

**MINUTES
SPECIAL MAGISTRATE
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
FEBRUARY 5, 2014**

Special Magistrate Blandino called the meeting to order at 9:05 AM.

All present stood for the Pledge of Allegiance.

The first item on the agenda was the swearing in of code officers: Code Compliance Manager Margaret Arraiz, and Code Officers Janey Singer and Andy Avery.

Staff present was Acting Recording Secretary, Mechelle Arbusow and Assistant City Attorney, Steve McCain.

The next item on the agenda was 6.A - Massey Hearing.

Item 6A-1 is case #13-1114; property address is 1709 Pelican Drive, Ft. Pierce, Florida. The property was previously owned by Deborah L. Robbins and now owned by Wachovia Mortgage F.S.B. F/K/A World Savings Bank, F.S.B., Oakland Park, Florida. The code sections in violation were 5-368 (1) property maintenance and 16-46, 16-47, 16-48 (8) nuisance of stagnant water.

Margaret Arraiz presented the Facts of the Case explaining that the case came before the Special Magistrate on October 2, 2013 giving the property owners 15 days to comply or a fine of \$500.00 per day. An inspection was made on October 24, 2013; the property was not in compliance and the fines began. On December 2, 2013 an inspection was made and the property was now in compliance; the fines stopped. The total amount of fines is \$19,530.00 of which \$30.00 is recording fees. There were no liens recorded. An offer was made to resolve this case for \$1,500.00 and Staff was agreeable to this offer.

Special Magistrate Blandino went over the 3 criteria required by Rule 16 and agreed to the \$1,500.00 reduction payable within 60 days. If the payment is not received within that 60 days the fines would revert back to the original amount and a lien would be recorded.

The next item on the agenda was 6.B - Lien Reduction Requests.

Item 6B-1 is case #10-0171, property address 811 Delaware Avenue, Ft. Pierce, Florida. The current owner is Mr. Michael James Beck, 3608 Juan Ortiz Circle, Ft. Pierce, Florida 34947. The code violations were 5-368 (1) (3) (4) property maintenance, 5-369 vacant buildings, 23-49 (4) affirmative maintenance, and 22-187 (13) landscape maintenance.

Margaret Arraiz presented the Facts of the Case and explained that the case was initiated February 18, 2010, came before the Special Magistrate July 7, 2010 at which time the property owner was given 60 days to comply or be fined \$250.00 per day plus an additional fine of \$100.00 per day for affirmative maintenance. An inspection was made on January 25, 2011; the property was not in compliance and the fines began. On May 19, 2011 the lien was recorded. On January 6, 2014 an inspection was made; the property was now in compliance and the fines stopped. The total amount of lien is \$376,980.00 of which \$30.00 is recording fees

On January 16, 2014 we received a lien reduction request from Mr. Beck. Based upon the value of the property today which is a little over \$75,000.00 Staff has made an offer of 10% which is \$7,500.00. Mr. Beck has indicated that he is willing to accept that reduction offer.

Special Magistrate Blandino went over the 7 criteria required by Rule 17 and recommended the City Commission accept this offer.

Item 6B-2 is case #12-0133, property address 1354 Bayshore Drive, Ft. Pierce, Florida. The current owner is Gertrude Elliot. The code sections in violation is 22-187 (13) landscape maintenance and 5-368 (1) (3) property maintenance.

Margaret Arraiz presented the Facts of the Case and explained that the case was initiated on February 1, 2012. It came before the Special Magistrate on June 6, 2012. At that time the property owner was given 30 days to comply or a fine of \$150.00 per day. On July 9, 2012 an inspection was made and the property was not in compliance. On September 10, 2012 the lien was recorded. On November 26, 2013 an inspection was made and the property was now in compliance. The total amount of lien is \$75,790.00 of which \$40.00 is recording

fees. On December 17, 2013 Staff received a lien reduction request from Gertrude Elliot. After meeting with Ms. Elliott; we have agreed to \$500.00

Special Magistrate Blandino went through the 7 criteria required by Rule 17 and recommended that the City Commission accept her offer and allow 60 days to pay. If not paid within the 60 days a lien will be recorded on the reduced amount of \$500.00.

The next items on the agenda are 5.A for New Violation Cases.

Item 5A-4 is case #13-2169, property address 302 N 28th Street, Ft. Pierce, Florida. The property owner is Julio A. Etchepare, 2508 Johnson Street, Hollywood, Florida. The code violations were 5-369 vacant buildings and are currently in compliance. Staff is asking for R & D.

Special Magistrate found that a violation existed but has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Special Magistrate and request that a fine be entered.

Item 5A-1 is case #13-0637, property address 102 Hialeah Avenue, Ft. Pierce, Florida. The property owner is Larry and Vicky King, 930 10th Court SW, Vero Beach, Florida 32962. The code violations were 5-1.105.1 permit required, 5-368 (1) property maintenance.

Code Enforcement Officer Andy Avery, filling in for Officer Shaun Coss, read in the case. Officer Avery stated that Ms. King has turned the paper work in for the permit but it hasn't been issued yet. She was unable to attend today due to her work. Staff is requesting 30 days to obtain the permit and then the property owner is to comply with the conditions of the permit.

Special Magistrate found that a violation does exist and the violators who are not present are deemed to have admitted guilt. He further ordered that they be given the requested 30 days to obtain the permit and then comply with the conditions of the permit or they will be fined the amount of \$250.00 per day.

Item 5A-2 is case #13-1967, 119 Indian Hills Drive, Ft. Pierce, Florida owned by Steven R. Patterson, 370 E. Midway Road, Ft. Pierce, Florida. The code violations are 16-46, 16-47, 16-48 (1) (5) outside storage, 16-46, 16-47, 16-48 (11) outside storage-indoor furniture, 5-368 (4) property maintenance.

Item 5A-3 is case #13-2037, 1005 Barbados Avenue, Ft. Pierce, Florida owned by Hardy Sutton, 1005 Barbados Avenue. The code violations are 16-46, 16-47, 16-48 (8) nuisance-stagnant water, 5-369 vacant buildings.

Item 5A-5 is case #13-2170, 308 N 28th Street, Ft. Pierce, Florida owned by Jem Realty Services II LLC, 8815 W Angle Road, Ft. Pierce, Florida 34947. The code violation is 5-369 vacant buildings.

Special Magistrate Blandino ruled that a violation does exist and the violators that are not present are deemed to have admitted guilt. He further ordered that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they would be fined the amount also shown on the summary sheet.

Margaret Arraiz introduced the two new code officers to Special Magistrate Blandino and explained that after their training is completed there will also be code enforcement on weekends.

There being no further business, the meeting was adjourned at 9:30 A.M.

ATTEST:

SECRETARY TO THE SPECIAL MAGISTRATE

CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.