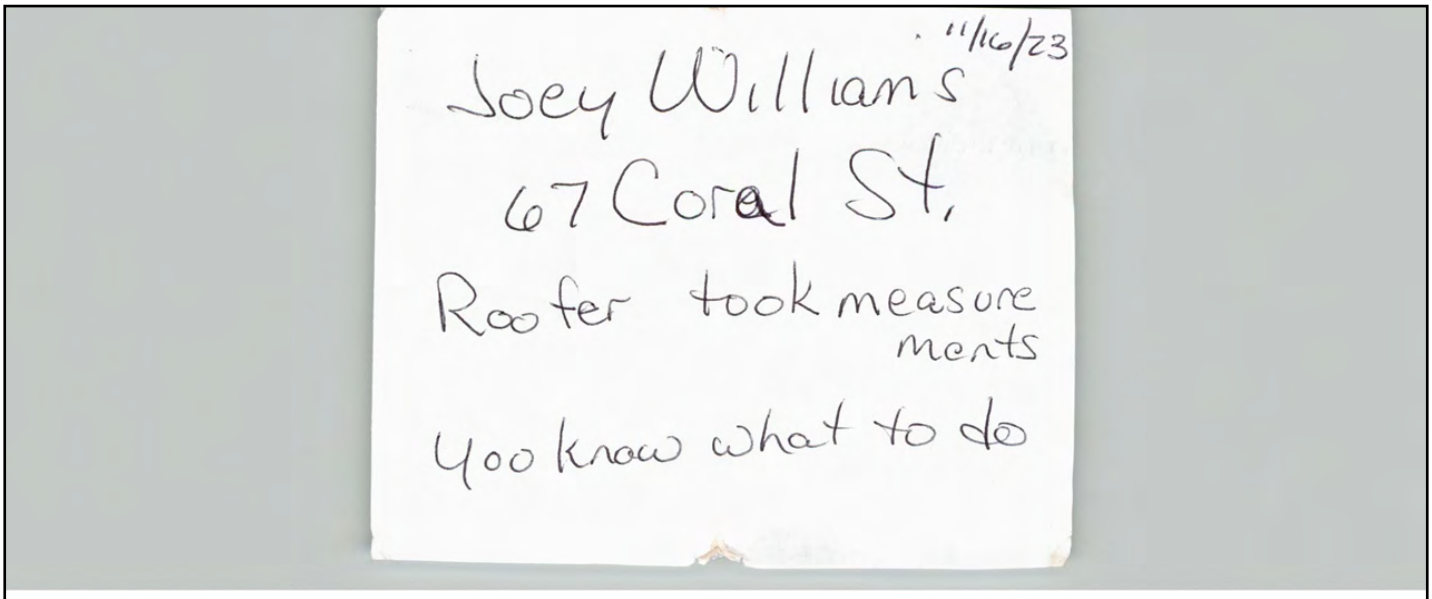
Ladayija Nichols, Deputy City Clerk

Suzanne W. Green, Special Magistrate

Executed this 7th day of November, 2023.

PLEASE NOTE: Florida Statutes § 162.11 requires that any appeal of this Order must be filed in the circuit court for Duval County within 30 days of this Order's execution.

CERTIFIED MAIL
7022 2410 0000 9340 7135
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
Williams Robert Joseph, Jr
67 Coral St
Atlantic b
US POSTAGE
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FIRST-CLASS MAIL
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11/07/2023 ZIP 32233
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32233>5461


11/16/23
Joey Williams
67 Coral St.
Roofer took measurements
You know what to do













CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

POSTED ON PROPERTY AND ATLANTIC BEACH CITY HALL
DATE: 12/22/23

12/19/2023

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 0629

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **January 4 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

VIOLATION CODE(S):

IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

IPMC 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

STATEMENT OF CODE ENFORCEMENT OFFICER: At the November 2, 2023 magistrate hearing, the Respondent was ordered to provide written documentation to the City of Atlantic Beach showing a contract and commencement of repairs within 7 days from the date of the order. A roof permit application was applied for on 11/20/2023. During an inspection on 12/5/2023, it was noted that shingles have been delivered and the porch on side of the house has been partially demolished. No permits have been requested to repair the exterior siding.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may

be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk

CERTIFIED MAIL™
JACKSONVILLE FL 320
DEC 2023 PM 3
7013 1710 0002 1691 0629
US POSTAGE
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FIRST-CLASS MAIL
IMI
$008.53
12/19/2023 ZIP 32233
043M31249185
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
Williams Robert Joseph Jr
67 Coral St
Atlantic
RE: SON CHECKED
Unclaimed
Refused
Attempted Not Known
NIXIE 322 DE 1 0001/28/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 3223354619 *1638-05453-20-02
UNC
32233>5461
32233-5811

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

WILLIAMS ROBERT JOSEPH, JR.
67 Coral St
Atlantic Beach, Florida 32233-5815

Respondent.

First Class and Certified Mail Return Receipt Requested: 7019 2970 0000 9866 4680

Property Address: 67 CORAL ROAD
Atlantic Beach, FL 32233

CASE NUMBER: 23-038
REAL ESTATE NUMBER: 169595-0000
LEGAL DESCRIPTION: 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 ATLANTIC BEACH, FLORIDA

ORDER ON CASE NO. 23-038

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on January 4 2024, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, issues findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. The Respondent is the owner of the property located at 67 Coral Street, Atlantic Beach, Florida 32233 ("the Property"). Proper notice of the hearing posted on the Property and at City Hall in Atlantic Beach, FL. The Respondent appeared at the hearing.

2. The previous and ongoing violations cited were for Violations of IPMC Sec 304.6 Exterior walls having holes, breaks, loose or rotting materials. Additionally, for violations of IPMC Sec 304.7 for roof and flashing being in disrepair and deteriorated. The City of Atlantic Beach presented photographs and evidence of neighbors' complaints.

3. The Respondent stated he is aware of the needed repairs. The Respondent previously appeared at the July 6, 2023 and November 2, 2023 hearings and was ordered to come into significant compliance and show a contract to commence repairs. Failure to do so within seven (7) days of the November 2, 2023 hearing would result in a One Hundred Dollars $100.00) a day fine. The Respondent obtained a permit for the roof on November 20, 2023. As of January 4, 2024, the City of Atlantic Beach stated that the roof had been repaired and some work had started on the porch repair. However, no permit had been applied for

concerning the porch or siding repair. The City of Atlantic Beach stated that neighbors had complained about the lack of compliance.

4. The Respondent stated he was told he did not need a permit for the porch and siding. The City of Atlantic Beach assured him that any outside work requires a permit. The work on the porch and siding repairs have ceased.

CONCLUSIONS OF LAW

5. Proper notice was provided to the Respondent who appeared at the hearing. The City of Atlantic Beach, Florida presented photographs and documentation of the continued violations. The Respondent did not contest the violations.

6. The Property has been properly assessed for the Code violations. The City of Atlantic Beach provided time for four (4) hearings for the Respondent on the issue of addressing the repairs and permits. The Respondent was directed to immediately obtain the permits.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law and pursuant to the authority granted in Chapter 162, Florida Statutes, and the Code of Ordinances of the City of Atlantic Beach, Florida it is Ordered:

A. The Respondent shall forthwith provide written documentation to the City of Atlantic Beach to obtain the proper permits to continue the porch and siding repairs. The Respondent is fined One Hundred Dollars ($100.00) per day from December 1, 2023 until the proper permits are obtained from the City of Atlantic Beach.

DONE AND ORDERED THIS 4th DAY OF JANUARY, 2024.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

Ladayija Nichols, Deputy City Clerk

Suzanne W. Green, Special Magistrate

Executed this 8th day of January, 2024.

PLEASE NOTE: Florida Statutes § 162.11 requires that any appeal of this Order must be filed in the circuit court for Duval County within 30 days of this Order's execution.

CERTIFIED MAIL
7019 2970 0000 9866 4680
JACKSONVILLE FL 320
2024 PM 3 L
quadient
FIRST-CLASS MAIL
IMI
$008.53
01/08/2024 ZIP 32233
043M31249185
US POSTAGE
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
Williams Robert Joseph, Jr.
67 Coral Street
Atlantic Beach, FL 32233
NIXIE 322 DE 1 0002/10/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 3223356199 *1638-06443-09-41
REASON CHECKED
Unclaimed
Refused
Attempted Not Known
Insufficient Address
No Such Street
No Such Number
No Such Office In State
Do not remail in this envelope

RESIDENTIAL PERMIT

CITY OF ATLANTIC BEACH

800 SEMINOLE ROAD
ATLANTIC BEACH. FL 32233

PERMIT NUMBER
RES24-0005
ISSUED: 1/26/2024
EXPIRES: 7/24/2024

MUST CALL INSPECTION PHONE LINE (904) 247-5814 BY 4 PM FOR NEXT DAY INSPECTION. ALL WORK MUST CONFORM TO THE CURRENT 6TH EDITION (2017) OF THE FLORIDA BUILDING CODE, NEC, IPMC, AND CITY OF ATLANTIC BEACH CODE OF ORDINANCES . ALL CONDITIONS OF PERMIT APPLY, PLEASE READ CAREFULLY.

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

JOB ADDRESS:	PERMIT TYPE:	DESCRIPTION:	VALUE OF WORK:
67 CORAL ST	RESIDENTIAL SIDING	Replace broken and missing shingles on outside back wall	$400.00

TYPE OF CONSTRUCTION:	REAL ESTATE NUMBER:	ZONING:	BUILDING USE GROUP:	SUBDIVISION:
	169595 0000			OCEAN GROVE UNIT 01

COMPANY:	ADDRESS:	CITY:	STATE:	ZIP:

OWNER:	ADDRESS:	CITY:	STATE:	ZIP:
WILLIAMS ROBERT JOSEPH JR	67 CORAL ST	ATLANTIC BEACH	FL	32233-5815

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

LIST OF CONDITIONS

Roll off container company must be on City approved list . Container cannot be placed on City right-of-way.

1	BUILDING	IN-PROGRESS INSPECTION REQUIRED	INFORMATIONAL

Notes:

IN-PROGRESS INSPECTIONS ARE REQUIRED FOR EXTERIOR SIDING, WINDOW, AND DOOR INSPECTIONS, AND SHOULD BE SCHEDULED FOR THE FIRST DAY OF WORK.

FEES

DESCRIPTION	ACCOUNT	QUANTITY	PAID AMOUNT
BUILDING PERMIT	455-0000-322-1000	0	$55.00
BUILDING PLAN CHECK	455-0000-322-1001	0	$27.50

Issued Date: **1/26/2024**

RESIDENTIAL PERMIT
CITY OF ATLANTIC BEACH
800 SEMINOLE ROAD
ATLANTIC BEACH. FL 32233

PERMIT NUMBER
RES24-0005
ISSUED: 1/26/2024
EXPIRES: 7/24/2024

STATE DBPR SURCHARGE	455-0000-208-0700	0	$2.00
STATE DCA SURCHARGE	455-0000-208-0600	0	$2.00
			TOTAL: $86.50

BUILDING PERMIT APPLICATION

City of Atlantic Beach Building Department
800 Seminole Road, Atlantic Beach, FL 32233
Phone: (904) 247-5826 **Email:** Building-Dept@coab.us

FOR INTERNAL OFFICE USE ONLY
PERMIT # RES24-0005
**ALL information required to process

Job Address 67 CORAL ST. ATLANTIC BCH, FL. 32233 RE# 169595-0000

Legal Description 15-82 09-2S-29E. Ocean Grove Unit No 1 S/D PT LOT 7. Lot 18 Blk 8

Valuation of Work (Replacement Cost) $400 Heated/Cooled SF N/A Non-Heated/Cooled SF N/A

- Class of Work: ☐ New ☐ Addition ☐ Alteration ☑ Repair ☐ Move ☐ Demo ☐ Pool ☐ Window/Door
- Use of existing/proposed structure(s): ☐ Commercial ☑ Residential • If existing structure, is a fire sprinkler system installed?: ☐ Yes ☐ No
- Will tree(s) be removed in association with proposed project? ☐ Yes (Must submit separate Tree Removal Permit) ☑ No

Describe in detail the type of work to be performed:

SEE ABOVE - REPLACE BROKEN AND MISSING SHINGLES ON OUTSIDE BACK WALL OF HOUSE

Florida Product Approval # _____ (For multiple products use Product Approval Information Sheet)

Property Owner Information Name ROBERT J. WILLIAMS JR. Phone 904-568-7556

Address 67 CORAL ST. City ATLANTIC BCH State FL Zip 32233

Email JOEYCOMA1962.ICLOUD.COM Owner or Agent (If Agent, Power of Attorney or Agency Letter Required) _____

Contractor Information Name of Company SELF (N/A) Phone _____

Address _____ City _____ State ____ Zip _____

Qualifying Agent _____ State Certification/Registration# _____

Email _____ Job Site Contact Number _____

Worker's Compensation Insurer _____ **OR** Exempt ☐ Expiration Date _____

Architect's Name _____ Email _____ Phone _____

Engineer's Name _____ Email _____ Phone _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all the laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

NOTICE: *In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this city/county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.*

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

****WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE SITE OF THE IMPROVEMENT BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

Robert J Williams Jr.
(Signature of Owner or Agent)

Signed and sworn to (or affirmed) before me this 4th day of January, 2024 by Robert J. Williams JR

Signature of Notary _____

[ ] Personally Known OR [✓] Produced Identification

Type of Identification: FL DL

VANESSA ANGERS
MY COMMISSION # HH 244118
EXPIRES: March 23, 2026

_____
(Signature of Contractor)

Signed and sworn to (or affirmed) before me this _____ day of _____, _____ by _____

Signature of Notary _____

[ ] Personally Known OR [ ] Produced Identification

Type of Identification: _____

VANESSA ANGERS
MY COMMISSION # HH 244118
EXPIRES: March 23, 2026

Owner Builder Affidavit

City of Atlantic Beach Building Department
800 Seminole Rd, Atlantic Beach, FL 32233
Phone: (904) 247-5826 **Email:** Building-Dept@coab.us

****ALL INFORMATION HIGHLIGHTED IN GRAY IS REQUIRED.**

PERMIT #: RES24-0005

I. **FLORIDA STATUTES;** CHAPTER 489, FLORIDA STATUTES, PART 1 "CONSTRUCTION CONTRACTING" REQUIRES OWNER / BUILDER TO ACKNOWLEDGE THE LAW:

DISCLOSURE STATEMENT FOR SECTION 489.103(7), FLORIDA STATUTES:

STATE LAW REQUIRES CONSTRUCTION TO BE DONE BY LICENSED CONTRACTORS. YOU HAVE APPLIED FOR A PERMIT UNDER AN EXEMPTION TO THAT LAW. THE EXEMPTION ALLOWS YOU, AS THE OWNER OF YOUR PROPERTY, TO ACT AS YOUR OWN CONTRACTOR EVEN THOUGH YOU DO NOT HAVE A LICENSE.
YOU MUST SUPERVISE THE CONSTRUCTION YOURSELF.
YOU MAY BUILD OR IMPROVE A ONE OR TWO FAMILY RESIDENCE OR A FARM OUTBUILDING. YOU MAY ALSO BUILD OR IMPROVE A COMMERCIAL BUILDING AT A COST OF $25,000.00 OR LESS.
THE BUILDING MUST BE FOR YOUR USE AND OCCUPANCY. IT MAY NOT BE BUILT FOR SALE OR LEASE. IF YOU SELL OR LEASE A BUILDING YOU HAVE BUILT YOURSELF WITHIN **ONE YEAR** AFTER THE CONSTRUCTION IS COMPLETE, THE LAW WILL PRESUME THAT YOU BUILT IT FOR SALE OR LEASE, WHICH IS IN VIOLATION OF THIS EXEMPTION.
YOU MAY NOT HIRE AN UNLICENSED PERSON AS YOUR CONTRACTOR. YOUR CONSTRUCTION MUST BE DONE ACCORDING TO THE BUILDING CODES AND ZONING REGULATIONS.
IT IS YOUR RESPONSIBILITY TO MAKE SURE THAT PEOPLE EMPLOYED BY YOU HAVE LICENSES REQUIRED BY STATE LAW AND BY COUNTY OR MUNICIPAL LICENSING ORDINANCES.

II. **INJURY LIABILITY;** SINCE OWNERS MAY BE LIABLE FOR INJURIES TO WORKERS THEY HIRE, THE BUILDING DEPARTMENT SUGGESTS WORKER'S COMPENSATION INSURANCE BE PURCHASED. .

III. **IRS WITHHOLDING;** OWNERS HIRING WORKERS BECOME EMPLOYERS AND SHOULD ALSO OBSERVE IRS WITHHOLDING TAX AND/OR FORM 1099 REQUIREMENTS ON THE WORKERS THEY EMPLOY ON THEIR IMPROVEMENT TRADES.

IV. **PENALTY;** UNLICENSED CONTRACTORS CANNOT BE EMPLOYED UNDER ANY CIRCUMSTANCES. OWNERS BEING SUBJECT TO $5,000 PENALTY UNDER FLORIDA STATUTE NO. 455-228(1). AN "OCCUPATIONAL LICENSE" IS NOT ADEQUATE. THE OWNER SHOULD PHYSICALLY SEE THE COUNTY "CERTIFICATE OF COMPETENCY" OR THE FLORIDA "CONTRACTORS CERTIFICATE" TO ASCERTAIN IF A PERSON IS A LICENSED CONTRACTOR. CONTACT THE BUILDING DEPARTMENT (904-247-5826 OR BUILDING-DEPT@COAB.US) IF IN DOUBT.

V. **ACKNOWLEDGEMENT;** I HEREBY ACKNOWLEDGE THAT I HAVE READ THE ABOVE DISCLOSURE STATEMENT AND THAT I COMPLY WITH ALL THE REQUIREMENTS FOR THE ISSUANCE OF AN OWNER-BUILDER PERMIT.

Job Address: 67 CORAL ST. ATLANTIC BEACH, FL. 32233

Owner Name: ROBERT J. WILLIAMS, JR. Phone Number: 904.568.7550

Mailing Address: 67 CORAL ST. City: ATLANTIC BCH. State: FL. Zip: 32233

Notarized Signature of Owner Robert J Williams Jr

The foregoing instrument was acknowledged before me this 4th day of January, 2024, in the State of Florida, County of Duval

Signature of Notary Public _____

[ ] Personally Known OR [ ] Produced Identification

VANESSA ANGERS
MY COMMISSION # HH 244118
EXPIRES: March 23, 2026

Type of Identification: FL DL Robert J. Williams Jr

Updated 10/24/18

PRODUCT APPROVAL INFORMATION SHEET FOR THE CITY OF ATLANTIC BEACH, FLORIDA (*REQUIRED)

*Project Address: 67 CORAL ST. ATLANTIC BCH. FL 32233 Permit #: RES24-0005

*Owner/Project Name: ROBERT S. WILLIAMS JR.

As required by Florida Statute 553.842 and Florida Administrative Code Rule 61G20-3, please provide the information and product approval number(s) for the building components listed below as applicable to the building construction project for the permit number listed above. You should contact your product supplier if you do not know the product approval number for any of the applicable listed products. Information regarding statewide product approval may be obtained at: www.floridabuilding.org.

FL. PRODUCT APPROVAL #

Category/Subcategory	Manufacturer	Product Description	Limitation of Use	State #	Local #
A. EXTERIOR DOORS					ASTME136 (ASTME136)
1. Swinging					[redacted]
2. Sliding	G.A.F.	FIBER CEMENT SHINGLES	OUTSIDE WALL		U.L. ANSI-UL723 (U.L. ANSI-UL723)
3. Sectional					
4. Garage Roll-Up					
5. Automatic					
6. Other					
B. WINDOWS					
1. Single hung					
2. Horizontal slider					
3. Casement					
4. Double hung					
5. Fixed					
6. Awning					
7. Pass-through					
8. Projected					
9. Mullion					
10. Wind breaker					
11. Dual action					
12. Other					

Category/Subcategory	Manufacturer	Product Description	Limitation of Use	State #	Local #
C. PANEL WALL					
1. Siding					
2. Soffits					
3. EIFS					
4. Storefronts					
5. Curtain walls					
6. Wall louvers					
7. Glass block					
8. Membrane					
9. Greenhouse					
10. Synthetic stucco					
11. Other					
D. ROOFING PRODUCTS					
1. Asphalt shingles					
2. Underlayments					
3. Roofing fasteners					
4. Nonstructural metal roof					
5. Built-up roofing					
6. Modified bitumen					
7. Single ply roofing					
8. Roofing tiles					
9. Roofing insulation					
10. Waterproofing					
11. Wood shingles/shakes					
12. Roofing slate					
13. Liquid applied roofing					
14. Cement-adhesive coats					
15. Roof tile adhesive					
16. Spray applied polyurethane roof					
17. Other					

Category/Subcategory	Manufacturer	Product Description	Limitation of Use	State #	Local #
E. SHUTTERS					
1. Accordion					
2. Bahama					
3. Storm panels					
4. Colonial					
5. Roll-up					
6. Equipment					
7. Other					
F. STRUCTURAL COMPONENTS					
1. Wood connector/anchor					
2. Truss plates					
3. Engineered lumber					
4. Railing					
5. Coolers-freezers					
6. Concrete admixtures					
7. Material					
8. Insulation forms					
9. Plastics					
10. Deck-roof					
11. Wall					
12. Sheds					
13. Other					
G. SKYLIGHTS					
1. Skylight					
2. Other					
H. NEW EXTERIOR ENVELOPE PRODUCTS					
1.					
2.					

In addition to completing the above list of manufacturers, product description and State approval number for the products used on this project, the Contractor shall maintain on the job site and available to the Inspector, a legible copy of each manufacturer's printed specifications and installation instructions along with this Product Approval Sheet.

I certify that this product approval list is true and correct to the best of my knowledge. I further certify that use of different components other than the ones listed in this document must be approved by the Building Official.

HOME OWNER
*~~Contractor Name~~ (Print Name): Robert J Williams Jr *Contractor Signature: ROBERT J. WILLIAMS JR.

*Company Name: N/A

*Mailing Address: 67 CORAL ST. ATLANTIC BCH. FL. 32233

*City: ATLANTIC BCH. *State: FL. *Zip Code: 32233

*Telephone Number: 904-568-7550 *E-mail Address: JOEYCONRA1962.ICLOUD.COM

Cell Phone Number: ↑ Fax Number:

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

3/20/2024

Case Number: 23-038

WILLIAMS ROBERT JOSEPH JR
67 CORAL ST
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 8854

Property Address: 67 CORAL ST
ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **May 2, 2024 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 67 CORAL ST, 15-82 09-2S-29E OCEAN GROVE UNIT NO 1 S/D PT LOT 7 LOT 18 BLK 8 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

VIOLATION CODE(S):

IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

IPMC 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

STATEMENT OF CODE ENFORCEMENT OFFICER: This case was previously heard at the 1/4/2024 hearing and a final order was entered fining the Respondent $100 per day from December 1, 2023 until a permit was obtain to continue the porch and siding repairs. A siding permit was applied for on 1/4/2024, approved on 1/8/2024, and issued on 1/26/2024 by the building department. As of 3/19/2024 the work has not been completed and the remaining walls of the porch have not been removed.

If the violation is corrected and then recurs or if the violation was not corrected by the time specified for correction by the Code Enforcement Officer in the Notice of Violation that you received, the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the hearing.

You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Stephanie Figueroa, Records Management Specialist

Case Details

City of Atlantic Beach

Case Number
23-038

Description: House repairs needed		Status: ACTIVE CASE	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 2/7/2023	Closed:	Last Action: 5/14/2024	Fllw Up: 4/5/2024
Site Address: 67 CORAL ST ATLANTIC BEACH, FL 32233			
Site APN: 169595 0000		Officer: Angela Irizarry	
Details:			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
MEETING WITH RESPONDENT	Angela Irizarry	10/24/2022	10/24/2022	Met with property owner onsite. We walked around the house together and I pointed out the things that need to be taken care of. The porch on the west side of the house is collapsing and there are areas where the trees are growing into the soffits. He stated that he will talk to a contractor he knows about it. He was very concerned about the birds that are nesting inside the porch.
MEETING WITH RESPONDENT	Angela Irizarry	11/10/2022	11/10/2022	Stopped by an spoke with Respondent. He said he hadn't spoken with the contractor friend yet and wanted to explore his legal options. I told him I would give him until the end of the month to figure out a plan.
MEETING WITH RESPONDENT	Angela Irizarry	12/16/2022	12/16/2022	Met with Respondent. He was upset over having to fix the house and said he still wanted to explore his legal options. He told me he met with an attorney. Advised him that I was willing to work with him but that he needed to start on the house repairs. He was again upset about the birds that next inside the porch.

				He stated that it was very difficult for him to make changes to the house since his wife passed away and feel like he is being picked on because he lives in an original beach out and hasn't torn it down to build something big and new.
NOV REG	Angela Irizarry	2/16/2023	2/16/2023	
NOV POST	Angela Irizarry	5/26/2023	5/26/2023	
NOH POST AND AFF	Angela Irizarry	6/26/2023	6/26/2023	
CEB ORDER	Angela Irizarry	7/21/2023	7/21/2023	The matter is deferred until the September 7, 2023 Code Enforcement hearing date. If the Respondent's Property is not in significant compliance by that date, the Respondent is fined $250.00 per day commencing September 7, 2023.
TELEPHONE MESSAGE	Angela Irizarry	7/24/2023	7/24/2023	Received voicemail from Mr. Williams stating that he is moving money to make the repairs.
NOTICE OF HEARING	Angela Irizarry	7/29/2023	8/1/2023	for the 9/7/2023 meeting
CMRR STATUS UPDATE	Angela Irizarry	8/18/2023	8/28/2023	Notice has not been delivered. Posting NOH
NOH POST AND AFF	Angela Irizarry	8/28/2023	8/28/2023	NOH posted on property and city hall and mailed by regular usps mail.
CODE ENFORCEMENT AGENDA	Angela Irizarry	8/31/2023	9/1/2023	
CODE ENFORCEMENT ORDER	Angela Irizarry	9/7/2023	9/7/2023	Respondent ordered to provide written documentation to city and start repairs on or before 9/14/2023
TELEPHONE MESSAGE	Angela Irizarry	9/15/2023	9/15/2023	Received voicemail from Mr. Williams stating that he had

				quotes. Tried to return the call but his voicemail box was full and coudln't accept messages.
EMAIL RECEIVED	Angela Irizarry	9/15/2023	9/15/2023	Received email from Mr. Williams with an estimate for a roof repair from Pimentel Roofing attached.
EMAIL SENT	Angela Irizarry	9/18/2023	9/18/2023	Sent email response to Mr. Williams asking him if he accepted the roofing contract
NOTICE OF HEARING	Angela Irizarry	10/16/2023	10/16/2023	
CMRR STATUS UPDATE	Angela Irizarry	10/23/2023	10/23/2023	Notice for Nov meeting not delivered yet. Posting property and city hall.
CODE ENFORCEMENT AGENDA	Angela Irizarry	10/30/2023	10/30/2023	
CODE ENFORCEMENT ORDER	Angela Irizarry	11/2/2023	11/2/2023	Respondent was ordered to show written documentation of a contract and commencement of repairs within 7 days of the date of the order.
MEETING WITH RESPONDENT	Angela Irizarry	11/16/2023	11/22/2023	Received message from the building department that Mr. Williams came into the office on 11/16 while I was out.
PERMIT APPLIED FOR	Angela Irizarry	11/20/2023	11/20/2023	Per building department records, roof permit was submitted.
OTHER	Angela Irizarry	11/27/2023	11/27/2023	Received email from next door neighbor reporting that work other than the roof work was being done.
MEETING WITH RESPONDENT	Angela Irizarry	11/27/2023	11/27/2023	Went to property and spoke with Mr. Williams in person. There was new framing on the side porch on the east side of the property. I advised Mr. Williams that they rebuilding of the porch was outside the scope of the roof permit and they needed to stop that work until a permit was applied for and

Case Details

City of Atlantic Beach

Case Number
23-038

				issued.
TELEPHONE CALL	Angela Irizarry	11/27/2023	11/27/2023	Called roofing contractor and advised them to stop work on the porch because it was out of the scope of the permit.
NOH LTR	Angela Irizarry	12/19/2023	12/19/2023	
NOH POST AND AFF	Angela Irizarry	12/22/2023	12/22/2023	
CEB MEETING	Angela Irizarry	1/4/2024	1/5/2024	Mr. Williams appeared. Stated he has ordered siding from home depot. No permit has been requested. Side porch still partially stands. Ordered top pay fines of $100 per day until siding permit is applied for starting 12/1/2023
PERMIT APPLIED FOR	Angela Irizarry	1/4/2024	1/4/2024	Applied for siding permit.
PERMIT ISSUED/OBTAINED	Angela Irizarry	1/26/2024	1/26/2024	Per building department records, siding permit was issued.
NOTICE OF HEARING	Angela Irizarry	3/19/2024	3/19/2024	Dated 3/20/2024
CMRR STATUS UPDATE	Angela Irizarry	4/5/2024		
CODE ENFORCEMENT AGENDA	Angela Irizarry	4/25/2024		
CODE ENFORCEMENT ORDER	Angela Irizarry	5/14/2024		

CONTACTS

NAME TYPE	NAME	ADDRESS	PHONE	FAX	EMAIL
COMPLAINTANT	NICOLAS DAMON	71 CORAL ST ,			damon.nicolas@gmail.com

Case Details

City of Atlantic Beach

Case Number
23-038

OWNER	WILLIAMS ROBERT JOSEPH JR	67 CORAL ST ATLANTIC BEACH, FL 32233-5815			

FINANCIAL INFORMATION

DESCRIPTION	ACCOUNT	QTY	AMOUNT	PAID	PAID DATE	RECEIPT #	CHECK #	METHOD	PAID BY	CLTD BY
$100	00100003543000	0	$100.00	$0.00						
	Total Paid for CE DAILY FINE:		$100.00	$0.00						
	TOTALS:		$100.00	$0.00						

INSPECTIONS

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
INITIAL INSPECTION	AI	10/24/2022	10/24/2022			Side porch is collapsing Trees damaging roof line
REINSPECTION	AI	11/10/2022	11/10/2022	VIOLATION CONTINUES		
REINSPECTION	AI	12/16/2022	12/16/2022	VIOLATION CONTINUES		
REINSPECTION	AI	2/16/2023	2/16/2023	VIOLATION CONTINUES		
REINSPECTION	AI	3/15/2023	3/15/2023	VIOLATION CONTINUES		Went by house and knocked on the door to try to speak with Respondent. There was no answer even though both vehicles were there.
REINSPECTION	AI	5/26/2023	5/26/2023	VIOLATION CONTINUES		
REINSPECTION	AI	6/26/2023	6/26/2023	VIOLATION CONTINUES		

REINSPECTION	AI	7/6/2023	7/6/2023	VIOLATION CONTINUES		
REINSPECTION	AI	10/16/2023	10/16/2023	VIOLATION CONTINUES		
REINSPECTION	AI	12/1/2023				
REINSPECTION	AI	3/19/2024	3/19/2024	VIOLATION CONTINUES		Porch still there Siding not complete.
REINSPECTION	AI	4/22/2024	4/22/2024	VIOLATION CONTINUES		Partial porch still there.

VIOLATIONS

VIOLATION TYPE	USER NAME	OBSERVED DATE	CORRECTED DATE	LOCATION	REMARKS	NOTES
Exterior Walls	Angela Irizarry	2/7/2023				IPMC Sec. 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Roofs and Drainage	Angela Irizarry	2/7/2023				IPMC 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Not clearly visible from the street but can be seen from neighbors side yard. Roof has been replaced.

Case Details

City of Atlantic Beach

Case Number
24-014

Description: Excessive Trimming ROW tree		Status: PENDING CODE BOARD	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 1/30/2024	Closed:	Last Action: 5/14/2024	Fllw Up: 5/2/2024
Site Address: 1094 STOCKS ST ATLANTIC BEACH, FL 32233			
Site APN: 171000 0000		Officer: Angela Irizarry	
Details: In ROW next to property address.			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
OTHER	Angela Irizarry	1/23/2024	1/23/2024	Abrielle Genest received call from Carol Ezell reporting that the gentleman at 1094 Stocks street severely cut back the oak tree in the right of way next to his property. Abrielle Genest and Angela Irizarry visited site the view the tree.
TELEPHONE CALL	Angela Irizarry	1/24/2024	1/24/2024	Spoke with Carol Ezell. She is willing to testify that she can confirm that Robert Schlenoff is the person responsible for cutting the tree in the right of way next to his house.
NOTICE OF HEARING	Angela Irizarry	1/31/2024	1/31/2024	
CMRR STATUS UPDATE	Angela Irizarry	2/5/2024	2/5/2024	Per usps.com, the certified letter was delivered on 2/2/2024.
MEETING WITH RESPONDENT	Angela Irizarry	2/5/2024	2/5/2024	Amanda Askew and I met with Mr. Schlenoff regarding the tree cutting. He stated that he did not know he needed a permit. He also stated that he was confident that the tree would not die because he cut the tree back like this once before approximately five years ago and it grew back just fine. He was apologetic and will be attending the hearing.

Case Details

City of Atlantic Beach

Case Number
24-014

TELEPHONE CALL	**Angela Irizarry**	**2/5/2024**	**2/5/2024**	**Received call from Robert Schlenoff. He said he received the letter regarding cutting the tree and asked to schedule a meeting to discuss in person.**
CMRR STATUS UPDATE	**Angela Irizarry**	**2/6/2024**	**2/6/2024**	**Received green card back but it was not signed.**
TELEPHONE MESSAGE	**Angela Irizarry**	**2/28/2024**	**2/28/2024**	**Received voicemail message from Robert Schlenoff asking if we had heard from the attorney he has obtained for this case.**
TELEPHONE MESSAGE	**Angela Irizarry**	**2/28/2024**	**2/28/2024**	**Returned call to Mr. Schlenoff and left message that we had not heard from his attorney.**
CODE ENFORCEMENT AGENDA	**Angela Irizarry**	**2/29/2024**	**3/4/2024**	
TELEPHONE CALL	**Angela Irizarry**	**2/29/2024**	**2/29/2024**	**Spoke with Robert Schlenoff. Mr. Schlenoff said that he had obtained Don Pinaud as counsel and they would need an extension because his attorney was already scheduled in court on the 7th.**
EMAIL RECEIVED	**Angela Irizarry**	**3/6/2024**	**3/6/2024**	**Received email from Don Pinaud. (sent 3/5 @8:51pm)** **City agreed to reschedule hearing to May 2, 2024 at 2:00pm**
CODE ENFORCEMENT ORDER	**Angela Irizarry**	**3/7/2024**	**3/7/2024**	**Case deferred to May 2, 2024 at respondent's counsels request.**

CONTACTS

NAME TYPE	NAME	ADDRESS	PHONE	FAX	EMAIL
COMPLAINTANT	EZELL CAROL	1104 STOCKS ST ATLANTIC BEACH, FL 32233			
OWNER	SCHLENOFF ROBERT K	1094 STOCKS ST ATLANTIC BEACH, FL 32233-2630			

INSPECTIONS

Case Details

City of Atlantic Beach

Case Number
24-014

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
INITIAL INSPECTION	AI	1/23/2024	1/23/2024	VIOLATION FOUND		Tree was severely over pruned. Tree is located on City right of way Cut limbs were stacked on 1094 stocks street.

VIOLATIONS

VIOLATION TYPE	USER NAME	OBSERVED DATE	CORRECTED DATE	LOCATION	REMARKS	NOTES
TREES - EXCESSIVE PRUNING	Angela Irizarry	1/30/2024			Irreparable and Irreversible	Sec. 23-31. - General prohibitions. (a)Excessive or improper pruning. It shall be unlawful for any person to engage in excessive or improper pruning techniques on trees required pursuant to an approved tree protection plan. Trees intended for shade purposes shall be allowed to reach their mature canopy spread. (b) Pruning or removal of city trees. It shall be unlawful for any person to trim, prune, or remove any tree which is within the city's rights-of-way or upon any other city property without the permission of the city as evidenced by the appropriate permit. Sec. 23-8. - Definitions. Excessive pruning shall mean the substantial alteration of a tree such that there is irreversible removal and/or damage of more than twenty-five (25) percent of the natural shape or form of a tree.

SCHLENOFF ROBERT K
1094 STOCKS ST
ATLANTIC BEACH, FL 32233-2630
SCHLENOFF TATYANA N

Primary Site Address
1094 STOCKS ST
Atlantic Beach FL 32233-

Official Record Book/Page
05789-01575

Tile #
9417

1094 STOCKS ST

Property Detail

RE #	171000-0000
Tax District	USD3
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03119 ATLANTIC BEACH SEC H
Total Area	9405

The sale of this property may result in higher property taxes. For more information go to Save Our Homes and our Property Tax Estimator . 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification Learn how the Property Appraiser's Office values property.

Value Summary

Value Description	2023 Certified	2024 In Progress
Value Method	CAMA	CAMA
Total Building Value	$215,957.00	$213,975.00
Extra Feature Value	$2,054.00	$1,957.00
Land Value (Market)	$137,270.00	$137,270.00
Land Value (Agric.)	$0.00	$0.00
Just (Market) Value	$355,281.00	$353,202.00
Assessed Value	$146,658.00	$151,057.00
Cap Diff/Portability Amt	$208,623.00 / $0.00	$202,145.00 / $0.00
Exemptions	$55,000.00	See below
Taxable Value	$91,658.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value

Assessed Value	$151,057.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Tot/Perm/Vet $5,000 (VT) 196.24 (VT)	- $5,000.00
Taxable Value	**$96,057.00**

SJRWMD/FIND Taxable Value

Assessed Value	$151,057.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Tot/Perm/Vet $5,000 (VT) 196.24 (VT)	- $5,000.00
Taxable Value	**$96,057.00**

School Taxable Value

Assessed Value	$151,057.00
Homestead (HX)	- $25,000.00
Tot/Perm/Vet $5,000 (VT) 196.24 (VT)	- $5,000.00
Taxable Value	**$121,057.00**

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
05789-01575	3/23/1984	$22,000.00	WD - Warranty Deed	Unqualified	Vacant
00000-00000	9/10/1984	$0.00	MS - Miscellaneous	Unqualified	Vacant
09599-00616	4/6/2000	$126,000.00	WD - Warranty Deed	Unqualified	Vacant
11040-00764	3/26/2003	$144,900.00	WD - Warranty Deed	Qualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	FPPR7	Fireplace Prefab	1	0	0	1.00	$1,957.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0101	RES MD 8-19 UNITS PER AC	ARG	70.00	102.00	Common	70.00	Front Footage	$137,060.00
2	9600	WASTE LAND	ARG	25.00	102.00	Common	0.06	Acreage	$210.00

Legal

LN	Legal Description
1	18-34 17-2S-29E .22
2	ATLANTIC BEACH SEC H
3	LOT 1,S1/2 STREET LYING N
4	THEREOF CL BY U/R BCH ORD #65-84-10
5	BLK 186

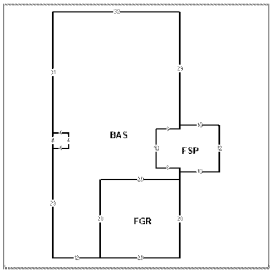
Buildings

Building 1
Building 1 Site Address
1094 STOCKS ST Unit
Atlantic Beach FL 32233-

Building Type	0101 - SFR 1 STORY
Year Built	2002
Building Value	$213,975.00

Type	Gross Area	Heated Area	Effective Area
Finished Open Porch	16	0	5

Element	Code	Detail
Exterior Wall	6	6 Vertical Sheet
Exterior Wall	16	16 Frame Stucco
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	5	5 Drywall
Int Flooring	14	14 Carpet
Int Flooring	8	8 Sheet Vinyl
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted



Base Area	1540	1540	1540
Fin Screened Porch	180	0	63
Finished Garage	400	0	200
Total	2136	1540	1808

Air Cond	3	3 Central

Element	Code	Detail
Stories	1.000	
Bedrooms	4.000	
Baths	2.000	
Rooms / Units	1.000	

2023 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	$146,658.00	$55,000.00	$91,658.00	$701.39	$735.67	$672.23
Public Schools: By State Law	$146,658.00	$30,000.00	$116,658.00	$363.68	$371.32	$342.30
By Local Board	$146,658.00	$30,000.00	$116,658.00	$252.65	$262.25	$237.80
FL Inland Navigation Dist.	$146,658.00	$55,000.00	$91,658.00	$2.80	$2.64	$2.64
Atlantic Beach	$146,658.00	$55,000.00	$91,658.00	$271.21	$284.46	$260.40
Water Mgmt Dist. SJRWMD	$146,658.00	$55,000.00	$91,658.00	$17.25	$16.43	$16.43
School Board Voted	$146,658.00	$30,000.00	$116,658.00	$0.00	$116.66	$0.00
Urban Service Dist3	$146,658.00	$55,000.00	$91,658.00	$0.00	$0.00	$0.00
			Totals	$1,608.98	$1,789.43	$1,531.80

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	$303,194.00	$142,387.00	$55,000.00	$87,387.00
Current Year	$355,281.00	$146,658.00	$55,000.00	$91,658.00

2023 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2023

2022

2021

2020

2019

2018

2017

2016

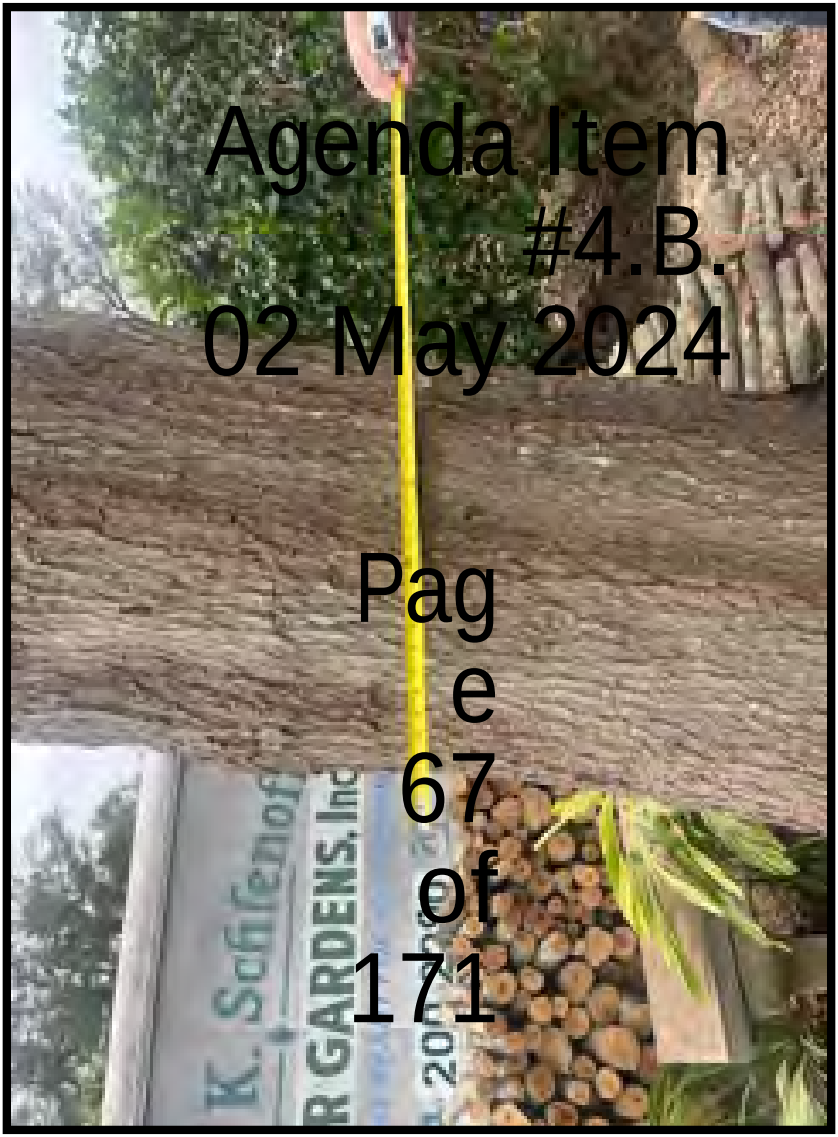
2015

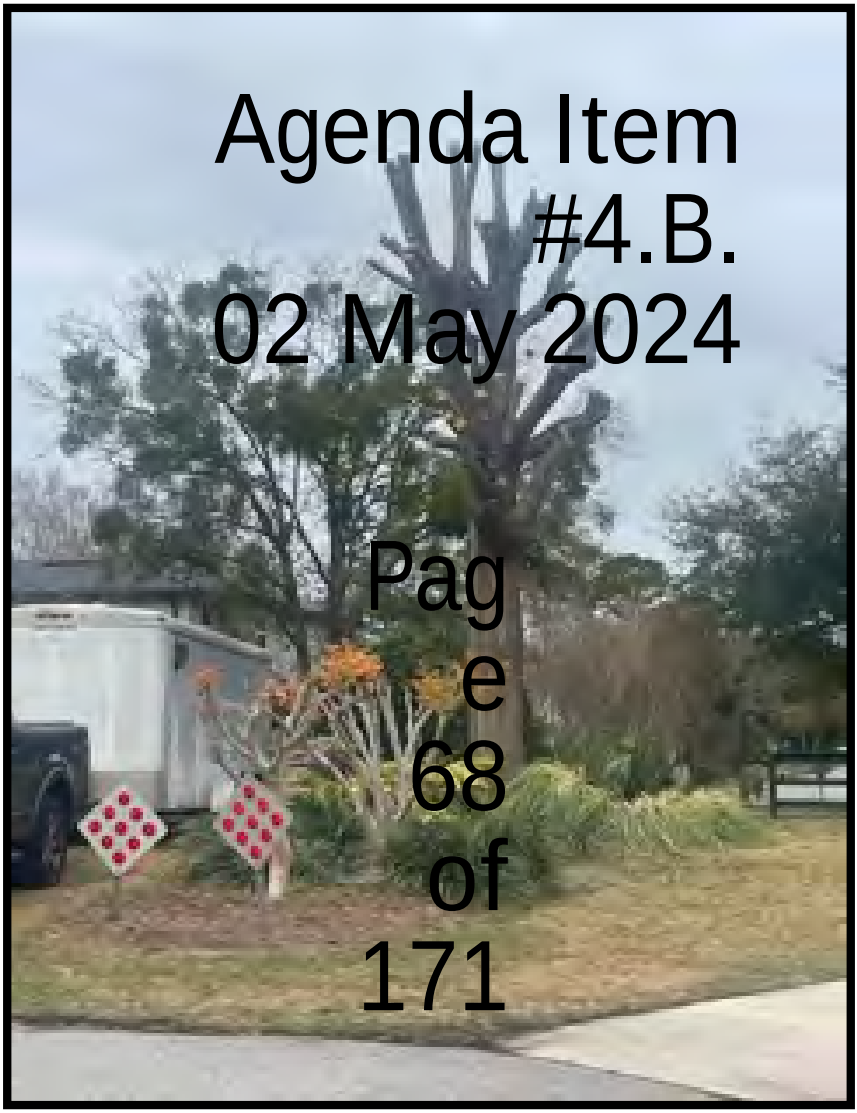
2014

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here:

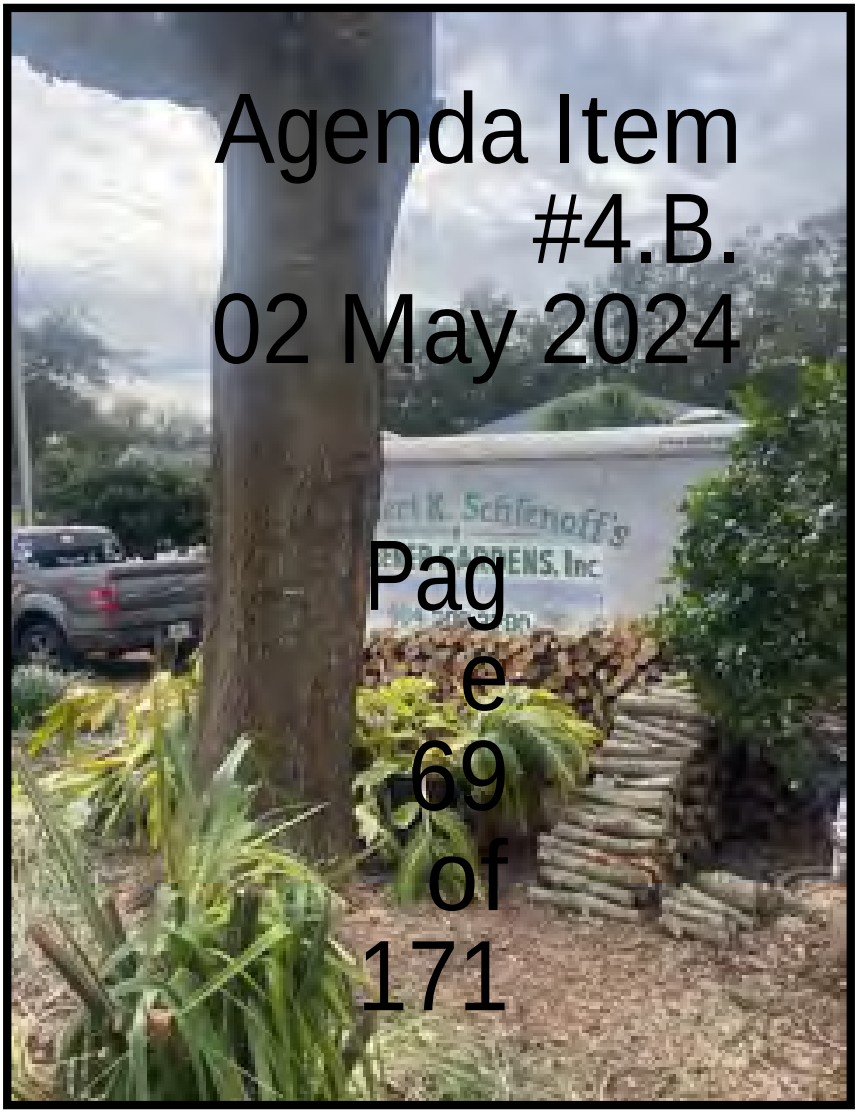
More Information

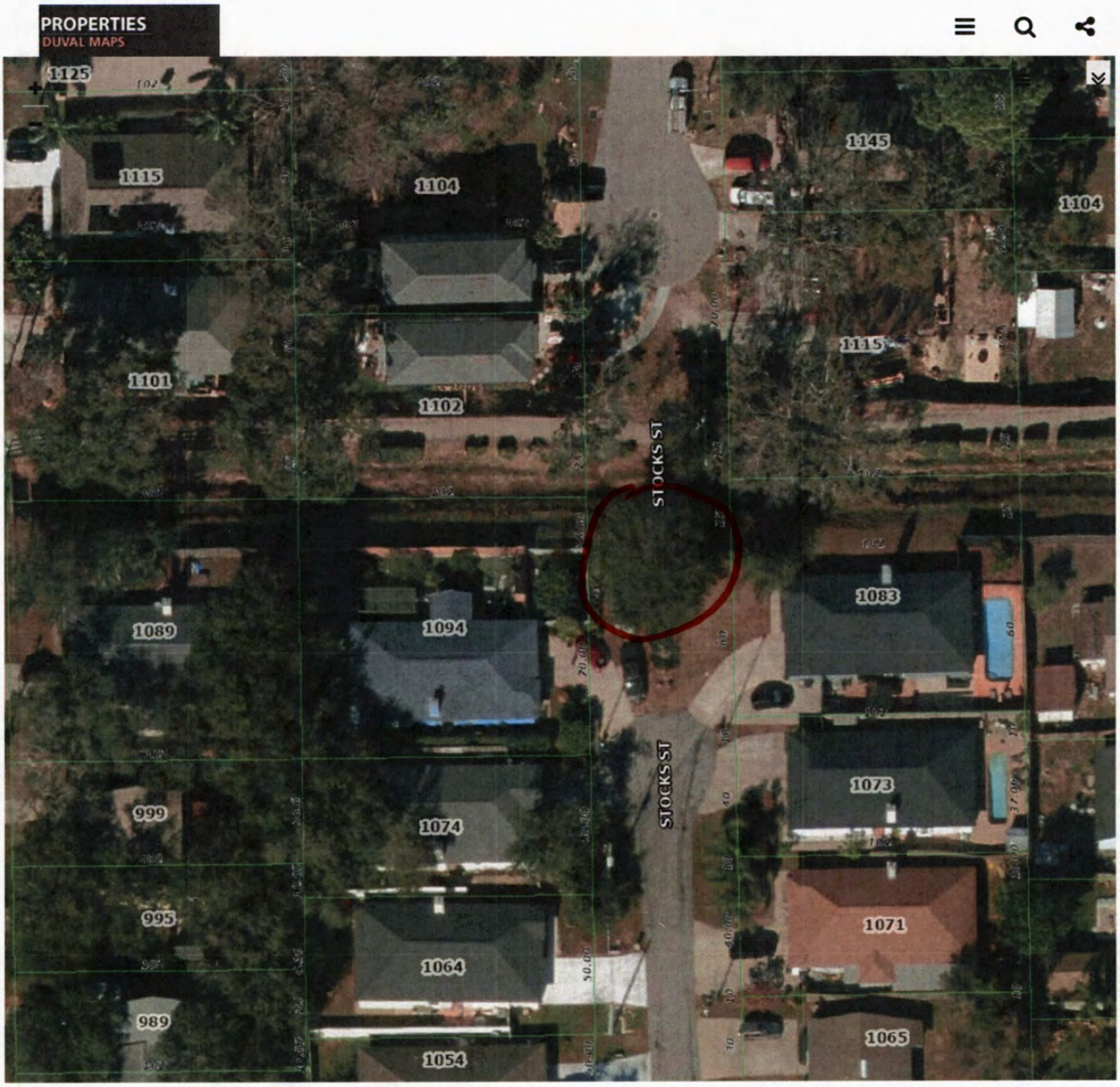
ontact Us | Parcel Tax Record | GIS Map | Map this property on Google Maps | City Fees Record


Agenda Item
#4.B.
02 May 2024
Pag
e
67
of
171



Agenda Item #4.B.
02 May 2024


Agenda Item
#4.B.
02 May 2024
Page
69
of
171


PROPERTIES
DUVAL MAPS
1125
1115
1104
1145
1104
1115
1101
1102
STOCKS ST
1083
1089
1094
1073
STOCKS ST
999
1074
995
1071
1064
989
1065
1054

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

1/31/2024

Case Number: 24-014

SCHLENOFF ROBERT K
1094 STOCKS ST
ATLANTIC BEACH, FL 32233-2630

Certified Mail Return Receipt:
7013 1710 0002 1691 8403

Property Address: STOCKS STREET RIGHT OF WAY ADJACENT TO 1094 STOCKS STREET; ATLANTIC BEACH, FL

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **March 7, 2024 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as STOCKS STREET RIGHT OF WAY DIRECTLY EAST OF 1094 STOCKS STREET, Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

Sec. 23-31. - General prohibitions. (b) Pruning or removal of city trees. It shall be unlawful for any person to trim, prune, or remove any tree which is within the city's rights-of-way or upon any other city property without the permission of the city as evidenced by the appropriate permit.

Sec. 23-8. - Definitions. Excessive pruning shall mean the substantial alteration of a tree such that there is irreversible removal and/or damage of more than twenty-five (25) percent of the natural shape or form of a tree.

STATEMENT OF CODE ENFORCEMENT OFFICER:

This violation is irreparable and irreversible in nature. The city owned tree in the right of way has been excessively pruned. More than 25% of the natural shape of the tree has been removed. No permission was granted by the city for the pruning.

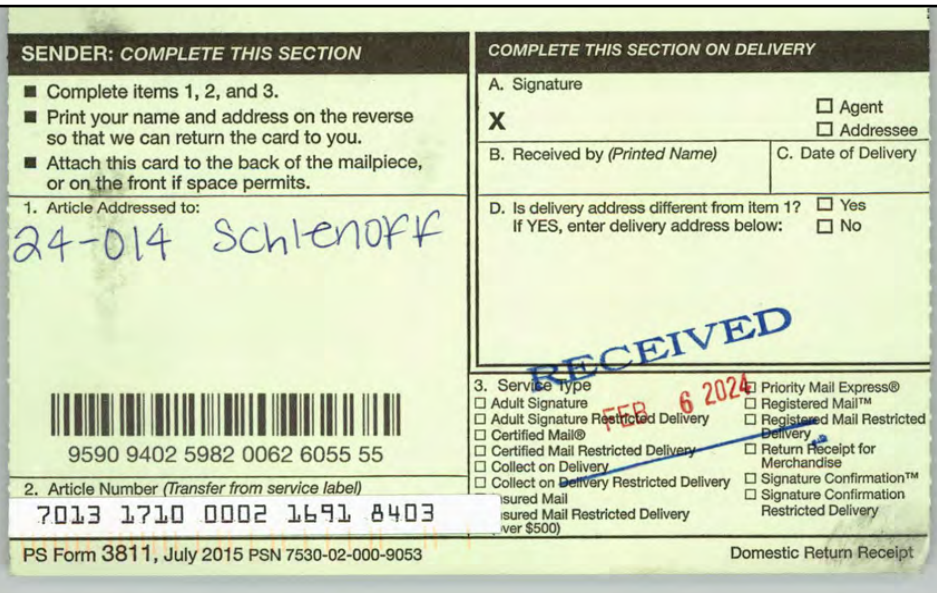
You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk



SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

24-014 Schlenoff

9590 9402 5982 0062 6055 55

2. Article Number *(Transfer from service label)*

7013 1710 0002 1691 8403

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
FEB 6 2024

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

ALERT: SEVERE WEATHER CONDITIONS ACROSS THE U.S. MAY DELAY FINAL DELIVERY OF YOUR MAIL AND PACKAGES...

USPS Tracking®

FAQs >

Remove ✕

Tracking Number:

70131710000216918403

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 4:00 pm on February 2, 2024 in ATLANTIC BEACH, FL 32233.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

ATLANTIC BEACH, FL 32233
February 2, 2024, 4:00 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates ⌄

USPS Tracking Plus® ⌄

Product Information ⌄

Feedback

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Irizarry,Angela

From: Don Pinaud <Don@afj.law>
Sent: Wednesday, March 6, 2024 8:23 AM
To: Irizarry,Angela
Cc: Robert Schlenoff
Subject: Re: COAB Code Enf. v. Robert Schlenoff. Case No.: 24-014

Thank you very much. I have noted my calendar and will look forward to appearing as scheduled on May 2.

Best regards,

Don

Don Pinaud, Esq.
All Florida Justice, LLC.
Law Office of Don Pinaud
4530 St. John's Avenue
Suite 15-202
Jacksonville, Florida 32210
(904)552-5500 - Talk or Text
(904)467-3500 - Fax
AllFloridaJustice.com
Don@AFJ.Law

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On Mar 6, 2024, at 8:10 AM, Irizarry,Angela <aIrizarry@coab.us> wrote:

Good Morning Mr. Pinaud,

We are amenable to rescheduling his hearing to the next regularly scheduled magistrate meeting date. Our next meeting is scheduled for May 2, 2024 at 2:00 pm in the chambers at Atlantic Beach City Hall. Mr. Schlenoff will be sent an order after tomorrow's hearing deferring his case until that time.

Angela Irizarry

Angela Irizarry, Code Enforcement Officer
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233
O:(904) 247-5855

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Follow the City of Atlantic Beach on Facebook at www.facebook.com/cityofatlanticbeach.

Florida has a very broad public records law. Most written communications to or from state and local officials and agencies regarding state or local business are public records available to the public and media upon request. Your email communications, including your email address, may therefore be subject to public disclosure.

From: Don Pinaud [mailto:Don@afj.law]
Sent: Tuesday, March 5, 2024 8:51 PM
To: Irizarry,Angela <aIrizarry@coab.us>
Subject: COAB Code Enf. v. Robert Schlenoff. Case No.: 24-014

Ms. Irizarry:

I have been retained by Mr. Schlenoff to represent him in the above-pending matter against him by the City of Atlantic Beach Code Enforcement Board. My understanding is that there is currently scheduled a hearing in the matter on March 7, 2024 at 2:00 p.m.

I respectfully ask that the hearing for March 7 be rescheduled to accommodate my schedule because I will be unavailable that date as I am ordered to appear that day in federal court as counsel in the case of *Mayweather v. The United States of America,* MD FL Case No. 3:23-cv-00389.

My understanding from Mr. Schlenoff is that he explained to you my situation and that I would be coming in to represent him, and that you would be amenable to moving the hearing to the next available date, which I understand is in May. Right now I can accommodate most dates in May and so if that can be accomplished it would be appreciated.

With warmest regards, I remain

Respectfully yours,

Don Pinaud, Esq.
All Florida Justice, LLC.
Law Office of Don Pinaud
4530 St. John's Avenue
Suite 15-202
Jacksonville, Florida 32210
(904)552-5500 - Talk or Text
(904)467-3500 - Fax
AllFloridaJustice.com

Don@AFJ.Law

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CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

SCHLENOFF, ROBERT K
1094 Stocks St
Atlantic Beach, Florida 32233-2630
SCHLENOFF, TATYANA N
Respondent.

First Class and Certified Mail Return Receipt Requested: 7019 2970 0000 9866 4819

Property Address: 1094 STOCKS ST.
Atlantic Beach, FL 32233

CASE NUMBER: 24-014
REAL ESTATE NUMBER: 171000-0000
LEGAL DESCRIPTION: 18-34 17-2S-29E .22, ATLANTIC BEACH SEC H, LOTS 1,S1/2 STREET LYING N THEREOF CL BY UR/ BCH ORDER #65-84-10, BLK 186

ORDER ON CASE NO. 24-014

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on March 7, 2024 and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, issues findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. Respondent owns the Property located at 1094 Stocks St, Atlantic Beach, Florida. ("The Property"). Notice of the hearing was provided by certified letter for violation of Sec. 23-13 excessive or improper pruning without a permit. The Respondent did not appear.

2. Neighbors had contacted the City of Atlantic Beach that the Respondent had severely cut back the oak tree in the right of way next to his property.

3. The City of Atlantic Beach spoke with the Respondent who stated he was unaware that he needed a permit and was confident the tree would not die as he has trimmed a tree just like this one five (5) years ago and it grew back just fine.

4. The City of Atlantic Beach stated the Respondent had hired an attorney, Don Pinaud, who had a previously scheduled Court appearance and has requested a continuance.

CONCLUSIONS OF LAW

4. THE RESPONDENT WAS CITED FOR VIOLATION OF SEC. 23-13. HE HAS RETAINED AN ATTORNEY AND HAS REQUESTED A CONTINUANCE.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law and pursuant to the authority granted in Chapter 162, Florida Statutes, and the Code of Ordinances of the City of Atlantic Beach, Florida it is Ordered:

A. The matter is continued until the May hearing date.

DONE AND ORDERED THIS _____ DAY OF MARCH, 2024.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

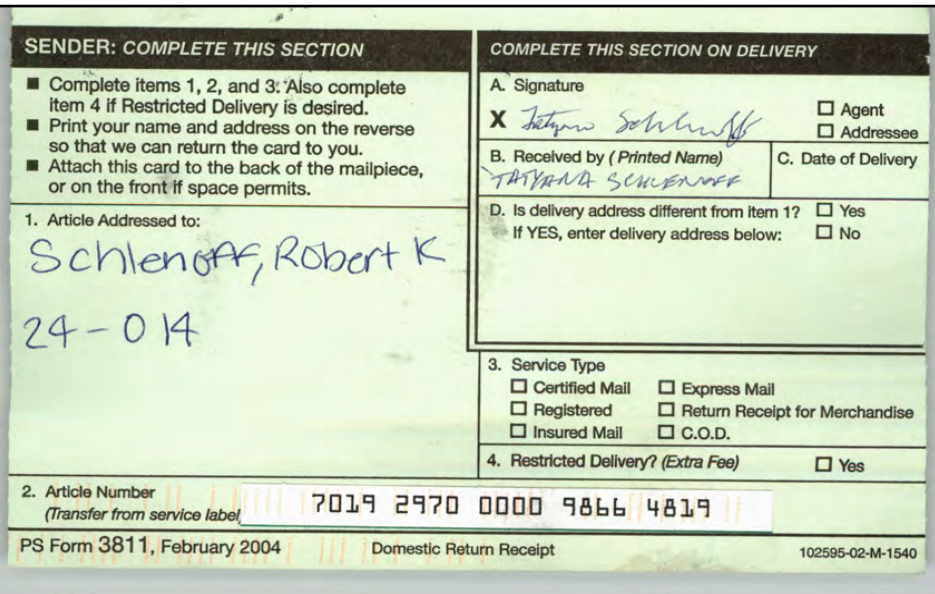
ATTEST:

_____ _____

Ladayija Nichols, Records Clerk Suzanne W. Green, Special Magistrate

Executed this ___ day of MARCH, 2024.

PLEASE NOTE: Florida Statutes § 162.11 requires that any appeal of this Order must be filed in the circuit court for Duval County within 30 days of this Order's execution.



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Schlenoff, Robert K

24-014

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) TATYANA SCHLENOFF

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7019 2970 0000 9866 4819

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Case Details

City of Atlantic Beach

Case Number
24-004

Description: Tree Mitigation		Status: PENDING CODE BOARD	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 1/16/2024	Closed:	Last Action: 5/17/2024	Fllw Up: 4/30/2024
Site Address: 338 PLAZA ATLANTIC BEACH, FL 32233			
Site APN: 169963 0000		Officer: Angela Irizarry	
Details:			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
PHOTOGRAPHS TAKEN	Angela Irizarry	3/7/2023	3/7/2023	Took photos of cut tree trunks
NOV REG	Angela Irizarry	1/16/2024	1/16/2024	
NOV CERT	Angela Irizarry	2/1/2024	2/1/2024	
CMRR RECEIVED W/SIGNATURE	Angela Irizarry	2/6/2024	2/6/2024	
NOTICE OF HEARING	Angela Irizarry	2/21/2024	2/21/2024	
CMRR RECEIVED W/SIGNATURE	Angela Irizarry	3/5/2024	3/5/2024	Received signed green card back for the NOH for the 5/2/2024 Magistrate Hearing

Case Details

City of Atlantic Beach

Case Number
24-004

CODE ENFORCEMENT AGENDA	**Angela Irizarry**	**4/25/2024**	**4/29/2024**	
CODE ENFORCEMENT ORDER	**Angela Irizarry**	**5/14/2024**		

CONTACTS

NAME TYPE	NAME	ADDRESS	PHONE	FAX	EMAIL
OWNER	DUNLOP CLIFFORD WILSON LIFE ESTATE	338 PLAZA ATLANTIC BEACH, FL 32233-5442			

INSPECTIONS

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
INITIAL INSPECTION	**AI**	**1/16/2024**	**1/16/2024**	**VIOLATION FOUND**		
REINSPECTION	**AI**	**1/30/2024**	**2/1/2024**	**VIOLATION CONTINUES**		
REINSPECTION	**AI**	**2/16/2024**	**2/16/2024**			**Have not heard back from property owner.**

VIOLATIONS

VIOLATION TYPE	USER NAME	OBSERVED DATE	CORRECTED DATE	LOCATION	REMARKS	NOTES
TREE MITIGATION	**Angela Irizarry**	**1/16/2024**				**Sec. 23-33. Mitigation to be assessed. (a) Mitigation required. Replacement or relocation shall be the preferred methods of mitigation. Unless mitigation in the form of payment into the tree conservation fund has been approved in accordance with section 23-37, mitigation in the form of tree replacement, relocation or preservation shall be required to offset any impacts resulting from the removal of regulated trees/vegetation as a condition of the tree or vegetation removal permit.**

Case Details

City of Atlantic Beach

Case Number
24-004

TREE PENALTIES	**Angela Irizarry**	**1/16/2024**				**Sec. 23-51. (d) Sanctions for failure to obtain a permit. (1) Regulated trees or regulated vegetation removed in violation of this chapter shall require an after-the-fact permit, the fee for which shall be two (2) times the normal established application fee specified in section 23-26. In addition, as a condition of the permit, the applicant shall immediately complete all remedial work as necessary to stabilize the site and mitigate all damage to the site and adjacent properties. (2) Regulated trees removed in violation of this chapter shall be assessed at two (2) times the normal established rate of mitigation specified in section 23-33.**
TREE PERMIT PROCEDURES	**Angela Irizarry**	**1/16/2024**				**Sec. 23-21. - Permits required by this chapter.** **Unless specifically exempted within following section 23-22, permits are required for removal of regulated trees and vegetation on all lands within the City of Atlantic Beach. The permit requirements are not intended to restrict or adversely affect a property owners rights under constitutional or statutory law, or otherwise preempt applicable Florida Statutes.** **Regulated tree shall mean any tree as follows: (1) Private regulated tree shall mean any tree on private property, except those species listed on the Atlantic Beach Prohibited Species List, meeting the following conditions: a. A DBH of eight (8) inches or more.** **Sec. 23-23. Permits procedures. (a) (3) After-the-fact permits. Any person(s) engaging in the removal of regulated tree(s) or regulated vegetation prior to obtaining a permit will be required to apply for and obtain an after-the-fact permit, and meet mitigation requirements as assessed.**















DUNLOP CLIFFORD WILSON LIFE ESTATE
338 PLAZA
ATLANTIC BEACH, FL 32233-5442
HARVARD CLIFFORD DUNLOP
DUNLOP ANGUS H JR

Primary Site Address
338 PLAZA
Atlantic Beach FL 32233

Official Record Book/Page
01652-00600

Tile #
9416

338 PLAZA

Property Detail

RE #	169963-0000
Tax District	USD3
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03101 ATLANTIC BEACH
Total Area	16377

The sale of this property may result in higher property taxes. For more information go to Save Our Homes and our Property Tax Estimator . 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification Learn how the Property Appraiser's Office values property.

Value Summary

Value Description	2023 Certified	2024 In Progress
Value Method	CAMA	CAMA
Total Building Value	$20.00	$20.00
Extra Feature Value	$3.00	$3.00
Land Value (Market)	$1,062,500.00	$1,062,500.00
Land Value (Agric.)	$0.00	$0.00
Just (Market) Value	$1,062,523.00	$1,062,523.00
Assessed Value	$164,096.00	$164,096.00
Cap Diff/Portability Amt	$898,427.00 / $0.00	$898,427.00 / $0.00
Exemptions	$55,000.00	See below
Taxable Value	$109,096.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value

Assessed Value	$164,096.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Widow (WF)	- $5,000.00
Taxable Value	**$109,096.00**

SJRWMD/FIND Taxable Value

Assessed Value	$164,096.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Widow (WF)	- $5,000.00
Taxable Value	**$109,096.00**

School Taxable Value

Assessed Value	$164,096.00
Homestead (HX)	- $25,000.00
Widow (WF)	- $5,000.00
Taxable Value	**$134,096.00**

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
01652-00600	1/1/1899	$0.00	- Unknown	Unqualified	Improved
01721-00337	1/1/1899	$0.00	- Unknown	Unqualified	Improved
08234-00475	12/4/1995	$100.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	FPPR7	Fireplace Prefab	1	0	0	1.00	$3.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0100	RES LD 3-7 UNITS PER AC	ARS-2	125.00	130.00	Common	2.00	Lot	$1,062,500.00

Legal

LN	Legal Description
1	5-69 16-2S-29E .370
2	ATLANTIC BEACH
3	LOTS 15,17,E1/2 LOT 19 BLK 10

Buildings

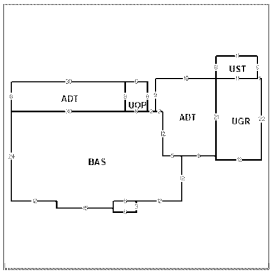
Building 1
Building 1 Site Address
338 PLAZA Unit
Atlantic Beach FL 32233

Building Type	0101 - SFR 1 STORY
Year Built	1947
Building Value	$20.00

Type	Gross Area	Heated Area	Effective Area
Unfin Open Porch	48	0	10
Addition	312	312	281
Base Area	1050	1050	1050

Element	Code	Detail
Exterior Wall	16	16 Frame Stucco
Exterior Wall	12	12 Cedar/Redwood
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	3	3 Plastered
Int Flooring	12	12 Hardwood
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central

Element	Code	Detail
Stories	1.000	



Unfinished Garage	264	0	119	Bedrooms	3.000	
Unfinished Storage	66	0	26	Baths	2.000	
Addition	240	240	216	Rooms / Units	1.000	
Unfin Open Porch	18	0	4			
Total	1998	1602	1706			

2023 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	$164,096.00	$55,000.00	$109,096.00	$873.39	$875.63	$800.12
Public Schools: By State Law	$164,096.00	$30,000.00	$134,096.00	$433.03	$426.83	$393.46
By Local Board	$164,096.00	$30,000.00	$134,096.00	$300.82	$301.45	$273.34
FL Inland Navigation Dist.	$164,096.00	$55,000.00	$109,096.00	$3.48	$3.14	$3.14
Atlantic Beach	$164,096.00	$55,000.00	$109,096.00	$337.71	$338.58	$309.94
Water Mgmt Dist. SJRWMD	$164,096.00	$55,000.00	$109,096.00	$21.48	$19.56	$19.56
School Board Voted	$164,096.00	$30,000.00	$134,096.00	$0.00	$134.10	$0.00
Urban Service Dist3	$164,096.00	$55,000.00	$109,096.00	$0.00	$0.00	$0.00
			Totals	$1,969.91	$2,099.29	$1,799.56

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	$1,037,021.00	$159,317.00	$50,500.00	$108,817.00
Current Year	$1,062,523.00	$164,096.00	$55,000.00	$109,096.00

2023 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2023

2022

2021

2020

2019

2018

2017

2016

2015

2014

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here:

More Information

ontact Us | Parcel Tax Record | GIS Map | Map this property on Google Maps | City Fees Record

CITY OF ATLANTIC BEACH
800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

1/16/2024

DUNLOP CLIFFORD WILSON LIFE ESTATE,
HARVARD CLIFFORD DUNLOP, DUNLOP ANGUS H JR
338 PLAZA
ATLANTIC BEACH, FL 32233-5442

Real Estate Number: 169963 0000 **Case Number:** 24-004
Location of Violation: 338 PLAZA, 5-69 16-2S-29E .370 ATLANTIC BEACH LOTS 15,17,E1/2 LOT 19 BLK 10 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A review of the records for 338 PLAZA was conducted on 1/16/2024. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

NATURE OF VIOLATION: According to City of Atlantic Beach records, a tree removal application dated March 8, 2023 was submitted to the city to seek after the fact approval for two pine trees removed from the property without a valid permit. In accordance with code, the required mitigation for these two trees was calculated to be 100 inches. As of today, the mitigation requirements have not been met. Please see enclosed mitigation calculation worksheet, email dated 3/22/2023 from Brian Broedell and tree species lists.

APPLICABLE CODE:

Sec. 23-21. - Permits required by this chapter. Unless specifically exempted within following section 23-22, permits are required for removal of regulated trees and vegetation on all lands within the City of Atlantic Beach. The permit requirements are not intended to restrict or adversely affect a property owners rights under constitutional or statutory law, or otherwise preempt applicable Florida Statutes.

Sec. 23-8 Definitions: Regulated tree shall mean any tree as follows: (1) Private regulated tree shall mean any tree on private property, except those species listed on the Atlantic Beach Prohibited Species List, meeting the following conditions: a. A DBH of eight (8) inches or more.

Sec. 23-23. Permits procedures. (a) (3) After-the-fact permits. Any person(s) engaging in the removal of regulated tree(s) or regulated vegetation prior to obtaining a permit will be required to apply for and obtain an after-the-fact permit, and meet mitigation requirements as assessed.

Sec. 23-33. Mitigation to be assessed. (a) Mitigation required. Replacement or relocation shall be the preferred methods of mitigation. Unless mitigation in the form of payment into the tree conservation fund has been approved in accordance with section 23-37, mitigation in the form of tree replacement, relocation or preservation shall be required to offset any impacts resulting from the removal of regulated trees/vegetation as a condition of the tree or vegetation removal permit.

Sec. 23-51. (d) Sanctions for failure to obtain a permit. (1) Regulated trees or regulated vegetation removed in violation of this chapter shall require an after-the-fact permit, the fee for which shall be two (2) times the normal established application fee specified in section 23-26. In addition, as a condition of the permit, the applicant shall immediately complete all remedial work as necessary to stabilize the site and mitigate all damage to the site and adjacent properties. (2) Regulated trees removed in violation of this chapter shall be assessed at two (2) times the normal established rate of mitigation specified in section 23-33.

This letter requests that the noted violation(s) be corrected by submitting a proposed mitigation plan to the city within 10 day of receipt of this letter and once approved, paying mitigation funds or planting required trees within thirty (30) days of approval of the mitigation plan.

Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or code@coab.us if you have any questions or need additional information.

I, Angela Irizarry hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

Irizarry,Angela

From: Broedell, Brian
Sent: Wednesday, March 22, 2023 11:42 AM
To: 'gusdunlop37@aol.com'
Subject: Tree Removal Permit 338 Plaza
Attachments: IMG_0820.jpg; IMG_0825.jpg; 338 Plaza TPC signed.pdf; Tree List.docx; Designated Maritime Species.docx

Good morning,

We have received your permit for the two removed pine trees. Using measurements taken after the trees were removed (see attached pictures), we determined the diameter of the trees to be 23 inches and 27 inches. Required mitigation for trees 14-30" in diameter is one inch owed for each inch removed, which is then doubled for trees removed without a permit. As such, **100 total inches of mitigation is required for this removal** (see attached calculation sheet).

Mitigation can be in the form of planting new trees and/or payment into the tree fund. For example, planting a 4" caliper tree equals 4 inches of mitigation. Please submit a mitigation/landscape plan that shows how you will meet the owed mitigation.

Note the following:

- Payment is $150 per inch
- Planted trees must be on the attached tree list, except palms will not count towards mitigation.
- Designated Maritime Species receive double credit (i.e. 4" magnolia= 8" credit)

For example, planting two 4" live oaks, four 4" red cedars, five 4" crape myrtles, and paying for 32 inches would meet mitigation. This is just an example though, many combinations of species, sizes, and payment could meet mitigation.

Let me know if you have any questions.
Thank you,

Brian Broedell, AICP
Principal Planner & Environmental Coordinator
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233
(904)247-5822
bbroedell@coab.us

Want to receive City of Atlantic Beach news by email? *Just say so in an email to info@coab.us.*
Follow the City of Atlantic Beach on Facebook.

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials and agencies regarding State or Local business are public records available to the public and media upon request. Your email communications, including your email address, may therefore be subject to public disclosure.

Developed Lot

PERMIT #:	TREE23-0013
ADDRESS:	338 Plaza
APPLICANT:	Clifford Dunlap
PHONE:	904 910 3032
EMAIL:	[redacted]

MITIGATION RATIOS: (inches removed : inches replaced)
DBH 10" -13.9"= 1: 0.5
DBH 14" - 29.9" = 1: 1
DBH 30"+ = 1: 2

*After the fact permit. Mitigation is doubled

TREES REMOVED

CATEGORY	DBH 8" - 13.9"	# OF TREES	INCHES OWED	DBH 14" - 29.9"	# OF TREES	INCHES OWED	DBH 30"+	# OF TREES	INCHES OWED	TOTAL INCHES REMOVED	PRESERVATION CREDIT	TOTAL OWED
OAK												0 and/or $ -
MARITIME SPECIES												and/or $ -
PALM												and/or $ -
OTHER												100
Slash Pine				27"	1	54				27		and/or
Slash Pine				23"	1	46				23		$ 15,000.00
										50		100 and/or $ 15,000.00

PROPOSED MITIGATION

CATEGORY	INCHES	# OF TREES	STAFF NOTES	PROPOSED- PLANT	PROPOSED- PAY
OAK					
MARITIME SPECIES					
PALM					
OTHER					
			TOTALS		

FINAL MITIGATION

CATEGORY	INCHES	# OF TREES	STAFF NOTES	FINAL- PLANT	FINAL- PAY
OAK					
MARITIME SPECIES					
PALM					
OTHER					

Status in accordance with the City of Atlantic Beach code of ordinances in effect at the time of application submittal.

☒ APPROVED
☐ DENIED

Amanda Aoki 3-22-23

TPO ADMINISTRATOR DATE

ADDITIONAL INFORMATION:
- The current tree fund rate is $150.00 per inch.
- One shade tree shall be planted or preserved within the required front yard of every lot.

PLANTING REQUIRMENTS
- Oaks must be replaced with oaks and have a 4" caliper and 12' tall at time of planting.
- Maritime Species must be replaced with Maritime Species.
- Minimum 2" caliper for non oaks and 10' tall at time of planting.
- Palms may replace plams. Minimum 8ft clear trunk height at time of planting.

Designated Maritime Species

1. Bald Cypress (Taxodium distichum).
2. Cedar (Juniperus siliciola) (Southern Red Cedar), J. virginiaba (Eastern Red Cedar).
3. Elm (Ulmus alata) (Winged Elm), Ulmus American floridana (Florida Elm),
4. Live Oak (Quercus virginiana).
5. Hickory (Carya Illinoensis) (Pecan), C. tomentosa (Mockernut), C glabra (Pignut Hickory) .
6. Loblolly bay (Gordania lasianthus).
7. Magnolia (Magnolia grandiflora) (Southern Magnolia) Magnolia virginiana (Sweetbay Magnolia)
8. Maples (Acer rubrum (Red Maple), Acer Barbatum (Florida Maple)
9. Tupelo (Nyssa sylvatica)
10. Pine (Loblolly) (pinus taeda), (Long-leaf) (Pinus palustris), (Pond) (Pinus Serotina)

CITY OF ATLANTIC BEACH RECOMMENDED TREE LIST

SHADE TREES

Common Name	*Botanical Name*
Ash, Green	Fraxinus pennsylvanica
Ash, Water	Fraxinus caroliniana
Bay, Loblolly	Gordonia lasianthus
Cedar, Southern Red	Juniperus silicicola
Cypress, Bald	Taxodium distichum
Cypress, Pond	Taxodium ascendens
Elm, American	Ulmus americana
Elm, Florida	Ulmus american floridana
Elm, Lacebark	Ulmus parvifolia
Hickory, Mockernut	Carya Tomentosa
Hickory, Pecan	Carya illinoensis
Hickory, Pignut	Carya glabra
Hickory, Water	Carya aquatica
Loquat, Japanese Plum	Eriobotrya japonica

Magnolia, Southern	Magnolia grandiflora
Magnolia, Sweetbay	Magnolia virginiana
Maple, Florida	Acer barbatum
Maple, Red	Acer rubrum
Oak, Live	Quercus virginiana
Oak, Shumard Red	Quercus shumardii
Oak, Swamp Chesnut	Quercus michauxii
Pine, Loblolly	Pinus taeda
Pine, Long-leaf	Pinus palustris
Pine, Slash	Pinus elliottii
Sugarberry	Celtis laevigata
Sweetgum	Liquidambar styraciflua
Sycamore	Platanus occidentalis
Tupelo	Nyssa sylvatica

PALM TREES

Common Name	*Botanical Name*

Palm, Cabbage	Sabal palmetto
Palm, Canary Island Date	Phoenix canariensis
Palm, Pindo	Butia capitata
Palm, Sylvester Date Palm	Phoenix sylvestris
Palm, Washington	Washingtonia robusta

UNDERSTORY OR ORNAMENTAL TREES

Common Name	*Botanical Name*
Cedar, Red	Juniperus virginiana
Crape Myrtle	Lagerstroemia indica
Elm, Winged	Ulmus alata
Holly, American	Ilex opaca
Holly, Dahoon	Ilex cassine
Holly, East Palatka	Ilex attenuata
Holly, Yaupon	Ilex vomitoria
Oak, Myrtle	Quercus myrtifolia
Oak, Sand Live	Quercus geminata

Oleander	Nerium oleander
Podocarpus, Yew	Podocarpus macrophyllus
Privet, Glossy	Ligustrum lucidum
Privet, Japanese	Ligustrum japonicum
Redbud	Cercis canadensis
Wax Myrtle	Myrica cerifera

CITY OF ATLANTIC BEACH

800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

CERTIFIED MAIL RETURN RECEIPT
7013 1710 0002 1691 0650

2/1/2024

DUNLOP CLIFFORD WILSON LIFE ESTATE,
HARVARD CLIFFORD DUNLOP, DUNLOP ANGUS H JR
338 PLAZA
ATLANTIC BEACH, FL 32233-5442

Real Estate Number: 169963 0000 **Case Number:** 24-004
Location of Violation: 338 PLAZA, 5-69 16-2S-29E .370 ATLANTIC BEACH LOTS 15,17,E1/2 LOT 19 BLK 10 Atlantic Beach, Florida

Dear Property Owner:

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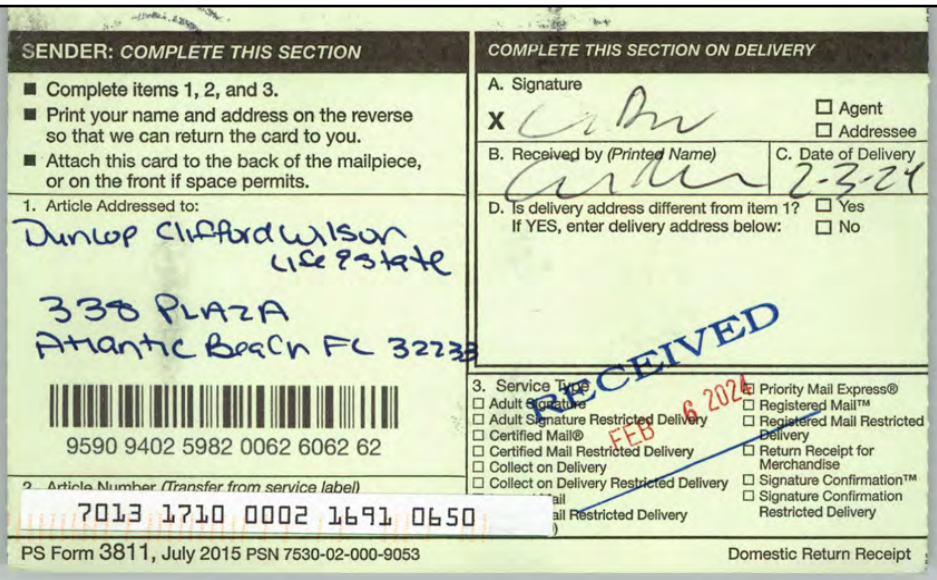
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Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or code@coab.us if you have any questions or need additional information.

I, Angela Irizarry hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dunlop Clifford Wilson
Life Estate
338 Plaza
Atlantic Beach FL 32233

9590 9402 5982 0062 6062 62

2. Article Number (Transfer from service label)
7013 1710 0002 1691 0650

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery
2-3-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
FEB 6 2024

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

2/22/2024

Case Number: 24-004

DUNLOP CLIFFORD WILSON LIFE
ESTATE, HARVARD CLIFFORD DUNLOP,
DUNLOP ANGUS H JR
338 PLAZA
ATLANTIC BEACH, FL 32233-5442

Certified Mail Return Receipt:
7013 1710 0002 1691 8458

Property Address: 338 PLAZA
ATLANTIC BEACH, FL 32233

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **May 2, 2024 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 338 PLAZA, 5-69 16-2S-29E .370 ATLANTIC BEACH LOTS 15,17,E 1/2 LOT 19 BLK 10 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

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the permit, the applicant shall immediately complete all remedial work as necessary to stabilize the site and mitigate all damage to the site and adjacent properties. (2) Regulated trees removed in violation of this chapter shall be assessed at two (2) times the normal established rate of mitigation specified in section 23-33.

STATEMENT OF CODE ENFORCEMENT OFFICER:

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You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Ladayija Nichols, Deputy City Clerk



SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dunlop Clifford Wilson
Life Estate 24-004

9590 9402 5982 0062 6061 56

2. Article Number *(Transfer from service label)*
7013 1710 0002 1691 8458

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*
C. Date of Delivery
2-26-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
MAR 5 2024

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

Case Details

City of Atlantic Beach

Case Number
22-096

Description: SWO - Covered rear porch and 8ft fence		Status: ACTIVE CASE	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 9/27/2022	Closed:	Last Action: 5/14/2024	Fllw Up: 4/5/2024
Site Address: 1110 SCHEIDEL CT 4 ATLANTIC BEACH, FL 32233			
Site APN: 178958 0818		Officer: Angela Irizarry	
Details:			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
STOP WORK ORDER POST	**Angela Irizarry**	**9/27/2022**	**9/27/2022**	
TELEPHONE CALL	**Angela Irizarry**	**10/5/2022**	**10/5/2022**	**Received call from Mitchel Skaff. He stated he purchased the house recently and the fence and rear porch were already there. Advised him that unfortunately, he still had to go through permitting. Advised him he would need a variance and gave his contact information to Amanda to call him to go over variances needed and the process.**
EMAIL RECEIVED	**Angela Irizarry**	**10/5/2022**	**10/5/2022**	**cc'd on an email from Amanda Askew to Mitchel Skaff summarizing their conversation regarding his unpermitted back porch, unpermitted fence and unpermitted pavers.**
EMAIL RECEIVED	**Angela Irizarry**	**10/21/2022**	**10/21/2022**	**Received email from Mitchel Skaff regarding getting a survey done.** **From: Mitchel Skaff [mailto:mskaff904@gmail.com]** **Sent: Friday, October 21, 2022 9:26 AM** **To: Askew, Amanda <aaskew@coab.us>** **Cc: Irizarry,Angela <aIrizarry@coab.us>** **Subject: Re: 1110 Scheidel St.** **Hi there,**

				I have reached out to Boatwright Land Surveyors and am waiting on them to let me know which day they will be coming out to do the updated survey. They said it could take up to 3-4 weeks for it to be completed once the updated survey is done. I will keep you posted! Thank you, Mitchel Skaff
EMAIL SENT	Angela Irizarry	1/6/2023	1/6/2023	Sent email to Mitchel Skaff to check on status.
NOV REG	Angela Irizarry	3/14/2023	3/14/2023	
EMAIL RECEIVED	Angela Irizarry	3/28/2023	3/28/2023	Received email from Sandra Skaff with the new survey.
TELEPHONE CALL	Angela Irizarry	3/29/2023	3/29/2023	Spoke with respondent and with Sandy Skaff who is helping respondent with this issue. They both spoke with Abrielle to go over impervious, & setback variances. They will cut the fence down to 6 feet.
NOV REG	Angela Irizarry	5/5/2023	5/5/2023	Owner has not submitted any applications for the structure or for a variance. Sent another violation notice.
EMAIL RECEIVED	Angela Irizarry	5/11/2023	5/11/2023	From: Mitchel Skaff [mailto:mskaff904@gmail.com] Sent: Thursday, May 11, 2023 11:09 AM To: Irizarry,Angela <alrizarry@coab.us> Cc: Mom <skaff4@aol.com> Subject: Case 22-096 Update for 1110 Scheidel Ct Hi there Angela, I received your letter this morning notifying us again of the Code Enforcement violation. Wanted to provide a quick update that we have been working with Abrielle and Derek in order to properly fill out our Variance Application. We have the attached Variance Application started but again, there are a few areas we were not sure how to fill out and/or needed further details so that we could clearly state our case (our lot size vs standard, impervious surface calculations, etc). Abrielle and Derek have been extremely

				helpful here. I believe we are supposed to meet with Abrielle today, actually. The other caveat here is I am actually leaving for my honeymoon in Europe early next week, returning June 5th. Last we spoke to Abrielle, she said we should submit our Variance Application after May 29th so that we could either join the Board Hearing on June 20th or even July 18th if that was easiest. Hope this provides some clarity here, and I apologize for the delayed response. Will try to keep you more up to date on our progress! Kind regards, Mitch
TELEPHONE MESSAGE	Angela Irizarry	5/11/2023	5/11/2023	Sandra Skaff called to make sure we received her son's email.
OTHER	Angela Irizarry	5/19/2023	5/19/2023	Submitted Variance Application. Scheduled for 6/12/23 hearing.
OTHER	Angela Irizarry	6/21/2023	6/21/2023	Variance application went before the CDB on 6/20/2023 and was denied. Owner has 30 days to appeal to commission.
EMAIL RECEIVED	Angela Irizarry	7/11/2023	7/11/2023	From: Askew, Amanda Sent: Tuesday, July 11, 2023 11:03 AM To: Genest, Abrielle <agenest@coab.us>; Broedell, Brian <bbroedell@coab.us>; Irizarry,Angela <aIrizarry@coab.us> Subject: 1110 Scheidel Court Just a heads up that 1110 Scheidel Ct. is going to file an appeal of the CDB decision. The due date for the appeal is 7/21. Amanda L. Askew, AICP Director of Planning and Community Development 800 Seminole Road Atlantic Beach, FL 32266

Case Details

City of Atlantic Beach

Case Number
22-096

				904-247-5841
OTHER	Angela Irizarry	7/17/2023	7/17/2023	Owner submitted an appeal to commission for the CDB denial of their variance.
OTHER	Angela Irizarry	10/16/2023	10/16/2023	Appeal is scheduled for the end of this month.
OTHER	Angela Irizarry	10/30/2023	10/30/2023	Owners presented appeal of the CDB's denial of their variance application to Commission. Appeal was denied by Commission.
OTHER	Angela Irizarry	11/6/2023	11/6/2023	Denial order emailed to Mitchel Skaff by Amanda Askew. Owner has 30 days to appeal to circuit court.
NOV CERT	Angela Irizarry	1/10/2024	1/10/2024	Sent follow up letter. No action has been taken since their variance denial by the CDB and their appeal denial before commission. Letter was mailed via certified and via regular usps mail.
TELEPHONE CALL	Angela Irizarry	1/16/2024	1/16/2024	Spoke with Sandy Skaff. She stated that the Mayor suggested they get an attorney and asked if they should do that before they start taking down the pergola. I responded that I could not give her legal advice. The variances required to keep the covered rear porch were denied by the CDB and Commission. The case would go to the special magistrate if it wasn't removed and they were welcome to ask the magistrate for an extension of they needed it.
NOTICE OF HEARING	Angela Irizarry	3/19/2024	3/19/2024	
CMRR STATUS UPDATE	Angela Irizarry	4/17/2024		
CODE ENFORCEMENT AGENDA	Angela Irizarry	4/25/2024		
CODE ENFORCEMENT ORDER	Angela Irizarry	5/14/2024		

Case Details

City of Atlantic Beach

Case Number
22-096

CONTACTS					
NAME TYPE	**NAME**	**ADDRESS**	**PHONE**	**FAX**	**EMAIL**
OWNER	SKAFF MITCHEL	1110 SCHEIDEL CT ATLANTIC BEACH, FL 32233-3515	(904)813-5247		

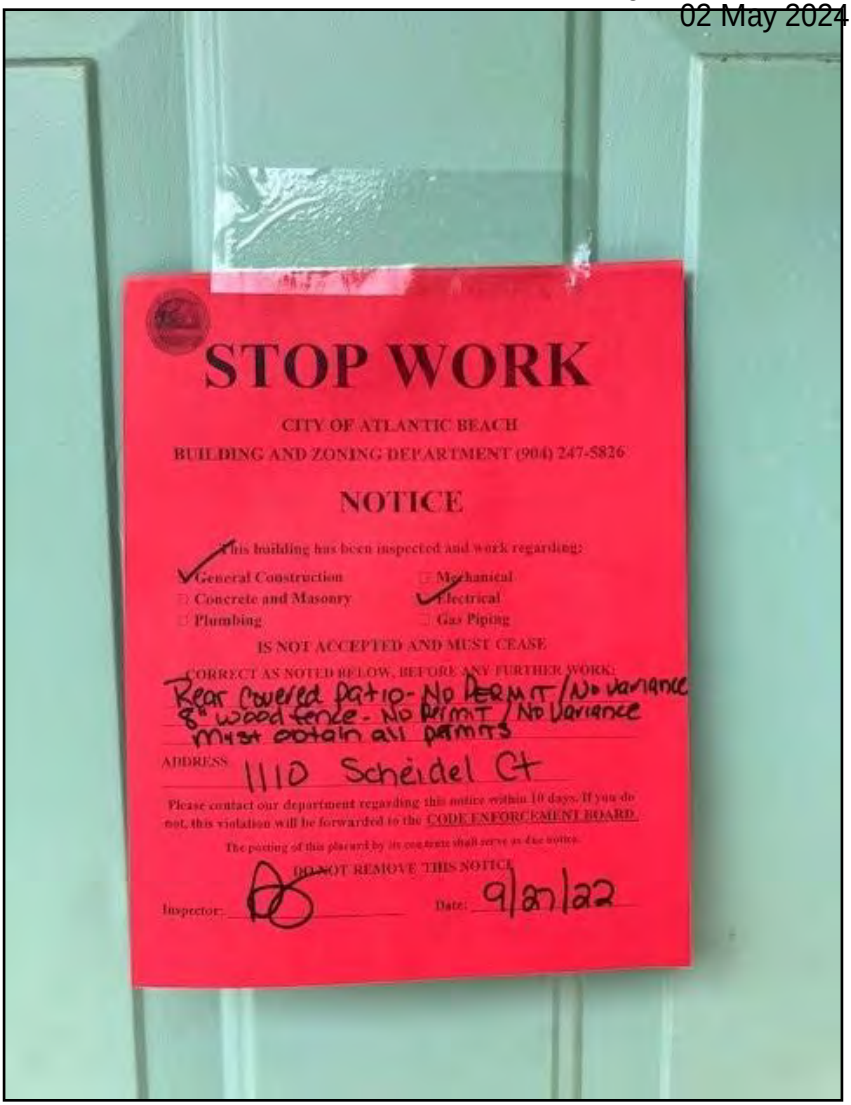
VIOLATIONS						
VIOLATION TYPE	**USER NAME**	**OBSERVED DATE**	**CORRECTED DATE**	**LOCATION**	**REMARKS**	**NOTES**
Fences No Permit	**Angela Irizarry**	**9/27/2022**				**Sec. 24-157. Fences, walls and similar structures. (a) Permit required. Issuance of a permit is required for any new or replacement fence or wall and all new or replacement fences and walls shall comply with the following provisions. Nonconforming fences shall not be replaced with nonconforming fences. The term fence and wall may be used interchangeably within this chapter, and shall mean as specifically defined within section 24-17. Fences must be constructed out of materials that are customarily used for fences.**
Fences Too Tall	**Angela Irizarry**	**9/27/2022**				**Sec. 24-157. - Fences, walls and similar structures. (b) Height and location. (1)Within required front yards, the maximum height of any fence shall be four (4) feet, except that open ornamental aluminum, iron or vinyl or wood fences, similar to the below examples, with vertical rails no more than two (2) inches in width and spacing of at least four (4) inches may be constructed to a maximum height of five (5) feet except in cases as described in following subsection (2). Within required side or rear yards, the maximum height of any fence shall be six (6) feet.**
SWO FLORIDA BLDG CODE	**Angela Irizarry**	**9/27/2022**				**FBC Section 105 Permit 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.**

Case Details

City of Atlantic Beach

Case Number
22-096

Zoning District	**Angela Irizarry**	**1/10/2024**		**REAR YARD**	**Setbacks**	**Sec. 24-108. - Residential, multi-family district (RG-M). (e) Minimum yard requirements. The minimum yard requirements in the RG-M zoning are: b. Two-family (duplex) dwellings and townhouse: Seven and one-half (7.5) each side.**
Zoning District	**Angela Irizarry**	**1/10/2024**			**Onsite storage requirement**	**Sec. 24-68. - Stormwater, drainage, storage and treatment requirements. (b)Onsite storage. Except as provided for herein, an applicant shall be required to provide onsite storage of stormwater in accordance with this section as follows: (2) Projects which do not exceed the fifty (50) percent threshold described in subsection (1) above, but increase the impervious surface on the development parcel by more than two hundred fifty (250) square fee shall provide onsite storage of stormwater for the increase in the impervious surface area only.**
Zoning District	**Angela Irizarry**	**1/10/2024**			**Impervious Surface**	**Sec. 24-108. - Residential, multi-family district (RG-M). (f) Building restrictions. The building restrictions for the RG-M zoning district shall be as follows:(1) Maximum impervious surface: Forty-five (45) percent; provided, however, where lawfully existing structures and improvements on a parcel exceed this applicable percentage, redevelopment of such parcels or additions/modifications to such structures and improvements shall not exceed the pre-existing impervious surface percentage, provided the requirements of section 24-68 are met.**



STOP WORK

CITY OF ATLANTIC BEACH

BUILDING AND ZONING DEPARTMENT (904) 247-5826

NOTICE

This building has been inspected and work regarding:

- ✓ General Construction
- ☐ Concrete and Masonry
- ☐ Plumbing
- ☐ Mechanical
- ✓ Electrical
- ☐ Gas Piping

IS NOT ACCEPTED AND MUST CEASE

CORRECT AS NOTED BELOW, BEFORE ANY FURTHER WORK:

Rear Covered Patio - No PERMIT / No Variance
8" wood fence - No Permit / No Variance
Must obtain all permits

ADDRESS 1110 Scheidel Ct

Please contact our department regarding this notice within 10 days. If you do not, this violation will be forwarded to the CODE ENFORCEMENT BOARD.

The posting of this placard by its contents shall serve as due notice.

DO NOT REMOVE THIS NOTICE

Inspector: [signature] Date: 9/20/22

SKAFF MITCHEL ET AL
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233
MILLSAPS CONNOR R/S

Primary Site Address
1110 SCHEIDEL CT
Atlantic Beach FL 32233

Official Record Book/Page
20125-01869

Tile #
9417

1110 SCHEIDEL CT

Property Detail

RE #	178958-0818
Tax District	USD3
Property Use	0400 Residential Condo
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	06439 SCHEIDEL COURT CONDOMINIUM
Total Area	0

The sale of this property may result in higher property taxes. For more information go to Save Our Homes and our Property Tax Estimator . 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification Learn how the Property Appraiser's Office values property.

Value Summary

Value Description	2022 Certified	2023 In Progress
Value Method	Condo	Condo
Total Building Value	$285,000.00	$285,000.00
Extra Feature Value	$0.00	$0.00
Land Value (Market)	$0.00	$0.00
Land Value (Agric.)	$0.00	$0.00
Just (Market) Value	$285,000.00	$285,000.00
Assessed Value	$285,000.00	$285,000.00
Cap Diff/Portability Amt	$0.00 / $0.00	$0.00 / $0.00
Exemptions	$0.00	See below
Taxable Value	$285,000.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
No applicable exemptions

SJRWMD/FIND Taxable Value
No applicable exemptions

School Taxable Value
No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
20125-01869	1/13/2022	$336,000.00	WD - Warranty Deed	Qualified	Improved
19831-01408	7/16/2021	$78,500.00	WD - Warranty Deed	Unqualified	Improved
19728-00626	5/13/2021	$100.00	MS - Miscellaneous	Unqualified	Improved
13055-01791	1/25/2006	$79,500.00	WD - Warranty Deed	Unqualified	Improved
12848-00787	10/27/2005	$100.00	PB - Plat Book	Unqualified	Improved

Extra Features

No data found for this section

Land & Legal

Land
No data found for this section

Legal

LN	Legal Description
1	38-2S-29E
2	SCHEIDEL COURT CONDOMINIUM
3	UNIT 4
4	1/18 INT COMMON ELEMENTS
5	O/R 12848-787

Buildings

Building 1
Building 1 Site Address
1110 SCHEIDEL CT Unit
Atlantic Beach FL 32233

No information available

No information available

Building Type	0401 - CONDOMINIUM
Year Built	2006
Building Value	$285,000.00

Type	Gross Area	Heated Area	Effective Area
Base Area	1300	1300	1300
Total	1300	1300	1300

2022 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	$285,000.00	$0.00	$285,000.00	$257.06	$2,287.47	$2,103.67
Public Schools: By State Law	$285,000.00	$0.00	$285,000.00	$201.27	$922.26	$892.22
By Local Board	$285,000.00	$0.00	$285,000.00	$127.10	$640.68	$563.42
FL Inland Navigation Dist.	$285,000.00	$0.00	$285,000.00	$1.01	$9.12	$8.18
Atlantic Beach	$285,000.00	$0.00	$285,000.00	$101.82	$920.12	$824.70
Water Mgmt Dist. SJRWMD	$285,000.00	$0.00	$285,000.00	$6.90	$56.26	$56.26
Urban Service Dist3	$285,000.00	$0.00	$285,000.00	$0.00	$0.00	$0.00
			Totals	$695.16	$4,835.91	$4,448.45

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	$122,000.00	$81,537.00	$50,000.00	$31,537.00
Current Year	$285,000.00	$285,000.00	$0.00	$285,000.00

2022 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Irizarry,Angela

From: Askew, Amanda
Sent: Wednesday, October 5, 2022 5:21 PM
To: mskaff904@gmail.com
Cc: Irizarry,Angela
Subject: 1110 Scheidel St.
Attachments: 1110 Scheidel Ct 2015 fence.pdf

Good afternoon Mr. Skaff,

As I mentioned on our phone call, I'm following up with you via email because we covered a lot of material.

History recap:

- The city received an inadvertent inquiry about the improvements (fence, pavers and porch) made to 1110 Scheidel Ct.
- We have no building permit records for these improvements and a stop work order was issued for this property.

There are several steps and/or ways to come into compliance with the stop work order:

- Submit a building permit application for all unpermitted work (based on what was relayed and what can be seen on the property appraisers website, there could be some issues approving permit. However, without a copy of your survey and a site plan this cannot be verified.
- If the building permit is denied because of zoning issues (lot coverage, fence height, setbacks, drainage, etc.) then the variance route is an available option. As I mentioned, variances can only be approved by the community development board if they find one of the six factors are meet as listed in section 24-65 (d). This is a link to those conditions: https://library.municode.com/fl/atlantic_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH24LADERE_ARTIIIZORE_DIV3APPR_S24-6
- The application for a variance can be found at: https://fl-atlanticbeach3.civicplus.com/DocumentCenter/View/9752/Variance-Application?bidId=. The next steps after the variance process depends on the outcome of your request.
- Prior to submission of a buildng permit, if you determine you will not get approval of your building permit for zoning reasons you can skip the buidling permit process and go straight to the varinace process.
  ---------OR------
- Remove all unpermit improvements.

I have copied Angela Irizarry, our code enforcment officer, on this email to keep her in the loop. As discussed, as long as you are working with the city to come to a resolution we will not schdule a hearing before the special magistrate. I encourage you to continue to communicate with us as we go through this procress.

Attached is an older copy of the survey we have on-file for this property. As a starting point, I recommend you measureing and drawing in unpermit improvement to determine if a variance is necessary.

This property is zoned Residential General Multi-family (RG-M). As outlined by section 24-108 the following are the setbacks and lot coverage:

(e) *Minimum yard requirements.* The minimum yard requirements in the RG-M zoning are:

(1) Front yard: Twenty (20) feet.
(2) Rear yard: Twenty (20) feet.
(3) Side yard:
a. Single-family dwellings: Combined fifteen (15) total feet and five (5) minimum feet on either side.
b. Two-family (duplex) dwellings and townhouse: Seven and one-half (7.5) each side.
c. Multi-family dwellings: Fifteen (15) feet each side.

(f) *Building restrictions.* The building restrictions for the RG-M zoning district shall be as follows:

(1) Maximum impervious surface: Forty-five (45) percent; provided, however, where lawfully existing structures and improvements on a parcel exceed this applicable percentage, redevelopment of such parcels or additions/modifications to such structures and improvements shall not exceed the pre-existing impervious surface percentage, provided the requirements of section 24-68 are met.
(2) Maximum building height: Thirty-five (35) feet.



Other sections of the zoning code that might be applicable to these improvement include fence regulations (24-157 and the required on-site stormwater requirements (24-68). All of our codes can be found at https://library.municode.com/fl/atlantic_beach/codes/code_of_ordinances

Please free to contact myself or Ms. Irizarry if you have an questions.

Amanda L. Askew, AICP

Director of Planning and Community Development
800 Seminole Road
Atlantic Beach, FL 32266
904-247-5841

Irizarry,Angela

From: Irizarry,Angela
Sent: Friday, January 6, 2023 2:32 PM
To: Mitchel Skaff
Subject: RE: 1110 Scheidel St.

Good afternoon,

I am just writing to check up on the status of survey and application for the fence and rear yard structure. Can you let me know if the survey is complete and if you are ready to submit?

From: Mitchel Skaff [mailto:mskaff904@gmail.com]
Sent: Friday, October 21, 2022 9:26 AM
To: Askew, Amanda <aaskew@coab.us>
Cc: Irizarry,Angela <aIrizarry@coab.us>
Subject: Re: 1110 Scheidel St.

Hi there,

I have reached out to Boatwright Land Surveyors and am waiting on them to let me know which day they will be coming out to do the updated survey. They said it could take up to 3-4 weeks for it to be completed once the updated survey is done.

I will keep you posted!

Thank you,
Mitchel Skaff

On Fri, Oct 7, 2022 at 11:42 AM Mitchel Skaff <mskaff904@gmail.com> wrote:

> Thank you for the detailed email outlining my options. I want to be very proactive in resolving this issue and having this up to code and permitted.
>
> As you can imagine, deciding on what route to go is a bit overwhelming. I'd like to have someone come out to my condo that can tell me exactly what needs to be modified in order for it to be permitted because I'm unsure of each code and what exactly needs to be modified regarding the Pergola to correct the issues. Can you recommend someone from the city to come out that can tell me what changes need to be made or would I call a general home inspector or even a general contractor? Who is it that I need to reach out to that can tell me exactly what needs to be done to resolve this.
>
> I would appreciate any further help in getting this resolved.
>
> Kindly
> Mitchel Skaff
> 904-885-5700
>
> On Wed, Oct 5, 2022 at 5:21 PM Askew, Amanda <aaskew@coab.us> wrote:
>
> > Good afternoon Mr. Skaff,

CITY OF ATLANTIC BEACH
800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

3/14/2023

SKAFF MITCHEL
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233-3515

Real Estate Number: 178958 0818 **Case Number:** 22-096
Location of Violation: 1110 SCHEIDEL CT 4, 38-2S-29E SCHEIDEL COURT CONDOMINIUM UNIT 4 1/18 INT COMMON ELEMENTS O/R 12848-787 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A review of the records related to 1110 SCHEIDEL CT 4 was conducted on 3/13/2023. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

NATURE OF VIOLATION: A stop work order was posted on the property or construction of a covered patio structure in the rear of the home and an 8 feet fence without a permit. To date, we have not received a building application for the fence or structure. Fences in excess of 6 feet require an approved variance from the Community Development Board.

APPLICABLE CODES:

FBC Section 105 Permit 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Sec. 24-157. Fences, walls and similar structures. (a) Permit required. Issuance of a permit is required for any new or replacement fence or wall and all new or replacement fences and walls shall comply with the following provisions. Nonconforming fences shall not be replaced with nonconforming fences. The term fence and wall may be used interchangeably within this chapter, and shall mean as specifically defined within section 24-17. Fences must be constructed out of materials that are customarily used for fences.

Sec. 24-157. - Fences, walls and similar structures. (b) Height and location. (1)Within required front yards, the maximum height of any fence shall be four (4) feet, except that open ornamental aluminum, iron or vinyl or wood fences, similar to the below examples, with vertical rails no more than two (2) inches in width and spacing of at least four (4) inches may be constructed to a maximum height of five (5) feet except in cases as described in

following subsection (2). Within required side or rear yards, the maximum height of any fence shall be six (6) feet.

This letter requests that the noted violation(s) be corrected by submitting a permit application for the structure and fence within ten (10) days of the receipt of this notice. The 8 foot fence cannot be approved as

Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or airizarry@coab.us if you have any questions or need additional information.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

Irizarry,Angela

From: Irizarry,Angela on behalf of Code Enforcement Officer
Sent: Tuesday, March 28, 2023 4:54 PM
To: Genest, Abrielle
Subject: FW: 1110 SCHEIDEL CT
Attachments: 2022-1490 SS.pdf

From: Skaff, Sandra [mailto:sskaff@bayada.com]
Sent: Tuesday, March 28, 2023 4:44 PM
To: Code Enforcement Officer <code@coab.us>
Subject: Fwd: 1110 SCHEIDEL CT

Get Outlook for iOS

From: Sandy Skaff <skaff4@aol.com>
Sent: Monday, March 27, 2023 2:57 PM
To: Skaff, Sandra <sskaff@bayada.com>
Subject: Fwd: 1110 SCHEIDEL CT

CAUTION: This email originated from outside of BAYADA. Beware of links and attachments.

Sent from my iPhone

Begin forwarded message:

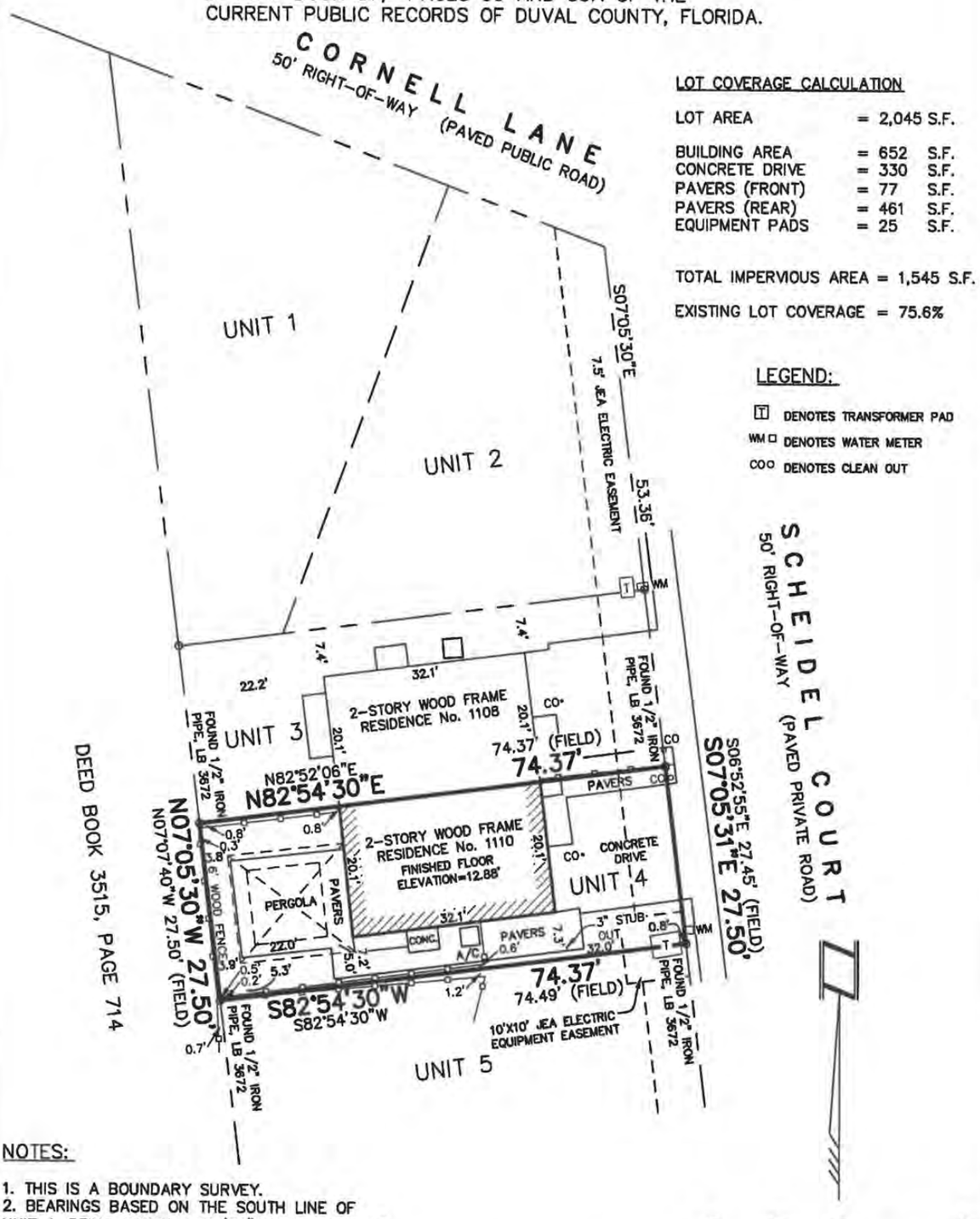
> **From:** Kat Peet <kpeet@boatwrightland.com>
> **Date:** November 14, 2022 at 10:17:28 AM EST
> **To:** skaff4@aol.com
> **Cc:** mskaff904@gmail.com
> **Subject: 1110 SCHEIDEL CT**

Admin
Boatwright & Durden Land Surveyors
1500 Roberts Drive
Jacksonville Beach, FL 32250
Phone: 904-241-8550
Fax: 904-241-3346

MAP SHOWING SURVEY OF

CONDOMINIUM UNIT 4 OF SCHEIDEL COURT CONDOMINIUMS

A PART OF TRACT "A", SCHEIDEL COURT, AS RECORDED IN PLAT BOOK 57, PAGES 99 AND 99A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



LOT COVERAGE CALCULATION

LOT AREA	= 2,045	S.F.
BUILDING AREA	= 652	S.F.
CONCRETE DRIVE	= 330	S.F.
PAVERS (FRONT)	= 77	S.F.
PAVERS (REAR)	= 461	S.F.
EQUIPMENT PADS	= 25	S.F.

TOTAL IMPERVIOUS AREA = 1,545 S.F.

EXISTING LOT COVERAGE = 75.6%

LEGEND:

T DENOTES TRANSFORMER PAD
WM DENOTES WATER METER
CO DENOTES CLEAN OUT

NOTES:

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE SOUTH LINE OF UNIT 4, BEING SOUTH 82°54'30" WEST PER PLAT.
3. NO BUILDING RESTRICTION LINES PER PLAT.
4. EASEMENTS SHOWN PER PLAT.
5. UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN.

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0408J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

0 10 20 40

SCALE: 1" = 20'

THIS SURVEY IS CERTIFIED TO:
MITCHEL SKAFF; CONNOR MILLSAPS

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY:	BOATWRIGHT LAND SURVEYORS, INC.	DATE: OCTOBER 26, 2022
DRAWN BY: KJC-P	1500 ROBERTS DRIVE JACKSONVILLE BEACH, FLORIDA	SHEET 1 OF 1
FILE #: 2022-1490	(904) 241-8550	

CITY OF ATLANTIC BEACH
800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

5/5/2023

SKAFF MITCHEL
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233-3515

Real Estate Number: 178958 0818 **Case Number:** 22-096
Location of Violation: 1110 SCHEIDEL CT 4, 38-2S-29E SCHEIDEL COURT CONDOMINIUM UNIT 4 1/18 INT COMMON ELEMENTS O/R 12848-787 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A review of the records related to 1110 SCHEIDEL CT 4 was conducted on 3/13/2023. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

NATURE OF VIOLATION: A stop work order was posted on the property or construction of a covered patio structure in the rear of the home and an 8 feet fence without a permit. To date, we have not received a building application for the fence or structure. During our last conversation on March 29, 2023 you indicated your intent to apply for a variance for the covered patio. To date, we have not received any applications from you.

APPLICABLE CODES:

FBC Section 105 Permit 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Sec. 24-157. Fences, walls and similar structures. (a) Permit required. Issuance of a permit is required for any new or replacement fence or wall and all new or replacement fences and walls shall comply with the following provisions. Nonconforming fences shall not be replaced with nonconforming fences. The term fence and wall may be used interchangeably within this chapter, and shall mean as specifically defined within section 24-17. Fences must be constructed out of materials that are customarily used for fences.

Sec. 24-157. - Fences, walls and similar structures. (b) Height and location. (1)Within required front yards, the maximum height of any fence shall be four (4) feet, except that open ornamental aluminum, iron or vinyl or wood fences, similar to the below examples, with vertical rails no more than two (2) inches in width and spacing of at least four (4) inches may be constructed to a maximum height of five (5) feet except in cases as described in

following subsection (2). Within required side or rear yards, the maximum height of any fence shall be six (6) feet.

This letter requests that the noted violation(s) be corrected by submitting a permit application for the structure and fence within ten (10) days of the receipt of this notice or removing the unpermitted work.

Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or airizarry@coab.us if you have any questions or need additional information.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

Irizarry,Angela

From: Mitchel Skaff <mskaff904@gmail.com>
Sent: Thursday, May 11, 2023 11:09 AM
To: Irizarry,Angela
Cc: Mom
Subject: Case 22-096 Update for 1110 Scheidel Ct
Attachments: Variance app start.pdf

Hi there Angela,

I received your letter this morning notifying us again of the Code Enforcement violation. Wanted to provide a quick update that we have been working with Abrielle and Derek in order to properly fill out our Variance Application. We have the attached Variance Application started but again, there are a few areas we were not sure how to fill out and/or needed further details so that we could clearly state our case (our lot size vs standard, impervious surface calculations, etc). Abrielle and Derek have been extremely helpful here.

I believe we are supposed to meet with Abrielle today, actually.

The other caveat here is I am actually leaving for my honeymoon in Europe early next week, returning June 5th. Last we spoke to Abrielle, she said we should submit our Variance Application after May 29th so that we could either join the Board Hearing on June 20th or even July 18th if that was easiest.

Hope this provides some clarity here, and I apologize for the delayed response. Will try to keep you more up to date on our progress!

Kind regards,
Mitch



VARIANCE APPLICATION

City of Atlantic Beach
Community Development Department
800 Seminole Road Atlantic Beach, FL 32233
(P) 904-247-5800

FOR INTERNAL OFFICE USE ONLY
PERMIT# _____

APPLICANT INFORMATION

NAME Mitchel and Connor Skaff EMAIL mskaff904@gmail.com

ADDRESS 1110 Scheidel Court CITY Atlantic Beach STATE FL ZIP CODE 32233

PROPERTY LOCATION _____ PHONE # 904-885-5700 CELL # 904-874-9488

RE# _____ BLOCK # _____ LOT # _____

LOT/PARCEL SIZE _____ ZONING CODE _____ UTILITY PROVIDER _____

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION _____

PROVISION FROM WHICH VARIANCE IS REQUESTED Pergola

Homeowner's Association or Architectural Review Committee approval required for the proposed construction
☐ YES ☐ NO (if yes, this must be submitted with any application for a Building Permit)

Statement of facts and site plan related to requested Variance, which demonstrates compliance with Section 24-65 of the Zoning, Subdivision and Land Development Regulations, a copy of which is attached to this application. Statement and site plan must clearly describe and depict the Variance that is requested.

PROVIDE ALL OF THE FOLLOWING INFORMATION
***(all information must be provided before an application is scheduled for any public hearing)*:**

1. Proof of ownership: deed or certificate by lawyer or abstract or title company that verifies record owner as above.
2. If the applicant is not the owner: provide a letter of authorization from the owner(s) for applicant to represent the owner(s) for all purposes related to this application.
3. Survey and legal description of property for which Variance is sought.
4. Required number of copies: One (1) digital copy - additional paper copy is optional.
5. Application fee of $300.00.

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IS CORRECT: Signature of Property Owner(s) or Authorized Agent

_____	Mitchel Skaff	_____
SIGNATURE OF APPLICANT	PRINT OR TYPE NAME	DATE
_____	Connor Skaff	_____
SIGNATURE OF APPLICANT (2)	PRINT OR TYPE NAME	DATE

Signed and sworn before me on this _____ day of _____, _____ by State of _____

_____ County of _____

Identification verified: _____

Oath Sworn: ☐ Yes ☐ No

_____
Notary Signature

My Commission expires _____

19 VARIANCE APPLICATION 08.25.2020

The following paragraph sets forth reasons for which a Variance may be approved, please check the circumstances that apply to your request and briefly describe in the space provided.

Grounds for approval of a Variance: A Variance may be granted at the discretion of the Community Development Board, for the following reasons.

☐ 1. Exceptional topographic conditions of or near the property.

☐ 2. Surrounding conditions or circumstances impacting the property disparately from nearby properties.

☐ 3. Exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area.

☐ 4. Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.

☐ 5. Irregular shape of the property warranting special consideration.

☒ 6. Substandard size of a Lot or Record warranting a Variance in order to provide for the reasonable use of the property.

Abnormally small lot per code enforcement. House sits on a hill,

a. Approval of a Variance. To approve an application for a Variance, the Community Development Board shall find that the request is inaccordance with the preceding terms and provisions of this Section and that the granting of the Variance will be in harmony with the Purpose and Intent of this Chapter.

b. Approval of Lesser Variances. The Community Development Board shall have the authority to approve a lesser Variance than requested if a lesser Variance shall be more appropriately in accord with the terms and provisions of this Section and with the Purpose and Intent of this Chapter.

c. Nearby Nonconformity. Nonconforming characteristics of nearby Lands, Structures or Buildings shall not be grounds for approval of a Variance.

d. Waiting period for re-submittal. If an application for a Variance is denied by the Community Development Board, no further action on Another application for substantially the same request on the same property shall be accepted for 365 days from the date of denial.

e. Time period to implement Variance. Unless otherwise stipulated by the Community Development Board, the work to be performed pursuant to a Variance shall begin within six (6) months from the date of approval of the Variance. The Community Development Director, upon finding of good cause, may authorize a one time extension not to exceed an additional six (6) months, beyond which time the Variance shall become null and void.

f. A Variance, which involves the Development of Land, shall be transferable and shall run with the title to the Property unless otherwise stipulated by the Community Development Board.

ADDITIONAL COMMENTS:

My wife and I purchased this condo a year ago (it was previously a Habitat for Humanity property). We were so excited to live in Atlantic Beach. We both graduated from college, saved our money and couldn't wait to buy our first home together. All we wanted was to find a place we could afford at the beach.
The pergola was the selling point for us as it was well-made and just beautiful, as you can see from the pictures, it's not any old pergola! We spend most of our time in that space entertaining friends and family!

Unfortunately, it was not disclosed to us by the previous owner that it was not permitted before it was built.
Since becoming aware of the issue, we have obtained a new Land Survey, spoken with Angela and Abrielle of code enforcement multiple times to get advice on next steps. We have also reached out to Public Works, as instructed. It has been suggested to us that we come before the board to plead our case and to ask for a variance, whereas we are able to keep our pergola with some adjustments.
Regarding the pavers, we have been told that even if we removed all the pavers except for the driveway, we would still be at 47% impervious, which is still 2% over the code.
We are requesting a hardship be considered regarding the size of our lot, we would like it to be known that our lot size, in comparison to other lots, told to us by code enforcement, is significantly smaller, allowing much less opportunity for design.

Regarding the value of our condo, it would dramatically drop without the pergola, we would be paying a significant amount of our mortgage without the full value. It would be devalued tremendously along with the value of this neighborhood. We would likely be forced to sell our home and it would be catastrophic to us from a financial standpoint, as well as, personally. We are assurred this pergola adds value to this particular area of Atlantic Beach and certainly to our street.

In closing, we cannot overstate how catastrophic losing the pergola would be for us personally and financially. We would be forced to strongly consider moving out of Atlantic Beach, which we have grown to love over the past year. We have built our lifestyle with out condo and Atlantic Beach itself. We certainly could not afford anywhere else in Atlantic Beach. So, we humbly ask that you please, please allow us to keep the pergola with whatever modifications you deem necessary. We cannot express how grateful and relieved we would be to be allowed to keep our pergola.

Thank you for your time and consideration in this stressful matter.
Mitchel and Connor Skaff

Irizarry,Angela

From: Genest, Abrielle
Sent: Friday, May 19, 2023 2:40 PM
To: Irizarry,Angela
Subject: FW: Variance application, etc for Skaff- 1110 Scheidel Ct.
Attachments: Variance application.pdf; Land Survey Skaff.pdf; Warranty Deed- Mitchel and Connor Skaff.pdf

FYI...

From: Skaff, Sandra [mailto:sskaff@bayada.com]
Sent: Friday, May 19, 2023 2:30 PM
To: Genest, Abrielle <agenest@coab.us>; mskaff904@gmail.com
Cc: Skaff, Sandra <sskaff@bayada.com>
Subject: Variance application, etc for Skaff- 1110 Scheidel Ct.

Hi Abrielle-

Attached are the Variance Application, Land Survey, and Warranty Deed needed for the variance hearing. And below is the link to the pictures of the Pergola. (Please let us know if you are not able to view the pictures).

https://drive.google.com/drive/folders/1YIqNJRtC3DsxHgrNkZx6a8F-Vx7EnCxh?usp=share_link

Can you please confirm that you received this email and let us know if anything else is needed to schedule the hearing?

Thank you!

Mitchel Skaff and Connor Millsaps

Spread the word and earn a **bonus** by referring a friend.

BAYADA®

WE LOVE WHAT WE DO

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VARIANCE APPLICATION

City of Atlantic Beach
Community Development Department
800 Seminole Road Atlantic Beach, FL 32233
(P) 904-247-5800

FOR INTERNAL OFFICE USE ONLY
PERMIT# ZVAR23-0016

APPLICANT INFORMATION

NAME Mitchel Skaff and Connor Millsaps EMAIL mskaff904@gmail.com

ADDRESS 1110 Scheidel Court CITY Atlantic Beach STATE FL ZIP CODE 32233

PROPERTY LOCATION 1110 Scheidel Court PHONE # 904-885-5700 CELL # 904-874-9488

RE# 178958-0818 BLOCK # Tract A LOT # Unit 4

LOT/PARCEL SIZE 2045.175 sq ft ZONING CODE RG-M UTILITY PROVIDER AB, JEA

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION RH

PROVISION FROM WHICH VARIANCE IS REQUESTED Setbacks, Impervious surface, Storm water retention- Pergola

Homeowner's Association or Architectural Review Committee approval required for the proposed construction
☒ YES ☐ NO (if yes, this must be submitted with any application for a Building Permit)

Statement of facts and site plan related to requested Variance, which demonstrates compliance with Section 24-65 of the Zoning, Subdivision and Land Development Regulations, a copy of which is attached to this application. Statement and site plan must clearly describe and depict the Variance that is requested.

PROVIDE ALL OF THE FOLLOWING INFORMATION
***(all information must be provided before an application is scheduled for any public hearing)*:**

1. Proof of ownership: deed or certificate by lawyer or abstract or title company that verifies record owner as above.
2. If the applicant is not the owner: provide a letter of authorization from the owner(s) for applicant to represent the owner(s) for all purposes related to this application.
3. Survey and legal description of property for which Variance is sought.
4. Required number of copies: One (1) digital copy - additional paper copy is optional.
5. Application fee of $300.00.

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IS CORRECT: Signature of Property Owner(s) or Authorized Agent

SIGNATURE OF APPLICANT — Mitchel Skaff (PRINT OR TYPE NAME) — 5/19/23 (DATE)

SIGNATURE OF APPLICANT (2) — Connor Millsaps (PRINT OR TYPE NAME) — 5/19/23 (DATE)

Signed and sworn before me on this 19 day of May, 2023 by Connor Millsaps and Mitchel Skaff

State of Florida County of Duval

Identification verified: Florida Driver License

Oath Sworn: ☒ Yes ☐ No

COLLEEN HICKEY
MY COMMISSION # HH 203374
EXPIRES: November 30, 2025
Bonded Thru Notary Public Underwriters

Notary Signature

My Commission expires 11/30/2025

19 VARIANCE APPLICATION 08.25.2020

The following paragraph sets forth reasons for which a Variance may be approved, please check the circumstances that apply to your request and briefly describe in the space provided.

Grounds for approval of a Variance: A Variance may be granted at the discretion of the Community Development Board, for the following reasons.

☐ 1. Exceptional topographic conditions of or near the property.

☐ 2. Surrounding conditions or circumstances impacting the property disparately from nearby properties.

☐ 3. Exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area.

☐ 4. Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.

☐ 5. Irregular shape of the property warranting special consideration.

☒ 6. Substandard size of a Lot or Record warranting a Variance in order to provide for the reasonable use of the property.

This is an abnormally small lot. The minimum lot size in Atlantic Beach is 7500 sq ft. Our lot size is 2045 sq ft. Also, the lot is on a hill with different elevation front to back.

a. Approval of a Variance. To approve an application for a Variance, the Community Development Board shall find that the request is inaccordance with the preceding terms and provisions of this Section and that the granting of the Variance will be in harmony with the Purpose and Intent of this Chapter.

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ADDITIONAL COMMENTS:

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The pergola was the selling point for us as it was well-made and just beautiful, as you can see from the pictures, it's not any old pergola! We spend most of our time in that space entertaining friends and family!

Unfortunately, it was not disclosed to us by the previous owner that it was not permitted before being built.
Since becoming aware of the issue, we have obtained a new Land Survey, spoken with Angela and Abrielle of code enforcement multiple times for advice and next steps. We have also reached out to Public Works, as instructed. It has been suggested to us that we come before the board to plead our case and to ask for a variance, whereas we are able to keep our pergola with some adjustments.

We are requesting a hardship be considered regarding the size of our lot, we would like it to be known that our lot size, in comparison to other lots in Atlantic Beach, is significantly smaller, allowing much less opportunity for design and the betterment of the property.

In regards to the pavers, we have been told that even if we removed all the pavers, we would still be at 47% impervious, which is still 2% over the code.

As well, it was noted on the new Land Survey that the property - "lies in flood zone "x" (area of minimal flood hazard) as well as can be determined from the flood insurance rate map No. 12031C0408J, revised November 18, 2018 for Duval County, Florida".-
We were not sure if this information would have any impact, just something we had noticed on the new survey.

Regarding the value of our condo, it would dramatically drop without the pergola, we would be paying a significant amount of our mortgage without the full value. It would be devalued tremendously along with the value of this neighborhood. We would likely be forced to sell our home and it would be catastrophic to us from a financial standpoint, as well as, personally. We are assured this pergola adds value to this particular area of Atlantic Beach and certainly to our neighborhood.

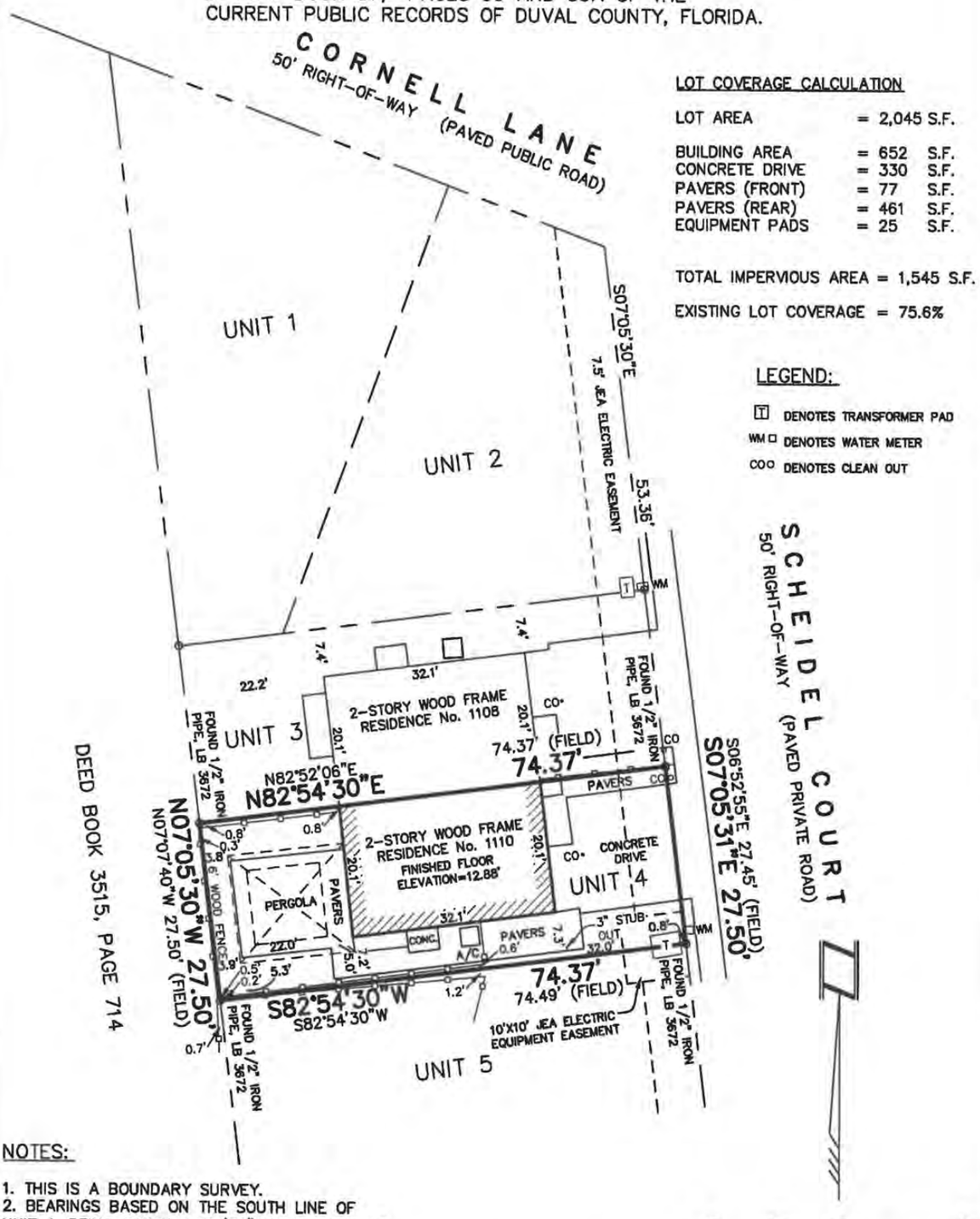
In closing, we cannot overstate how catastrophic losing the pergola would be for us personally and financially. We would be forced to strongly consider moving out of Atlantic Beach, which we have grown to love. We are certain we could not afford anywhere else in AB.
So, we humbly ask that you please allow us to keep the pergola with whatever modifications you deem necessary.
Thank you for your time and consideration in this stressful matter.

Mitchel Skaff and Connor Millsaps

MAP SHOWING SURVEY OF

CONDOMINIUM UNIT 4 OF SCHEIDEL COURT CONDOMINIUMS

A PART OF TRACT "A", SCHEIDEL COURT, AS RECORDED IN PLAT BOOK 57, PAGES 99 AND 99A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



LOT COVERAGE CALCULATION

LOT AREA	= 2,045	S.F.
BUILDING AREA	= 652	S.F.
CONCRETE DRIVE	= 330	S.F.
PAVERS (FRONT)	= 77	S.F.
PAVERS (REAR)	= 461	S.F.
EQUIPMENT PADS	= 25	S.F.

TOTAL IMPERVIOUS AREA = 1,545 S.F.

EXISTING LOT COVERAGE = 75.6%

LEGEND:

T DENOTES TRANSFORMER PAD
WM DENOTES WATER METER
CO DENOTES CLEAN OUT

NOTES:

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2. BEARINGS BASED ON THE SOUTH LINE OF UNIT 4, BEING SOUTH 82°54'30" WEST PER PLAT.
3. NO BUILDING RESTRICTION LINES PER PLAT.
4. EASEMENTS SHOWN PER PLAT.
5. UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN.

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0408J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

0 10 20 40
SCALE: 1" = 20'

THIS SURVEY IS CERTIFIED TO:
MITCHEL SKAFF; CONNOR MILLSAPS

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: ____
DRAWN BY: KJC-P
FILE #: 2022-1490

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE JACKSONVILLE BEACH, FLORIDA
(904) 241-8550

DATE: OCTOBER 26, 2022
SHEET 1 OF 1

Doc # 2022029657, OR BK 20125 Page 1869, Number Pages: 2,
Recorded 02/01/2022 10:55 AM, JODY PHILLIPS CLERK CIRCUIT COURT DUVAL COUNTY
RECORDING $18.50 DEED DOC ST $2352.00

Prepared By and Return To:
J. Riley Williams, PLC
2141 Park Street
Jacksonville, FL 32204

Order No.: 21-2165-13

Property Appraiser's Parcel I.D. (folio) Number:
178958-0818

WARRANTY DEED

THIS WARRANTY DEED dated January 13, 2022, by Clifford T. Long, a single man, whose post office address is 155 May St. E, Baldwin, Florida 32234 (the "Grantor"), to Mitchel Skaff, a single man, and Connor Millsaps, a single woman, as joint tenants, whose post office address is 1110 Scheidel Ct., Atlantic Beach, Florida, 32233 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars ($10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Duval, State of Florida, viz:

Unit 4 of Scheidel Court Condominium, a Condominium according to the Declaration of Condominium thereof, recorded in Official Records Book 12848, Page(s) 787, of the Public Records of Duval County, Florida, and any amendments thereto, together with its undivided share in the common elements.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31st, 2021.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness Signature

Robert Young
Printed Name of First Witness

Witness Signature

Ericka Key
Printed Name of Second Witness

Clifford T. Long

State of FL
County of Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13 day of January, 22, by **Clifford T. Long**, who ☐ is personally known or ☒ has produced a driver's license as identification.

Notary Seal

Notary Public State of Florida
Robert S. Young
My Commission HH 112945
Expires 04/04/2025

Notary Public, State of _____
Printed Name: _____
My Commission Expires: _____






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City of Atlantic Beach
Community Development Dept.
800 Seminole Road
Atlantic Beach, Florida 32233
Telephone (904) 247-5826
http://www.coab.us

Order of the Community Development Board

APPLICANT: Mitchel Skaff and Connor Millsaps
1110 Scheidel Court (RE #178958-0818)
Atlantic Beach, FL 32233

FILE NUMBER: ZVAR23-0016

DATE OF PUBLIC HEARING: June 20, 2023

ORDER DENYING VARIANCE

The above referenced applicant requested a variance as permitted by Section 24-65, from Section 24-108 to reduce the minimum rear yard setback, maximum impervious surface area, and Section 24-68 the required on-site water retention to allow an existing unpermitted covered patio and unpermitted pavers at 1110 Scheidel Court.

On June 20, 2023 a public hearing was held and said request was considered by the City of Atlantic Beach Community Development Board (CDB). Having considered the application, supporting and documents comments from the members of the public, the Community Development Board **DENIED** the approval of the variance. The Community Development Board made a motion to deny the variance, the motion to deny passed with a vote of 6-0. The CDB found that the request did not meet any grounds from Section 24-65(c) of the Land Development Regulations establishing grounds for approval of a variance.

Per Section 24-65(g), no further action on another application for substantially the same request (same location) on the same property shall be accepted for three hundred sixty-five (365) days from the date of the denial.

Appeals of a decision of the Community Development Board may be made to the City Commission by any adversely affected person(s). Such appeal shall be filed in writing with the City Clerk within thirty (30) days after rendition of this Order. The appellant shall present to the City Clerk a petition duly verified, setting forth that the decision being appealed is in conflict with or in violation of Chapter 24, Zoning, Subdivision and Land Development Regulations for the City of Atlantic Beach, in whole or in part, and specifying the grounds of the conflict or violation. The petition shall be presented to the City Commission within thirty (30) days after the filing of the appeal with the City Clerk.

The undersigned certifies that the above Order of the Community Development Board is a true and correct rendition of the Order adopted by said Board as appears in the record of the Community Development Board minutes.

DATED THIS 21ST DAY OF JUNE 2023.

Amanda L. Askew
Planning and Community Development Director

Irizarry,Angela

From: Askew, Amanda
Sent: Tuesday, July 11, 2023 11:03 AM
To: Genest, Abrielle; Broedell, Brian; Irizarry,Angela
Subject: 1110 Scheidel Court

Just a heads up that 1110 Scheidel Ct. is going to file an appeal of the CDB decision. The due date for the appeal is 7/21.

Amanda L. Askew, AICP
Director of Planning and Community Development
800 Seminole Road
Atlantic Beach, FL 32266
904-247-5841

REQUEST FOR APPEAL

City of Atlantic Beach
Community Development Department
800 Seminole Road Atlantic Beach, FL 32233
(P) 904-247-5800

FOR INTERNAL OFFICE USE ONLY
FILE # APP23-0002

☐ $300.00 Application Fee

SITE INFORMATION

ADDRESS 1110 Scheidel Court

SUBDIVISION _____ BLOCK Tract A LOT Unit 4

RE# 178958-0818 ☒ RESIDENTIAL ☐ COMMERCIAL ☐ OTHER

APPLICANT INFORMATION

NAME Mitchel Skaff and Connor Millsaps EMAIL mskaff904@gmail.com

ADDRESS 1110 Scheidel Court CITY Atlantic Beach STATE FL ZIP CODE 32233

PROPERTY LOCATION Atlantic Beach PHONE # 904-885-5700 CELL # 904-874-9488

RE# 178958-0818 LOT/PARCEL SIZE 2045.175 sq ft ZONING CODE RG-M

WHAT ISSUE ARE YOU APPEALING? Variance denial for our Pergola in regards to our hardship

PLEASE TELL US IN DETAIL WHY YOU ARE APPEALING:

My family and I bought this lot and were subsequently told by the city that the property we bought had several code infractions, specifically our Pergola being inside our back sets as well our lot being above the maximum impervious surface percentage. The city denied our Variance but we are appealing this decision on the grounds that my family and I were not the builders of this property, we are innocent bystanders being punished for the deeds of the owner before us. Having our family remove such a minuscule structure would cost us thousands in repairments but also severely damage the value of our first home that I am currently paying a loan on! We also are challenging the ruling that our lot does not qualify as a sub-standard sized lot. Our lot is 2,000 square feet, well below the AB minimum lot size of 7,500. Having a lot of this size and being contrained by these codes not give me fair use of my property. Please work with my family to either provide the variance as is, or at the very least provide us modifications we can make to the current structure in order to meet the standards of the city. It is not hyberbole to say that removing this pergola and pavers would financially ruin us. Please help our family keep our home!

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IS CORRECT: Signature of Property Owner(s) or Authorized Agent

SIGNATURE OF APPLICANT	Mitchel Skaff PRINT OR TYPE NAME	7/17/23 DATE
SIGNATURE OF APPLICANT (2)	Connor Millsaps PRINT OR TYPE NAME	7/17/23 DATE

Signed and sworn before me on this 17 day of July, 2023 by Connor Millsaps and Mitchel Skaff

State of Florida

County of Duval

Identification verified: Florida Driver License

Oath Sworn: ☐ Yes ☐ No

KASEY KING
MY COMMISSION # HH 352750
EXPIRES: January 23, 2027

Notary Signature

My Commission expires January 23, 2027

23 REQUEST FOR APPEAL 07.08.2019

Irizarry,Angela

From: Askew, Amanda
Sent: Monday, November 6, 2023 11:24 AM
To: Mitchel Skaff; Connor Millsaps
Cc: Irizarry,Angela
Subject: 1110 Scheidel Court - Order of Denial
Attachments: 1110 Scheidel Court APP23-0002 Order of Denial.pdf

Good morning,

Attached you will find the official record from your appeal hearing. It is an order affirming the denial of the variance by the Community Development Board by Commission. We'll also mail you a hard copy.

Our process, is to send the order of denial to the applicant. We will wait 30 days before we move forward with code enforcement. This 30 day timeframe is to allow you the opportunity to appeal the decision by Commission to circuit court. If we haven't received notice that you are filing with circuit court, then we'll move forward with code enforcement process. However, you are welcome to contact me prior to the 30 day period if you are not appealing to circuit court and we can help you with the correction process.

Please let me know if you have any questions.

Amanda L. Askew, AICP
Director of Planning, Community Development & Building
800 Seminole Road
Atlantic Beach, FL 32266
904-247-5841

BEFORE THE CITY COMMISSION
OF THE CITY OF ATLANTIC BEACH

IN RE: Appeal of Denial of
Variance Application ZVAR23-0016

Mitchel Skaff and Connor Millsaps
1110 Scheidel Court

ORDER AFFIRMING THE DENIAL OF VARIANCE ZVAR23-0016 BY THE COMMUNITY DEVELOPMENT BOARD

This matter came to be heard upon the appeal of the decision of the Community Development Board, dated June 20, 2023, to deny variance application ZVAR23-0016 for an unpermitted covered porch and pavers at 1110 Scheidel Court (the "Subject Parcel"), timely filed pursuant to Section 24-49 of the City of Atlantic Beach's Land Development Regulations by the applicants, Mitchel Skaff and Connor Millsaps ("Applicants") on behalf of themselves, dated July 17, 2023.

Having duly considered the record documents transmitted to this Commission, as well as both testimonial and documentary evidence presented at the appeal hearing on October 30, 2023, the City Commission of the City of Atlantic Beach hereby,

FINDS AND DETERMINES:

A. That the Applicant requested a variance to reduce the rear yard setback from the required 20 feet to 3.8 feet, reduce the southern side yard from the required 7 feet to 5 feet, reduce the northern side yard setback from the required 7 feet to 5.5 feet, increase the maximum lot coverage to 75.6% and to waive the requirement for on-site stormwater; and

B. That the requested variance at the Subject Parcel at 1110 Scheidel Court does not meet any of the criteria in Section 24-65(c); and

C. That an error was not made in the Community Development Board's decision to deny variance application, ZVAR23-0016.

NOW, THEREFORE, based upon the foregoing, it is **ORDERED** by the City Commission:

1. The appeal of the Community Development Board's Order denying variance VAR23-0016, taken by the Applicant, is hereby **DENIED**.
2. The denial of variance application ZVAR23-0016 is hereby **AFFIRMED.**

Denied by the City Commission on October 30, 2023.

Executed this 6th day of November 2023.

CITY COMMISSION OF THE CITY OF ATLANTIC BEACH, FLORIDA

CURTIS FORD
Mayor

FILED WITH THE CITY CLERK this 6th day of November 2023.

Donna S Bartle
DONNA L. BARTLE
City Clerk

Approved as to form and correctness:

JASON GABRIEL
City Attorney

CITY OF ATLANTIC BEACH

800 SEMINOLE ROAD
ATLANTIC BEACH, FL 32233
PHONE (904) 247-5800

CERTIFIED RETURN RECEIPT
7013 1710 0002 1691 0582

1/10/2024

SKAFF MITCHEL
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233-3515

SENT VIA CERTIFIED
AND REGULAR USPS MAIL

Real Estate Number: 178958 0818 **Case Number:** 22-096
Location of Violation: 1110 SCHEIDEL CT 4, 38-2S-29E SCHEIDEL COURT CONDOMINIUM UNIT 4 1/18 INT COMMON ELEMENTS O/R 12848-787 Atlantic Beach, Florida

Dear Property Owner:

Please be advised, the City of Atlantic Beach Code of Ordinances includes rules and regulations governing construction activities and also maintenance standards for property within the City. These standards are set forth in the International Property Maintenance Code and the Florida Building Code and were adopted as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

A review of the records related to 1110 SCHEIDEL CT 4 was conducted on 1/10/2024. The City of Atlantic Beach Code Enforcement has found your property to be in violation of the City of Atlantic Beach Code of Ordinances:

VIOLATIONS:

1. Unpermitted fence
    a. Unpermitted fence – rear yard. Fencing has been installed in the back yard. This fence exceeds 6 feet in height. The maximum height permitted by code in the rear and side yards is 6 feet.
    b. Unpermitted fence – front yard. Unpermitted 6 ft fence installed in the front yard. The maximum height of fencing in the required front yard is 4ft.

    Applicable code:

    Sec. 24-157. Fences, walls and similar structures. (a) Permit required. Issuance of a permit is required for any new or replacement fence or wall and all new or replacement fences and walls shall comply with the following provisions. Nonconforming fences shall not be replaced with nonconforming fences. The term fence and wall may be used interchangeably within this chapter, and shall mean as specifically defined within section 24-17. Fences must be constructed out of materials that are customarily used for fences.

    (b) Height and location. (1)Within required front yards, the maximum height of any fence shall be four (4) feet, except that open ornamental aluminum, iron or vinyl or wood fences, similar to the below examples, with vertical rails no more than two (2) inches in width and spacing of at least four (4) inches may be constructed to a maximum height of five (5) feet except in cases as described in following subsection (2). Within required side or rear yards, the maximum height of any fence shall be six (6) feet.

2. Unpermitted rear porch – A covered porch structure was added to the rear of the home without a permit. In accordance with the Florida Building Code, all new structures require a valid building permit prior to construction.

   Applicable code:

   FBC Section 105 Permit 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

3. Unpermitted rear porch – Setback Encroachment – The unpermitted structure encroaches into the rear and side setbacks.
   a. Setbacks
      i. Rear Setback – According to the survey, the unpermitted porch is only 3.8 feet off the rear property line
      ii. Side Yard Setback (south) – According to the survey, the unpermitted porch is only 5 feet from the south side property line
      iii. Side Yard Setback (north) – According to the survey, the unpermitted porch is only 5.5 feet from the north side property line.

   A variance application was considered by the Community Development Board for the setback encroachment on 6/20/2023 and was denied. The denial was upheld by the City of Atlantic Beach Commission on 10/20/2023.

   Applicable code:

   Sec. 24-108. - Residential, multi-family district (RG-M). (e) Minimum yard requirements. The minimum yard requirements in the RG-M zoning are: (1) Front yard: Twenty (20) feet.(2) Rear yard: Twenty (20) feet. (3) Side yard: b. Two-family (duplex) dwellings and townhouse: Seven and one-half (7.5) each side.

4. Lot Coverage – Lot coverage was increased from the previously approved 51% in 2006 to 75.6% due to the addition of the covered porch and the installation of pavers in the side and rear yard.

   A variance application was considered by the Community Development Board for the impervious surface area on 6/20/2023 and was denied. The denial was upheld by the City of Atlantic Beach Commission on 10/20/2023.

   Applicable code:

   Sec. 24-108. - Residential, multi-family district (RG-M). (f) Building restrictions. The building restrictions for the RG-M zoning district shall be as follows:(1) Maximum impervious surface: Forty-five (45) percent; provided, however, where lawfully existing structures and improvements on a parcel exceed this applicable percentage, redevelopment of such parcels or additions/modifications to such structures and improvements shall not exceed the pre-existing impervious surface percentage, provided the requirements of section 24-68 are met.

5. Storm Water Retention –In accordance with code, any addition of more than 250sq feet of impervious surface requires the installation of storm water retention on the property. Over 250sq feet of impervious surfaces was added to the property in pavers and the porch.

   A variance application was considered by the Community Development Board for the storm water retention on 6/20/2023 and was denied. The denial was upheld by the City of Atlantic Beach Commission on 10/20/2023.

   Applicable code:

   Sec. 24-68. - Stormwater, drainage, storage and treatment requirements. (b)Onsite storage. Except as provided for herein, an applicant shall be required to provide onsite storage of stormwater in accordance with this section as follows: (2) Projects which do not exceed the fifty (50) percent threshold described in subsection (1) above, but increase the impervious surface on the development parcel by more than two hundred fifty (250) square fee shall provide onsite storage of stormwater for the increase in the impervious surface area only.

ACTION TO CORRECT: This letter requests that the noted violation(s) be corrected within 30 days of receipt of this letter by removing the rear porch, removing all unpermitted pavers and either obtaining a permit for the rear and front fences and reducing their height in accordance with code, or by removing the wood fencing in the front and rear yard.

Thank you for your cooperation in this matter. Failure to correct the violation by the required date may result in this case being referred to the Code Enforcement Special Magistrate resulting in fines up to two hundred fifty dollars ($250.00) per day. Upon completion of the action required, it is your responsibility to contact me and arrange for an inspection to verify compliance. Please contact Atlantic Beach Code Enforcement at (904) 247-5855 or airizarry@coab.us if you have any questions or need additional information.

I, Angela Irizarry, hereby swear and affirm that the above statement is true and accurate.

Sincerely,

Angela Irizarry
CODE ENFORCEMENT


CERTIFIED MAIL™
JACKSONVILLE FL 320
11 JAN 2024 PM 2 L
7013 1710 0002 1691 0582
quadient
FIRST-CLASS MAIL
IMI
$008.53
01/10/2024 ZIP 32233
043M31249185
US POSTAGE
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, Florida 32233
REASON CHECKED
Unclaimed
Refused
Attempted Not Known
SKAFF MITCHEL
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233-3515
NIXIE 322 DE 1 0002/10/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 32233546199 *1538-06387-11-41

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

3/19/2024

Case Number: 22-096

SKAFF MITCHEL ET AL
MILLSAPS CONNOR R/S
1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233-3515

Certified Mail Return Receipt:
7013 1710 0002 1691 8717

Property Address: 1110 SCHEIDEL CT
ATLANTIC BEACH, FL 32233

Dear Respondent:

You are hereby notified and ordered to appear at the next public hearing of the Code Enforcement Special Magistrate on **May 2, 2024 at 2:00 pm** at Atlantic Beach City Hall, Commission Chamber, 800 Seminole Road, to answer and be heard on the following alleged violations on the property known as 1110 SCHEIDEL CT 4, 38-2S-29E SCHEIDEL COURT CONDOMINIUM UNIT 4 1/18 INT COMMON ELEMENTS O/R 12848-787 Atlantic Beach, Florida. The City of Atlantic Beach adopted the International Property Maintenance Code and the Florida Building Code as part of the City of Atlantic Beach Code of Ordinances in Chapter 6, Article II, Section 6-16.

International Property Maintenance Code / City Code of Ordinances

Sec. 24-157. - Fences, walls and similar structures. (a) Permit required. Issuance of a permit is required for any new or replacement fence or wall, and all new or replacement fences and walls shall comply with the following provisions. Nonconforming fences shall not be replaced with nonconforming fences. The term fence and wall may be used interchangeably within this chapter, and shall mean as specifically defined within section 24-17. Fences must be constructed out of materials that are customarily used for fences. (b) Height and location. (1) Within required front yards, the maximum height of any fence shall be four (4) feet, except that open ornamental aluminum, iron or vinyl or wood fences, similar to the below examples, with vertical rails no more than two (2) inches in width and spacing of at least four (4) inches may be constructed to a maximum height of five (5) feet except in cases as described in following subsection (2). Within required side or rear yards, the maximum height of any fence shall be six (6) feet.

- Rear fence height– rear yard. Fencing has been installed in the back yard without a permit. This fence exceeds 6 feet in height. No permit was issued for a fence height exceeding 6 feet and no variance was ever granted to exceed 6 feet in height. The maximum fence height permitted by code in the rear and side yards is 6 feet.
- Unpermitted fence – front yard. 6 foot wood fence has been installed in the front yard without a permit. The maximum height of fencing in the required front yard is 4 ft. No variance was granted to exceed 4ft in height.

FBC Section 105 Permit 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

- Unpermitted rear porch – A covered porch structure was added to the rear of the home without a permit. In accordance with the Florida Building Code, all new structures require a valid building permit prior to construction.

Sec. 24-108. - Residential, multi-family district (RG-M). (e) Minimum yard requirements. The minimum yard requirements in the RG-M zoning are: (1) Front yard: Twenty (20) feet. (2) Rear yard: Twenty (20) feet. b. Two-family (duplex) dwellings and townhouse: Seven and one-half (7.5) each side.

- Unpermitted rear porch – setback encroachment – The unpermitted structure encroaches into the rear and side setbacks.
    a. Rear Setback – According to the survey, the unpermitted porch is only 3.8 feet off the rear property line.
    b. Side Yard Setback – According to the survey, the unpermitted porch is only 5 feet from the south side property line.
    c. Side Yard Setback – According to the survey, the unpermitted porch is only 5.5 feet from the north property line.

Sec. 24-68. - Stormwater, drainage, storage and treatment requirements. (b)Onsite storage. Except as provided for herein, an applicant shall be required to provide onsite storage of stormwater in accordance with this section as follows: (2) Projects which do not exceed the fifty (50) percent threshold described in subsection (1) above, but increase the impervious surface on the development parcel by more than two hundred fifty (250) square fee shall provide onsite storage of stormwater for the increase in the impervious surface area only.

- Storm Water Retention – In accordance with code, any addition of more than 250sq feet of impervious surface requires the installation of storm water retention on the property. Over 250sq feet of impervious surface was added to the property consisting of pavers and the rear porch and no storm water retention was provided.

Sec. 24-108. - Residential, multi-family district (RG-M). (f) Building restrictions. The building restrictions for the RG-M zoning district shall be as follows:(1) Maximum impervious surface: Forty-five (45) percent; provided, however, where lawfully existing structures and improvements on a parcel exceed this applicable percentage, redevelopment of such parcels or additions/modifications to such structures and improvements shall not exceed the pre-existing impervious surface percentage, provided the requirements of section 24-68 are met.

- Lot coverage – Lot coverage was increased from the previously approved 51% in 2006 to 75.6% due to the addition of the covered porch and the installation of pavers in the rear and side yard.

STATEMENT OF CODE ENFORCEMENT OFFICER:

This property was issued a stop work order on 9/27/2022 for the installation of a covered porch and wood fencing without a permit. The unpermitted porch encroaches into the side and rear setbacks. The porch and unpermitted pavers created additional impervious surface and increased lot coverage above the maximum allowed by code. The additional coverage of more than 250 square feet also triggered the code requirement for the installation of storm water retention which was not put in place. The project could not be approved as it was constructed.

The respondent submitted a variance application to the Community Development Board for the impervious surface, storm water retention and set back encroachments. The request was heard at the 6/20/2023 meeting. The variance request was denied by the Board. The fencing was not included in the variance application.

The respondent requested an appeal of the Community Development Board's decision of denial before commission. Their appeal was heard on 10/20/2023 by the City of Atlantic Beach commission and was denied.

To date, the porch has not been removed. The pavers have not been removed. No permit application has been received for the fence. The rear fence exceeds the maximum height permitted by code and the front fence exceeds the maximum height permitted by code.

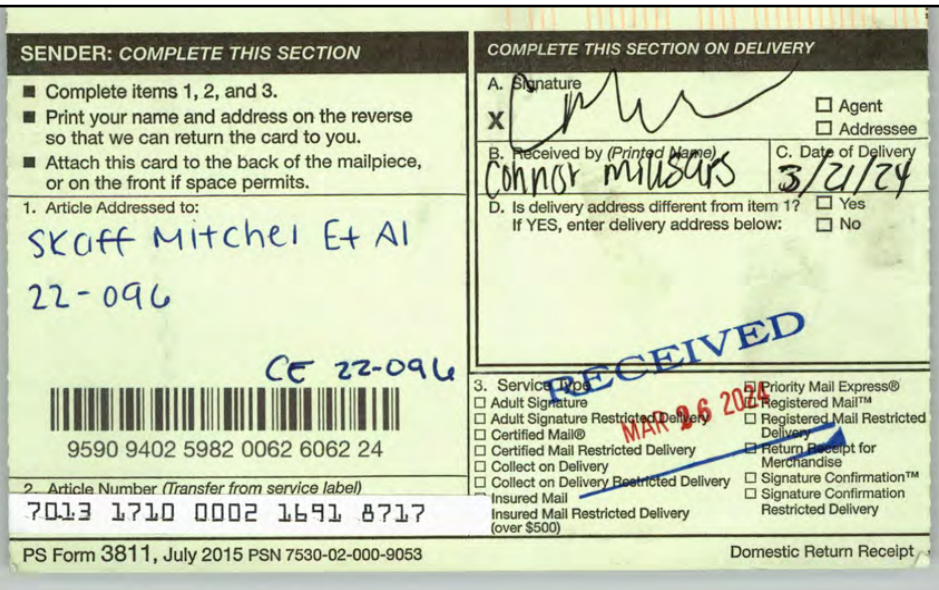
You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please note the presence of a court reporter for the purpose of insuring a verbatim record in the event an appeal should be secured at your expense.

I, Angela IRIzarry, hereby swear and affirm that the above statement is true and accurate.

Angela Irizarry
Code Enforcement Officer, City of Atlantic Beach

ATTEST:

Stephanie Figueroa
Records Management Specialist



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Skaff Mitchel Et Al

22-096

CE 22-096

9590 9402 5982 0062 6062 24

2. Article Number (Transfer from service label)

7013 1710 0002 1691 8717

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name) Connor Mitsaras

C. Date of Delivery 3/21/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
MAR 26 2024

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt