City of Atlantic Beach

Agenda

Code Enforcement Special Magistrate Meeting

Tuesday, January 7, 2025 - 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 11-7-24 Code Enforcement Special Magistrate meeting. 3 - 4
11-7-24 Code Enforcement Special Magistrate Draft Minutes

3. ADMINISTRATION OF OATH

4. OLD BUSINESS

4.A. CASE: 21-087 5 - 12
NAME: THOMAS BOURDON
ADDRESS: 342 19TH ST
Link to Case File
Case Details 21-087

4.B. CASE: 23-188 13 - 48
NAME: CARY COSGROVE
ADDRESS: 1827 TIERRA VERDE DR
Case Details 23-188
CE 1827 Tierra Verde Dr Case #23-188

5. NEW BUSINESS

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, November 7, 2024 - 2:00 PM
City Hall, Commission Chamber
800 Seminole Road, FL 32233

Present: Suzanne Green, Special Magistrate
Angela Irizarry, Code Enforcement Officer
Michelle Weippert, Records Management Specialist (RMS)

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

2. APPROVAL OF MINUTES
The minutes were approved as submitted.

A. Approve minutes of the 9-5-24 regular meeting of the Special Magistrate.

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

4. OLD BUSINESS

A. CASE: 24-014
NAME: SCHLENOFF ROBERT
ADDRESS: 1094 STOCKS ST

Testified: CE Officer Irizarry

Respondent: Robert Schlenoff was present.

Action: The Respondent is found in violation of Sec. 23-31 and 23-8. the Respondent is fined $250.00 for excessive trimming and $250.00 for no permit trimming in the city right of way. Fines shall be paid within 10 days of the date of this Order.

5. NEW BUSINESS

A. CASE: 23-188
NAME: CARY COSGROVE
ADDRESS: 1827 TIERRA VERDE DR

Testified: CE Officer Irizarry

DRAFT

Respondent: Cary Cosgrove was not present.

Action: This matter is continued until the next Code Enforcement hearing January 7, 2025. If needed.

B. CASE: 24-140
NAME: GLAVIN THOMAS
ADDRESS: 346 SARGO

Testified: CE Officer Irizarry

Respondent: Glavin Thomas was not present

Action: The Respondent shall have 10 days from the date of the Order to correct the violations. Failure to comply shall result in the Respondent being fined Two Hundred and Fifty 00/100 ($250.00) per violation.

6. ADJOURNMENT
The meeting adjourned at 2:22 PM.

Attest:

Suzanne Green, Special Magistrate

Michelle Weippert, Records Management Specialist

Date Approved: _____

DRAFT

Case Details

City of Atlantic Beach

Case Number
21-087

Description: Circuit Court Appeal pending - Tree Removal with no permit		Status: REFERRED ELSEWHERE	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 4/20/2021	Closed: 2/8/2023	Last Action: 1/7/2025	Fllw Up: 1/6/2025
Site Address: 342 19TH ST ATLANTIC BEACH, FL 32233			
Site APN: 172020 1242		Officer: Angela Irizarry	
Details:			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
STOP WORK ORDER POST	Angela Irizarry	8/3/2020	8/3/2020	
PERMIT APPLIED FOR	Angela Irizarry	8/19/2020	8/19/2020	
MISC NOTES/ACTION	Angela Irizarry	4/20/2021	4/20/2021	Owner submitted an after the fact permit application but has not completed any mitigation action.
NOV REG	Angela Irizarry	4/20/2021	4/20/2021	Referred back to Code Enforcement from the planning department. Respondent submitted a tree permit application but has not responded with his mitigation plan.
NOV CERT	Angela Irizarry	5/10/2021	5/10/2021	
CMRR RECEIVED W/SIGNATURE	Angela Irizarry	5/17/2021	5/17/2021	Letter was delivered on 5/15/2021 per green card.
NOH LTR	Angela Irizarry	6/3/2021	6/3/2021	

Case Details

City of Atlantic Beach

Case Number
21-087

NOTICE OF HEARING	**Angela Irizarry**	**6/3/2021**	**6/3/2021**	**Issued notice of hearing for July meeting.**
CMRR STATUS UPDATE	**Angela Irizarry**	**6/5/2021**	**6/5/2021**	**Respondent signed for NOH on 6/5/2021**
CODE ENFORCEMENT AGENDA	**Kim Flower**	**7/6/2021**	**7/6/2021**	
EMAIL RECEIVED	**Angela Irizarry**	**7/6/2021**	**7/6/2021**	**Recieved email from Karl Sanders, atty for Respondent. He asked for an extension. Responded that I would forward his request for an extension to the magistrate.**
CEB MEETING	**Angela Irizarry**	**7/8/2021**	**7/8/2021**	**Atty Zack Miller attended in place of Atty Karl Sanders. Magistrate ordered that the Respondent obtain their landscape architects report and return to the City within 30 days for the City to review. If the matter is not rectified, it will be placed on the September 2 agenda.**
CODE ENFORCEMENT ORDER	**Kim Flower**	**7/20/2021**	**7/21/2021**	**Special Magistrate order signed 7/21/2021.**
EMAIL RECEIVED	**Angela Irizarry**	**7/23/2021**	**7/23/2021**	**Received email update from Atty. Sanders**
SCAN & UPLOAD EXECUTED ORDERS	**Kim Flower**	**7/23/2021**	**8/5/2021**	
CMRR STATUS UPDATE	**Angela Irizarry**	**7/26/2021**	**7/26/2021**	**Received green card back for July magistrate Order**
NOTICE OF HEARING	**Angela Irizarry**	**8/2/2021**	**8/2/2021**	**NOH for September 2, 2021 meeting**
CMRR STATUS UPDATE	**Angela Irizarry**	**8/5/2021**	**8/5/2021**	**Per usps.com, notice of hearing for the September magistrate hearing was delivered on 8/5/2021**
EMAIL SENT	**Angela Irizarry**	**8/18/2021**	**8/18/2021**	**Sent email to Atty Karl Sanders asking for an update.**

EMAIL RECEIVED	**Angela Irizarry**	**8/19/2021**	**8/19/2021**	**Received email from Atty Karl Sanders...** **From: Karl J. Sanders [mailto:kjsanders@kjslawpa.com]** **Sent: Wednesday, August 18, 2021 12:46 PM** **To: Irizarry,Angela <aIrizarry@coab.us>** **Cc: Askew, Amanda <aaskew@coab.us>** **Subject: Re: Status Update re Tree Removal/Mitigation Issue for 342 19th St (Code Enforcement Case No. 21-087)** **Hey, Angela. I've been out of town and "off the grid" for the past few weeks dealing with family stuff . . . my father, who lived in Phoenix, was discharged to hospice care the last week of July and passed away 2 weeks ago. I just got back to Jax late Sunday night and have been playing catch up at the office this week.** **I reached out to our landscape architect this morning to schedule a call for a status update on his findings/report, and I expect that we will have a confirmed date/time to speak before the end of this week. I will circle back with you and Amanda with a status update after I've spoken with him.** **Thanks, and talk soon.** **Best regards,** **Karl**
OTHER	**Angela Irizarry**	**8/23/2021**	**8/23/2021**	**30 days has lapsed since the date of the magistrate order ordering the respondent to submit their landscape architects report. The report has not been received by the City as of today.**
CODE ENFORCEMENT AGENDA	**Kim Flower**	**8/26/2021**	**8/27/2021**	
EMAIL RECEIVED	**Angela Irizarry**	**9/1/2021**	**9/1/2021**	**Received email from Karl Sanders. Email included a report that Mr. Sanders stated was from his landscape architect. The report was forwarded to**

Case Details

City of Atlantic Beach

Case Number
21-087

				planning for review and comment.
CEB MEETING	Angela Irizarry	9/2/2021	9/2/2021	Special Magistrate Hearing - Magistrate recognized that Respondent submitted a mitigation report and ordered that them matter be placed on Nov. 4th agenda if issue has not been resolved.
CEB ORDER	Kim Flower	9/14/2021	9/14/2021	Magistrate order signed and mailed.
EMAIL SENT	Amanda Askew	9/14/2021	9/14/2021	City response to Landscape Architect's report was sent to Karl Sanders, Tom Bourdon and Suzanne Greene.
CMRR STATUS UPDATE	Angela Irizarry	9/16/2021	9/16/2021	Code Enforcement Ordered delivered to respondent Thomas Bourdon.
EMAIL RECEIVED	Amanda Askew	10/4/2021	10/4/2021	Atty Karl Sanders requested the City entertain a settlement offer on mitigation cost.
EMAIL RECEIVED	Angela Irizarry	10/25/2021	10/25/2021	Received additional information and a letter from the Landscape Architect.
CEB MEETING	Angela Irizarry	11/4/2021	11/4/2021	Case was heard at the 11/4/2021 hearing. Magistrate ordered that the City review the exhibits presented by Respondent's counsel and case will be heard at January 6, 2022 hearing.
NOH LTR	Angela Irizarry	12/9/2021	12/9/2021	Sent notice of hearing for January 6, 2022 meeting.
NOH POST AND AFF	Angela Irizarry	12/27/2021	12/27/2021	Posted notice of hearing on front door of property and City Hall.
CEB MEETING	Angela Irizarry	1/6/2022	1/6/2022	Respondent ordered to comply with the tree code as set forth in 23-33. Must submit mitigation plan in 60 days from date of order Must submit any payment within 75 days of date of order Mitigated trees must be planted within 120 from date of order.

Case Details

City of Atlantic Beach

Case Number
21-087

CEB ORDER	**Angela Irizarry**	**1/27/2022**	**1/27/2022**	**Special Magistrate signed order.**
OTHER	**Angela Irizarry**	**2/7/2022**	**2/7/2022**	**Request for Reahearing**
CEB MEETING	**Angela Irizarry**	**2/16/2022**	**2/16/2022**	**Hearing on the Request of Rehearing.** **Request was denied.**
CEB ORDER	**Angela Irizarry**	**2/18/2022**	**2/18/2022**	**Signed order denying request for rehearing.**
OTHER	**Angela Irizarry**	**2/28/2022**	**2/28/2022**	**Copy of Notice to Appeal to Circuit Court received by Clerk's office via email.**
NOH LTR	**Angela Irizarry**	**4/14/2022**	**4/14/2022**	**No mitigation plan as been received. Sending NOH for May 6th meeting.**
NOH POST AND AFF	**Angela Irizarry**	**4/25/2022**	**4/25/2022**	
CEB MEETING	**Angela Irizarry**	**5/5/2022**	**5/5/2022**	**Magistrate did not oppose Karl Sanders motion for stay of enforcement. She asked that Karl Sanders submit a draft order to the magistrate.**
OTHER	**Angela Irizarry**	**10/12/2022**	**10/12/2022**	**Case is in appeals court.**
OTHER	**Angela Irizarry**	**1/3/2023**	**1/3/2023**	**Administrative Appeal still on going.**
OTHER	**Angela Irizarry**	**4/4/2023**	**4/4/2023**	**Appeal is still ongoing in circuit court**
OTHER	**Angela Irizarry**	**5/5/2023**	**5/5/2023**	**Appeal case is still ongoing.**
OTHER	**Angela Irizarry**	**6/2/2023**	**6/2/2023**	**Appeals case is still ongoing.**
OTHER	**Angela Irizarry**	**7/7/2023**	**7/7/2023**	**Received appeal results. Magistrate order was upheld.**
OTHER	**Angela Irizarry**	**7/7/2023**	**7/7/2023**	**Magistrate order was AFFIRMED by Circuit court. Waiting on appeal or**

				mandate.
OTHER	Angela Irizarry	8/8/2023	8/8/2023	Karl Sanders requested second tier review of courts affirmation.
OTHER	Angela Irizarry	10/16/2023	10/16/2023	Still an ongoing appeal
OTHER	Angela Irizarry	1/5/2024	1/5/2024	Checked DCA docket. Still no new information.
EMAIL RECEIVED	Angela Irizarry	5/29/2024	5/29/2024	From: Maggie G. Colter <maggie.colter@qpwblaw.com> Sent: Wednesday, May 29, 2024 5:14 PM To: Varian, Cathy <cberry@coab.us>; Jason Gabriel <jgabriel@burr.com> Cc: Irizarry,Angela <aIrizarry@coab.us>; Askew, Amanda <aaskew@coab.us>; Thomas Valdez <tvaldez@qpwblaw.com>; Maggie G. Colter <maggie.colter@qpwblaw.com> Subject: Thomas Bourdon v. City of Atlantic Beach: DCA Case No. 5D23-2519 Good afternoon, It's been a while since my last update regarding the Bourdon appellate proceeding currently pending before the Fifth District Court of Appeal, so I wanted to touch base with everyone and provide a brief status update. Unfortunately, the Fifth District has yet to render its decision; however, it did deny Mr. Bourdon's request for oral argument (order attached). I'll continue to monitor the Fifth District's docket and will update everyone upon any significant filings. In the meantime, please feel free to reach out to me if you have any questions. Sincerely, Maggie Megan "Maggie" Colter | Partner Quintairos, Prieto, Wood & Boyer, P.A. 1410 N. Westshore Blvd., Suite 200 , Tampa , FL 33607

				Ph: (813) 286-8818 Fax: (813) 286 9998 Email: maggie.colter@qpwblaw.com Web: www.qpwblaw.com
OTHER	Angela Irizarry	11/18/2024	11/18/2024	Received order from Court of Appeals. Respondents petition was DENIED.
OTHER	Angela Irizarry	12/4/2024	12/4/2024	Respondents attorney requested a written opinion from Appeals Court.
MEETING WITH RESPONDENT	Angela Irizarry	12/5/2024	12/5/2024	Met with Amanda Askew, and Mr. Bourdon, at his request, to discuss a plan of action to meet compliance.
OTHER	Angela Irizarry	12/10/2024	12/10/2024	Request for written opinion from appeals court was DENIED
NOH LTR	Angela Irizarry	12/16/2024	12/16/2024	Notice of Hearing for 1/7/2025 Meeting sent.
EMAIL SENT	Angela Irizarry	12/23/2024	12/23/2024	Emailed Mr. Bourdon about upcoming hearing. He responded and confirmed he would be attending.
NOH POST AND AFF	Angela Irizarry	12/23/2024	12/23/2024	
CEB MEETING AGENDA	Angela Irizarry	1/7/2025	1/7/2025	

CONTACTS

NAME TYPE	NAME	ADDRESS	PHONE	FAX	EMAIL
OWNER	BOURDON THOMAS PATRICK	342 19TH STREET ATLANTIC BEACH, FL 32233			

Case Details

City of Atlantic Beach

Case Number
21-087

VIOLATIONS						
VIOLATION TYPE	**USER NAME**	**OBSERVED DATE**	**CORRECTED DATE**	**LOCATION**	**REMARKS**	**NOTES**
Tree Penalties	**Angela Irizarry**	**4/20/2021**				**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.** **Sec 23-46. - Violations.** **Violations, including failure to make proper application for a tree or vegetation removal permit as required by these provisions, or failure to implement any requirements or conditions of a tree or vegetation removal permit, shall be deemed a violation of this chapter, and shall be subject to code enforcement procedures as set forth within chapter 2, article V, division 2 of this Municipal Code of Ordinances and any other remedies available under applicable law.**

Case Details

City of Atlantic Beach

Case Number
23-188

Description: Expired pool & elec permit		Status: PENDING CODE BOARD	
Type: CODE ENFORCEMENT		Subtype: RESIDENTIAL	
Opened: 9/13/2023	Closed:	Last Action: 1/3/2025	Fllw Up: 10/24/2024
Site Address: 1827 TIERRA VERDE DR ATLANTIC BEACH, FL 32233			
Site APN: 169542 5088		Officer: Angela Irizarry	
Details:			

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
NOV REG	Angela Irizarry	9/13/2023	9/13/2023	
NOV CERT	Angela Irizarry	10/2/2023	10/2/2023	
CMRR STATUS UPDATE	Angela Irizarry	10/5/2023	10/5/2023	Per usps.com, the certified NOV letter dated 10/2/2023 was delivered on 10/5/2023
EMAIL SENT	Angela Irizarry	11/7/2023	11/7/2023	Emailed Mr. Cosgrove to follow up.
OTHER	Angela Irizarry	11/16/2023	11/16/2023	Pool permit was renewed. Expires 4/16/2024.
OTHER	Angela Irizarry	11/27/2023	11/27/2023	Failed final inspection again.
OTHER	Angela Irizarry	4/16/2024	4/16/2024	Pool permit expired a second time.
NOV REG	Angela Irizarry	9/11/2024	9/11/2024	

Case Details

City of Atlantic Beach

Case Number
23-188

NOTICE OF HEARING	**Angela Irizarry**	**10/16/2024**	**10/16/2024**	
CMRR STATUS UPDATE	**Angela Irizarry**	**10/23/2024**		
TELEPHONE CALL	**Angela Irizarry**	**10/28/2024**	**10/28/2024**	**Telephone conversation with Mr. Cosgrove** **Reviewed inspection notes with Mr. Cosgrove and went over a path to get compliant or permitted for each one. Mr. Cosgrove will submit relevant permit applications to address the deficiency comments.** **Mr. Cosgrove asked if he still needed to attend the meeting on the 7th. Advised him that the issue will still be on the agenda for the 11/7 meeting but that the City would not object to an extension as long as he submitted his applications and worked towards compliance.**
CODE ENFORCEMENT AGENDA	**Angela Irizarry**	**10/31/2024**	**11/1/2024**	
EMAIL RECEIVED	**Angela Irizarry**	**11/4/2024**	**11/4/2024**	**Mr. Cosgrove emailed applications for the tree removal and the artificial turf on Sun. 11/3.** **The applications were not signed and notarized. Replied by email that they needed to be complete and gave him the option to come to City Hall to use our notary service.**
PERMIT APPLIED FOR	**Angela Irizarry**	**11/6/2024**	**11/6/2024**	**Submitted application for existing unapproved artificial turf.**
CODE ENFORCEMENT ORDER	**Angela Irizarry**	**11/7/2024**	**11/7/2024**	**Action deferred to January meeting to give city time to review pending permit applications associated with this project.**
PERMIT DENIED	**Angela Irizarry**	**11/21/2024**	**11/21/2024**	**Artificial turf application was denied by public works. PW requested manufacturer data sheets for the turf that was used.**

Case Details

City of Atlantic Beach

Case Number
23-188

NOTICE OF HEARING	**Angela Irizarry**	**12/20/2024**	**12/20/2024**	
CMRR STATUS UPDATE	**Angela Irizarry**	**12/23/2024**	**12/23/2024**	**Per usps.com - Certified letter was delivered.**
EMAIL SENT	**Angela Irizarry**	**12/23/2024**	**12/23/2024**	**Emails sent to Mr. Cosgrove regarding upcoming meeting and to remind him that we were still waiting on information from him regarding the trees and the artificial turf.**
NOH POST AND AFF	**Angela Irizarry**	**12/23/2024**	**12/23/2024**	
EMAIL RECEIVED	**Angela Irizarry**	**12/29/2024**	**12/29/2024**	**Received additional information on tree removal. Referred to planning department for review.**
CMRR RECEIVED W/SIGNATURE	**Angela Irizarry**	**1/2/2025**	**1/2/2025**	
CODE ENFORCEMENT AGENDA	**Angela Irizarry**	**1/3/2025**		

CONTACTS

NAME TYPE	NAME	ADDRESS	PHONE	FAX	EMAIL
OWNER	COSGROVE CARY S	1827 TIERRA VERDE DR ATLANTIC BEACH, FL 32233			
PRIOR OWNER	BCL JACKSONVILLE LLC	450 SKOKIE BLVD #600 NORTHBROOK, IL 60062			

INSPECTIONS

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
INITIAL INSPECTION	**AI**	**9/13/2023**	**9/13/2023**	**VIOLATION FOUND**		

Case Details

City of Atlantic Beach

Case Number
23-188

REINSPECTION	**AI**	**9/27/2023**	**10/2/2023**	**VIOLATION CONTINUES**		**Permit is still expired.**
REINSPECTION	**AI**	**12/6/2023**	**12/6/2023**			**Permit has been renewed. New expiration date is 4/16/2024**
REINSPECTION	**AI**	**4/17/2024**	**5/15/2024**	**VIOLATION CONTINUES**		**Pool permit failed final inspection and according to building records, the inspections results were emailed on 11/28/2023 to contractor and property owner. Permit has expired again.**

VIOLATIONS

VIOLATION TYPE	USER NAME	OBSERVED DATE	CORRECTED DATE	LOCATION	REMARKS	NOTES
REQUIRED INSPECTIONS - POOL	**Angela Irizarry**	**9/13/2023**				**110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.** **7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.** **In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.**

COSGROVE CARY S
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233
COSGROVE HOLLEY C

Primary Site Address
1827 TIERRA VERDE DR
Atlantic Beach FL 32233

Official Record Book/Page
18466-01600

Tile #
9409

1827 TIERRA VERDE DR

Property Detail

RE #	169542-5088
Tax District	USD3
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03709 SELVA TIERRA
Total Area	8170

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	$435,921.00	$457,590.00
Extra Feature Value	$52,101.00	$57,746.00
Land Value (Market)	$400,000.00	$420,000.00
Land Value (Agric.)	$0.00	$0.00
Just (Market) Value	$888,022.00	$935,336.00
Assessed Value	$763,773.00	$786,686.00
Cap Diff/Portability Amt	$124,249.00 / $0.00	$148,650.00 / $0.00
Exemptions	$50,000.00	See below
Taxable Value	$713,773.00	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	$786,686.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Taxable Value	**$736,686.00**

SJRWMD/FIND Taxable Value

Assessed Value	$786,686.00
Homestead (HX)	- $25,000.00
Homestead Banding 196.031(1)(b) (HB)	- $25,000.00
Taxable Value	**$736,686.00**

School Taxable Value

Assessed Value	$786,686.00
Homestead (HX)	- $25,000.00
Taxable Value	**$761,686.00**

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
18466-01600	7/13/2018	$800,000.00	WD - Warranty Deed	Qualified	Improved
17897-01596	2/23/2017	$685,000.00	WD - Warranty Deed	Qualified	Improved
17298-01765	9/3/2015	$371,000.00	SW - Special Warranty	Unqualified	Improved
17205-00151	6/11/2015	$371,200.00	CT - Certificate of Title	Unqualified	Improved
16535-02157	9/16/2013	$100.00	MS - Miscellaneous	Unqualified	Improved
16499-00734	8/19/2013	$300,400.00	CT - Certificate of Title	Unqualified	Improved
10492-01616	5/2/2002	$100.00	WD - Warranty Deed	Unqualified	Improved
07841-01438	4/28/1994	$205,000.00	WD - Warranty Deed	Qualified	Improved
07474-00862	12/5/1992	$165,000.00	WD - Warranty Deed	Unqualified	Improved
07369-00716	6/26/1992	$100.00	MS - Miscellaneous	Unqualified	Improved
06556-01708	7/18/1988	$100.00	WD - Warranty Deed	Unqualified	Vacant
06515-01611	5/3/1988	$48,500.00	WD - Warranty Deed	Unqualified	Vacant
05627-01220	3/3/1983	$19,000.00	WD - Warranty Deed	Unqualified	Vacant

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	POLR3	Pool	1	0	0	1.00	$42,410.00
2	SPAR3	Spa	1	0	0	6.00	$15,336.00

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	AR-SM	80.00	101.00	Common	1.00	Lot	$420,000.00

Legal

LN	Legal Description
1	38-28 09-2S-29E
2	SELVA TIERRA
3	LOT 44

Buildings

Building 1
Building 1 Site Address
1827 TIERRA VERDE DR Unit
Atlantic Beach FL 32233

Building Type	0102 - SFR 2 STORY

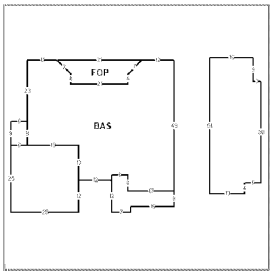
Element	Code	Detail
Exterior Wall	12	12 Cedar/Redwood
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng

Year Built	1989
Building Value	$457,590.00

Type	Gross Area	Heated Area	Effective Area
Finished Open Porch	214	0	64
Base Area	2025	2025	2025
Finished Garage	625	0	312
Finished upper story 1	918	918	872
Finished Open Porch	188	0	56
Finished Open Porch	54	0	16
Total	4024	2943	3345

Interior Wall	5	5 Drywall
Int Flooring	14	14 Carpet
Int Flooring	11	11 Cer Clay Tile
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central

Element	Code	Detail
Stories	2.000	
Bedrooms	4.000	
Baths	3.500	
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
County	$786,686.00	$50,000.00	$736,686.00	$5,728.88	$5,912.79	$5,402.93
Public Schools: By State Law	$786,686.00	$25,000.00	$761,686.00	$2,390.67	$2,424.45	$2,234.94
By Local Board	$786,686.00	$25,000.00	$761,686.00	$1,660.76	$1,712.27	$1,552.62
FL Inland Navigation Dist.	$786,686.00	$50,000.00	$736,686.00	$22.84	$21.22	$21.22
Atlantic Beach	$786,686.00	$50,000.00	$736,686.00	$2,215.19	$2,286.31	$2,092.92
Water Mgmt Dist. SJRWMD	$786,686.00	$50,000.00	$736,686.00	$140.90	$132.09	$132.09
School Board Voted	$786,686.00	$25,000.00	$761,686.00	$0.00	$761.69	$0.00
Urban Service Dist3	$786,686.00	$50,000.00	$736,686.00	$0.00	$0.00	$0.00
			Totals	$12,159.24	$13,250.82	$11,436.72

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	$888,022.00	$763,773.00	$50,000.00	$713,773.00
Current Year	$935,336.00	$786,686.00	$50,000.00	$736,686.00

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.

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

9/13/2023

COSGROVE CARY S
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233

Real Estate Number: 169542 5088 **Case Number:** 23-188
Location of Violation: 1827 TIERRA VERDE DR, 38-28 09-2S-29E SELVA TIERRA LOT 44 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 1827 TIERRA VERDE DR was conducted on 9/13/2023. 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 pool permit was issued for your property on 8/3/2021. According to our records, no final inspection was ever requested for the pool or associated electrical permit and the permits have expired. In accordance with the Florida Building Code, final inspections for swimming pools is required.

APPLICABLE CODE: FBC 110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

This letter requests that the noted violation(s) be corrected by renewing the permits and requesting a final pool & electric inspection within ten (10) days of the receipt of this notice. Please contact the City of Atlantic Beach building department for information on permit renewal cost and payment by calling 904-247-5800 opt. 2 or emailing building-dept@coab.us.

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

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

CERTIFIED RETURN RECEIPT
7013 1710 0002 1691 9905

10/2/2023

COSGROVE CARY S
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233

Real Estate Number: 169542 5088 **Case Number:** 23-188
Location of Violation: 1827 TIERRA VERDE DR, 38-28 09-2S-29E SELVA TIERRA LOT 44 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 building department permit records for 1827 TIERRA VERDE DR was conducted on 9/13/2023 & 10/2/2023. 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 pool permit was issued for your property on 8/3/2021. According to our records, no final inspection was ever requested for the pool or associated electrical permit and the permits have expired. In accordance with the Florida Building Code, final inspections for swimming pools is required.

APPLICABLE CODE: FBC 110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

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

Sincerely,

Angela Irizarry
CODE ENFORCEMENT

USPS Tracking®

FAQs >

Remove ×

Tracking Number:

70131710000216919905

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

Latest Update

Your item was delivered to an individual at the address at 3:51 pm on October 5, 2023 in ATLANTIC BEACH, FL 32233.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered

Delivered, Left with Individual

ATLANTIC BEACH, FL 32233
October 5, 2023, 3:51 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 ⌄

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Permit Inspections
City of Atlantic Beach

Permit Number: POOL21-0021

Description: **SWIMMING POOL**

Applied: **5/28/2021**
Approved: **6/8/2021**
Issued: **8/3/2021**
Finaled:

Site Address: **1827 TIERRA VERDE DR**
City, State Zip Code: **Atlantic Beach, Fl 32233**

Status: **EXPIRED**
Parent Permit:
Parent Project:

Applicant: **<NONE>**
Owner: **COSGROVE CARY S**
Contractor: **<NONE>**

Details:

LIST OF INSPECTIONS

SEQ ID	SCHEDULED DATE	COMPLETED DATE	TYPE	INSPECTOR	RESULT	REMARKS
			PUBLIC WORKS POOL FINAL	Scott Williams		
Notes:						
			BUILDING POOL FINAL	Mike Jones		
Notes:						
			ELECTRICAL GROUNDING	Mike Jones		
Notes:						
			BUILDING ACCESSIBILITY	Mike Jones		
Notes:						
	9/17/2021	9/17/2021	BUILDING POOL STEEL	Rick Bell	PASSED	
Notes: RD: 334-5421						
	10/18/2021	10/18/2021	ELECTRICAL GROUNDING	Dan Arlington	CANCELLED	
Notes: no electric permit called and left word with RD 334-5421 No electrical permit						
	12/9/2021	12/10/2021	BUILDING POOL SAFETY	Rick Bell	FAILED NO FEE	
Notes: RD 334-5421 >2" under fences to grade double gates need one came bolt fixed in place closed with bolt & nut						

Permit Inspections
City of Atlantic Beach

gates need adjustment to close and latch						
	12/17/2021	12/17/2021	BUILDING POOL SAFETY	Rick Bell	PASSED	
Notes: RD 334-5421						

Permit Actions
City of Atlantic Beach

Permit Number: POOL21-0021

Description: **SWIMMING POOL**

Applied: **5/28/2021**
Approved: **6/8/2021**
Issued: **8/3/2021**
Finaled:

Site Address: **1827 TIERRA VERDE DR**
City, State Zip Code: **Atlantic Beach, Fl 32233**

Status: **EXPIRED**
Parent Permit:
Parent Project:

Applicant: **<NONE>**
Owner: **COSGROVE CARY S**
Contractor: **<NONE>**

Details:

LIST OF ACTIONS			
SCHEDULED DATE	**COMPLETED DATE**	**TYPE**	**STAFF**
6/7/2021	6/7/2021	MISCELLANEOUS	Toni Gindlesperger
Notes: POOL ONLY - REMOVED CABANA STRUCTURE NEEDS TO BE PULLED BY A CONTRACTOR MIKE NOTIFIED POOL CONTRACTOR			
6/8/2021	6/8/2021	EMAIL	Christian Giles
Notes: sent review comments to contractor			
6/9/2021	6/9/2021	EMAIL	Christian Giles
Notes: Sent payment link to: rd@islandpools.org			
8/3/2021	8/3/2021	EMAIL	Christian Giles
Notes: Sent payment link again to: Sent payment link to: rd@islandpools.org as requested			
8/17/2023	8/17/2023	EMAIL	Abrielle Genest
Notes: emailed RD Gray <rd@islandpools.org>; COSGRCS@GMAIL.COM to check on permit status			

Printed: Tuesday, 07 November, 2023
1 of 1
CENTRALSQUARE

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

9/1/2024

COSGROVE CARY S
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233

Real Estate Number: 169542 5088 **Case Number:** 23-188
Location of Violation: 1827 TIERRA VERDE DR, 38-28 09-2S-29E SELVA TIERRA LOT 44 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 building department records for 1827 TIERRA VERDE DR was conducted on 9/11/2024. 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: A pool permit was issued for your property on 8/3/2021. The final inspection for the pool and associated electric permit were not completed and that permit was allowed to expire. On 11/16/2023 the permit was renewed. The pool project was reinspected and according to building deparment records, the electric permit was passed but the overall pool permit failed the final inspection.

APPLICABLE CODE: FBC 110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

This letter requests that the noted violation(s) be corrected by submitting a revised application to correct the issues raised in the final inspection comments within 10 days and implementing an approved permit plan once it has been issued. Please contact the City of Atlantic Beach building

department for information on permit renewal cost and payment by calling 904-247-5800 opt. 2 or emailing building-dept@coab.us.

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

cc: ISLAND POOLS, LLC
1546 LINKSIDE DR
ATLANTIC BEACH, FL 32233

Permit Inspections
City of Atlantic Beach

Permit Number: POOL21-0021

Description: **SWIMMING POOL- renewed**

Applied: **5/28/2021**
Approved: **6/8/2021**
Issued: **8/3/2021**
Finaled:

Site Address: **1827 TIERRA VERDE DR**
City, State Zip Code: **Atlantic Beach, Fl 32233**

Status: **ISSUED**
Parent Permit:
Parent Project:

Applicant: **<NONE>**
Owner: **COSGROVE CARY S**
Contractor: **<NONE>**

Details:

LIST OF INSPECTIONS

SEQ ID	SCHEDULED DATE	COMPLETED DATE	TYPE	INSPECTOR	RESULT	REMARKS
			ELECTRICAL GROUNDING	Mike Jones		
Notes:						
			BUILDING ACCESSIBILITY	Mike Jones		
Notes:						
			PUBLIC WORKS POOL FINAL	Derek Martin		
Notes:						
			ZONING CC	Brian Broedell		
Notes:						
	9/17/2021	9/17/2021	BUILDING POOL STEEL	Rick Bell	PASSED	
Notes: RD: 334-5421						
	10/18/2021	10/18/2021	ELECTRICAL GROUNDING	Dan Arlington	CANCELLED	
Notes: no electric permit called and left word with RD 334-5421 No electrical permit						
	12/9/2021	12/10/2021	BUILDING POOL SAFETY	Rick Bell	FAILED NO FEE	
Notes: RD 334-5421 >2" under fences to grade double gates need one came bolt fixed in place closed with bolt & nut gates need adjustment to close and latch						

Permit Inspections
City of Atlantic Beach

	12/17/2021	12/17/2021	BUILDING POOL SAFETY	Rick Bell	PASSED	
Notes: RD 334-5421						
	11/20/2023	11/20/2023	BUILDING POOL FINAL	Contract Universal Engineering	PASSED	
Notes: R.D 334-5421						
	11/20/2023	11/21/2023	PUBLIC WORKS POOL FINAL	Derek Martin	FAILED NO FEE	
Notes: R.D 334-5421 Entire back yard with the exception of the pool area has been covered with synthetic turf. This work was not part of the pool contractor but installed at some point after the completion of the pool and today. The turf was not permitted and therefore considered impervious. Retention is required if turf is to remain and a new take-off concerning the Impervious ratio on the property would also need to be conducted. If turf is to remain without retention and considered pervious, a sample would need to be submitted for testing and a permit would have to be submitted as well showing the area that has been turfed. The base material would need to be inspected in order to verify it meets the COAB base material specification for turf base compliance having less than 10% fines. The slope would also need to be graded away from the north Property line. Right now, it is sloped toward the North Property and water is considered to be sheeting in the direction. Pictures have been attached...						
	11/27/2023	11/27/2023	ZONING CC	Brian Broedell	FAILED NO FEE	
Notes: R.D. 334-5421 Trees were removed without a tree removal permit.						

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

10/16/2024

Case Number: 23-188

COSGROVE CARY S
COSGROVE HOLLEY C
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7013 1710 0002 1691 0803

Property Address: 1827 TIERRA VERDE DR
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 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 1827 TIERRA VERDE DR, 38-28 09-2S-29E SELVA TIERRA LOT 44 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

APPLICABLE CODES:

FBC 110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

STATEMENT OF CODE ENFORCEMENT OFFICER:

A pool permit was issued for your property on 8/3/2021. The final inspection for the pool and associated electric permit were not completed and that permit was allowed to expire. On 11/16/2023 the permit was renewed. The pool project was reinspected and according to building deparment records, the pool permit failed the final inspection. No new inspection was ever requested to verify that the deficiencies had been remedied.

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.

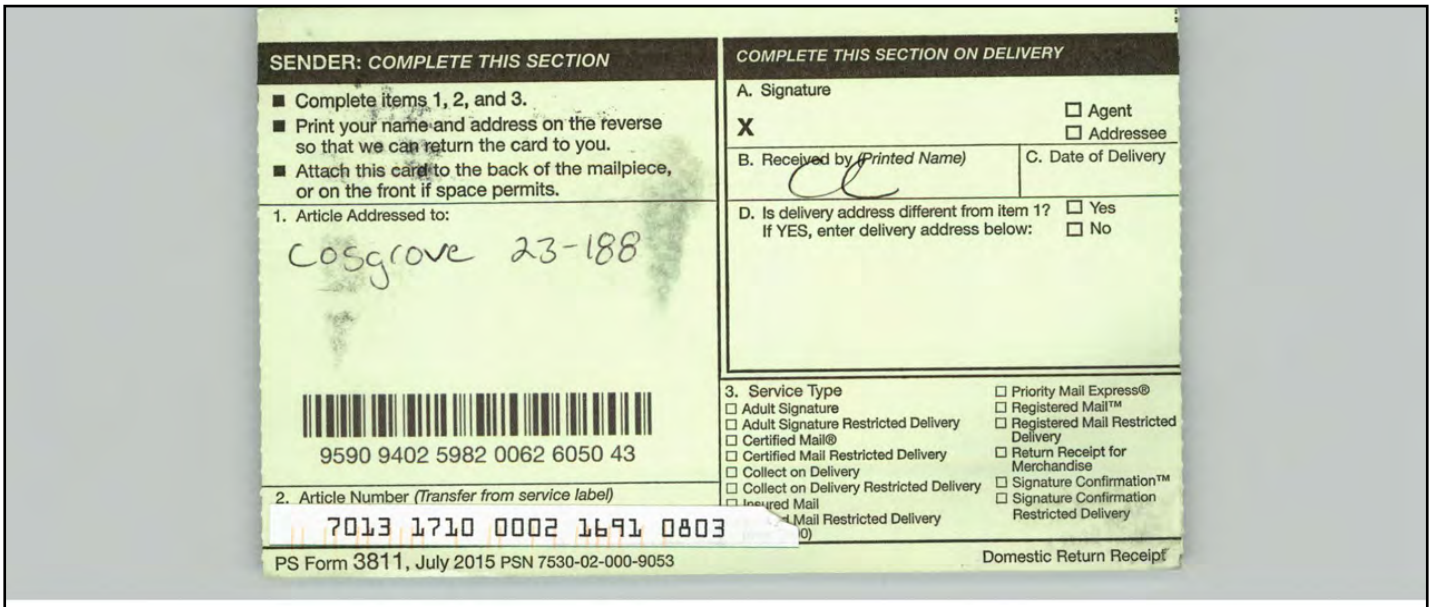
You have the right to obtain an attorney at your own expense and to present witnesses on your behalf. If you desire to have witnesses subpoenaed or if you have questions regarding the procedure, please contact the City Clerk's office within five days of the receipt of this notice at (904) 247-5821. Please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

Michelle Weippert, 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:

Cosgrove 23-188

9590 9402 5982 0062 6050 43

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

7013 1710 0002 1691 0803

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

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
- ☐ Mail 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

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE ORDER

City of Atlantic Beach, Florida,

Petitioner

vs.

COSGROVE CARY S
COSGROVE HOLLEY C
1837 TIERRA VERDE DR
Atlantic Beach, Florida 32233

Respondent.

First Class and Certified Mail Return Receipt Requested: 7022 2410 0000 9340 7227

Property Address: 1827 TIERRA VERDE DR
Atlantic Beach, FL 32233

CASE NUMBER: 23-188
REAL ESTATE NUMBER: 169542 5088
LEGAL DESCRIPTION: 38- 28 09- 2S- 29E SELVA TIERRA LOT 44, ATLANTIC BEACH, FLORIDA.

ORDER ON CASE NO. 23-188

THIS CAUSE came for public hearing before the Code Enforcement Special Magistrate on November 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. The Respondent is the owner of the property located at 1827 Tierra Verde Drive, Atlantic Beach, Florida 32233 ("the Property"). Proper notice of the hearing was mailed certified mail to the Respondent. The Respondent did not appear at the hearing, but has been in contact with the City of Atlantic Beach.

2. The Respondent was cited for violation of FBC 110-03 requiring a building code permit for the building of a pool. The City of Atlantic Beach presented evidence of expired permits (without renewal), until after requested by the City of Atlantic Beach.

3. The City of Atlantic Beach stated on November 5, 2024, the Respondent had made a renewal application for a permit and final inspection. The City of Atlantic Beach requested this matter be deferred to address the permits violations. The City of Atlantic Beach stated there were no safety concerns at this time.

CONCLUSIONS OF LAW

4. Proper notice was provided to the Respondent who did not appear at the hearing. The City of Atlantic Beach, Florida presented updated photographs and documentation evidencing the continued lack of a proper permit and completion of the pool.

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. This matter is continued until the next Code Enforcement hearing January 7, 2025. If needed.

DONE AND ORDERED THIS 7th DAY OF NOVEMBER 2024.

CITY OF ATLANTIC BEACH, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

Michelle Weippert, Records Mgt. Specialist

Suzanne W. Green, Special Magistrate

Executed this 19th day of November, 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.

Permit Reviews
City of Atlantic Beach

Permit Number: RESO24-0104

Description: **ARTIFICAL TURF**

Applied: **11/6/2024**
Approved:
Issued:
Finaled:

Site Address: **1827 TIERRA VERDE DR**
City, State Zip Code: **Atlantic Beach, Fl 32233**

Status: **AWAITING CORRECTIONS**
Parent Permit:
Parent Project:

Applicant: **<NONE>**
Owner: **COSGROVE CARY S**
Contractor: **<NONE>**

Details:

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: ALL						
11/6/2024		11/20/2024	PUBLIC WORKS	Public Works	DENIED	
Notes: Provide Manufacturer data sheets for all turfs to be used.... need to see infiltration and drainage rates.						
11/6/2024	11/14/2024	11/20/2024	ZONING	Zoning	APPROVED	
Notes:						
Review Group: AUTO						
11/6/2024	11/6/2024		SUBMITTAL COMPLETENESS	Permit Tech	APPROVED	
Notes: ONE ATTACHMENT						

Permit Actions
City of Atlantic Beach

Permit Number: RESO24-0104

Description: **ARTIFICAL TURF**

Applied: **11/6/2024**
Approved:
Issued:
Finaled:

Site Address: **1827 TIERRA VERDE DR**
City, State Zip Code: **Atlantic Beach, Fl 32233**

Status: **AWAITING CORRECTIONS**
Parent Permit:
Parent Project:

Applicant: **<NONE>**
Owner: **COSGROVE CARY S**
Contractor: **<NONE>**

Details:

LIST OF ACTIONS			
SCHEDULED DATE	**COMPLETED DATE**	**TYPE**	**STAFF**
11/21/2024	11/21/2024	EMAIL	Abrielle Genest
Notes: sent COSGRCS@GMAIL.COM review comments			

CODE ENFORCEMENT
CITY OF ATLANTIC BEACH, FLORIDA
NOTICE OF HEARING

POSTED ON PROPERTY AND ATLANTIC BEACH CITY HALL
DATE: 12/23/24

12/20/2024

Case Number: 23-188

COSGROVE CARY S
COSGROVE HOLLEY C
1827 TIERRA VERDE DR
ATLANTIC BEACH, FL 32233

Certified Mail Return Receipt:
7012 2210 0001 1385 4814

Property Address: 1827 TIERRA VERDE DR
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 7, 2025 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 1827 TIERRA VERDE DR, 38-28 09-2S-29E SELVA TIERRA LOT 44 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

FBC 110.3 Required inspections. - The building official upon notification from the permit holder or his or her agent shall make the following inspections and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.

STATEMENT OF CODE ENFORCEMENT OFFICER: This case was heard before the Magistrate at the November 7, 2024 meeting. The property was issued permit POOL21-0021 on 5/28/2021. The property never passed the final inspections and the permit expired. At the November hearing, the City reported that the Respondent had renewed the permits and submitted documentation to addresses the deficiencies of the property. An order was issued to defer action to the January 7th meeting if a resolution had not been reached. The revised documentation that was submitted to the city was denied on 11/21/2024 and no new revisions have been received.

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 ensuring 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:

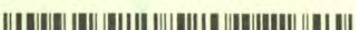
Michelle Weippert, Records Management Specialist

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:

Cosgrove #23188



9590 9402 5982 0062 6053 57

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

7012 2210 0001 1385 4814

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

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
- ☐ ail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Rec

Irizarry,Angela

From: Irizarry,Angela
Sent: Monday, December 23, 2024 10:45 AM
To: cosgrcs@gmail.com
Subject: Magistrate Hearing

Mr. Cosgrove,

At the last hearing, the magistrate deferred any action until the 1/7/2025 meeting to give us time to get your application reviewed. Since things haven't been Finaled yet, I have to follow her last order. To meet required noticing timelines, I will be posting the notice at your house today, which I hate to do right before the holidays, but I waited as long as I could to give you time to respond to your review comments from the other departments. I will be out of the office the rest of this week, but let's talk early next week before I send out the agenda. I pulled the review comments on the applications you submitted and it looks like public works is waiting on information from you to continue processing the application. I believe Abrielle is waiting on a response from you as well.

Angela Irizarry,
GIS Coordinator &
Code Enforcement Officer
City of Atlantic Beach
800 Seminole Road, Atlantic Beach, FL 32233
(904) 247-5855 | www.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 at **www.facebook.com/cityofatlanticbeach**.*

PLEASE NOTE: 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.

Irizarry,Angela

From: cary cosgrove <cosgrcs@gmail.com>
Sent: Sunday, December 29, 2024 10:18 AM
To: Code Enforcement Officer; Irizarry,Angela; Grant,Thomas
Subject: Fwd: ATTN: Angela
Attachments: Cary Cosgrove tree work from 2020.pdf; Cary Cosgrove Lucas Letter for Driveway Tree.pdf; COAB Tree Rules in 2020 .jpg

Angela, I spoke to Lucas Tree again regarding the tree removal, and these are the guidelines that they followed.

Keep in mind that when we did the tree removal, it was not done to put a pool in, and at the time, I had no intention of doing it. The tree removal was done in November of 2020. During the COVID pandemic in the summer of 2021, I decided to put our pool in due to the restrictions on public pools. This is how the tree removal was done in November 2020.

A. Has the property had construction requiring a permit in the last 2 years or planned for the next 2 years? **NO, Go directly to B**

B. Are any of the trees to be removed 20" in diameter or Larger?
-Yes
Are any of the trees one of these legacy species? **No, go directly to C**

C. Are any of the trees to be removed a Sand Live Oak 8" diameter or larger? **NO, no permit is required**

Based on the rules and regulations and the situation at the time, we followed the regulations.

Cary

---------- Forwarded message ---------
From: **cary cosgrove** <cosgrcs@gmail.com>
Date: Thu, Nov 7, 2024 at 11:41 AM
Subject: Re: ATTN: Angela
To: Code Enforcement Officer <code@coab.us>

I was able to get in touch with Lucas Tree to get copies of the arborist letters for the tree work done. I forgot that I split the work into two different jobs. Please see the attached files. Thanks!! Cary

On Thu, Nov 7, 2024 at 8:05 AM cary cosgrove <cosgrcs@gmail.com> wrote:
Please forward these pictures to Angela. The large oak in the backyard was removed because it was growing over the top of the house and branches were starting to rub against the roofline. The oak in the front yard was removed because it was starting to grow into the driveway.

On Tue, Nov 5, 2024 at 9:27 AM Code Enforcement Officer <code@coab.us> wrote:

You can come in anytime. Toni works at the permit desk and is a notary. She usually takes lunch between 1-2 but should be up there any other time today. She can help you with your applications.

From: cary cosgrove <cosgrcs@gmail.com>
Sent: Monday, November 4, 2024 9:21 PM
To: Code Enforcement Officer <code@coab.us>
Subject: Re: ATTN: Angela

Thank you for the fast response. That would be great if I could do them there on-site. Would you like me to make an appointment? Cary

On Mon, Nov 4, 2024 at 10:24 AM Code Enforcement Officer <code@coab.us> wrote:

Mr. Cosgrove,

The building department will not accept these unless they are fully complete which means signed and notarized. That can be done here if you'd like, or you can have them notarized and resend them. You can bring the hard copies in, and our permit tech can notarized for you if you wish.

From: cary cosgrove <cosgrcs@gmail.com>
Sent: Sunday, November 3, 2024 10:08 PM
To: Code Enforcement Officer <code@coab.us>
Subject: ATTN: Angela

Angela,

I'm sorry it took me a bit to get this to you. Please let me know if you received it. I have attached the following documents.

-New Tree Removal Permit Application

-New Artificial Turf Building Permit

-Site Plan by C & A Williams Design

-Current Turf Layout

-Original Survey

Tree Removal- It's been almost 4 years since we did the tree work with Lucas, which took place in November of 2020. I cannot put my hands on the arborist's letter from Lucas, but I distinctly remember the situation. Initially, what spurred the tree work was a large oak on the verge of hitting the house's roof line. This tree (#1 on the diagram attached) was split into two separate vertical sections at the base. One of the sections was a few inches from the roof line. Lucas was concerned that cutting one section would weaken the second, so they decided it was best to cut the entire tree down. Trees 2,6,8,9,10,11 were all invasive Camphor Laurels and Lucas told me that they could remove them at the discretion of the arborist. Trees 3 & 4 were both large pines that were infested by pine beetles and were dead already. Tree 5 was a palm that was fighting for space in the front yard with the desirable live oaks, and it was hindering their canopy growth, so Lucas recommended removing it. Lastly, we had to remove an oak (#7) that was growing into the driveway and causing permanent damage. This was not a healthy tree, and the canopy area it occupied has already been filled by the surrounding trees. All of this tree work was done to protect my home and enhance the desirable oaks' ability to thrive on the property. It was not until the following summer that we decided to renovate the backyard.

Turf—If possible, I would like to meet someone from the city to tour the backyard turf installation and do a walk-through. After putting the pool in, I decided to turf the backyard because I had been unable to get grass to grow consistently. Initially, I had plans to build a cabana adjacent to the pool, and you can see this structure in the plans I have attached for the takeoff by C & A Williams. Due to the cost of building this structure, I decided against it and the paver stones adjacent to the pool and decided to turf the backyard so my kids could have a playground. Because I had some impervious surface footage to work with, I decided to build a putting green on the north side of the house. Keep in mind that I made no changes to the slope of the backyard, and the elevation has stayed consistent. It was my understanding that the contractor, Florida Turf Company, worked with Mike Williams to go over the turf. The primary turf that would cover the bulk of the yard was STI Fresh Cut Pro. The putting green and chipping areas combine STI Pro Ball Turf and STI NP 50. While both exhibit a permeable quality, I am unsure if they meet the city's specifications. That said, I thought I had the impervious surface to work with regardless.

You can take a garden house and point it at my tuf in the backyard anywhere, and it flows right into the ground. Given the levels of aggregate drainage below, I almost look at the backyard as a giant French drain. The first layer of the aggregate base was a large gravel base, followed by a second layer of crushed concrete and granite fines. Florida Turf provided an excellent installation, and I am happy with the performance of the turf. All of my neighbors want to do the same thing with their yards, and I have never had a single person mention a word to me regarding any potential runoff.

I want to work with the city to get this behind me. I am a law-abiding citizen of Atlantic Beach, and I have not done anything that would be remotely detrimental to the environment. My father is a retired EPA section chief who retired after 35 years of service in wastewater management, and he thinks the way I have gone about things is a model for effective stormwater run-off management. Please let me know what I need to do to get the approvals cleared and get this behind me.

V/R

Cary Cosgrove

1827 Tierra Verde Dr.

Atlantic Beach, FL 32233

Joe Musgrove
ISA Certified Arborist®
FL-9674A
Joe.lucastree@gmail.com
(904) 887-1492

Cary Cosgrove
1827 Tierra Verde Dr.
Atlantic Beach, FL. 32233

November 15, 2020

This letter is being sent on behalf of Cary Cosgrove. Upon inspection of the property, I found a Quercus virginiana ("Live oak") that should be removed. The tree is growing within a few feet of the back of the house. The tree is an accumulation (cluster) of four (4) trees growing into one. Two sections of the tree grow and lean directly over the house. Removing those two sections would make the remaining two sections unstable. The entire cluster should be removed.

The property has a variety and good quantity of hard wood trees. There is a limited amount of space in Mr. Cosgrove's back yard, therefore he is going to plant a row of viburnums in the backyard. In addition, Mr. Cosgrove is going to plant an ornamental tree in the back yard.

If you have any questions or concerns, please feel free to contact me.

Best regards,

/s/ Joe Musgrove
Joe Musgrove

Joe Musgrove
ISA Certified Arborist®
FL-9674A
Joe.lucastree@gmail.com
(904) 887-1492

October 25, 2021

Cary Cosgrove
1827 Tierra Verde
Atlantic Beach, FL 32233

Re: Arborist letter

To Whom it May Concern:

Upon inspection of the property, I found one (1) Water oak tree that needs to be removed. The tree is growing into the driveway. It is lifting and cracking the concrete. The tree should be removed so the driveway can be repaired and not damaged in the future.

If you have any questions or concerns, please feel free to contact me.

Best regards,

/s/ Joe Musgrove
Joe Musgrove