

**MINUTES
SPECIAL MAGISTRATE
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
August 6, 2014**

Special Magistrate Blandino called the meeting to order at 9:00 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, Code Officer Shaun Coss and Building Administrator Paul Thomas.

Staff present was Recording Secretary, Colleen Greer, Assistant City Attorney Steve McCain, and Code Officers Andy Avery, Isaac Saucedo, and Terry Denmark.

The next item on the agenda was **New Violation Cases with A Party Present**:

Item 5A-01 is case #12-0231, 610 N 14th Street, Ft. Pierce, FL. The property is currently owned by Ignacio Torres, 3290 NW 45th Street, Miami, FL 33142. The violations were IPMC 304.13 windows are in disrepair, IPMC 304.14 missing screens on windows, IPMC 506.1 and 506.2 plumbing is in disrepair, IPMC 605.1 electrical installed without permits and installed incorrectly, IPMC 605.3 light fixtures missing, IPMC 704.1 fire protection system missing/damaged (no smoke detectors), and City Ordinance section 8.5-42, 22-3 appears to be an illegal rooming house. Mr. Torres arrived after Mr. Thomas presented his case. A brief recess was taken during which time Mr. Torres signed a stipulation to have the repairs done within 60 days or a fine of \$100 would be assessed for each day the violation(s) continue past that date.

Item 5A-05 is case #14-0508, 2551 Peters Road, Ft. Pierce, FL. The property is owned by Crossroads Plaza FP II & III, 4800 N Federal Highway, Suite 205-B, Boca Raton, FL 33431. The code section(s) in violation are 16-46, 16-47, 16-48 (1) (7) (9) (10) (15) nuisance as a condition; 5-370 exterior property and landscaping

Item 5A-06 is case #14-0509, Peters Road, Ft. Pierce, FL. The property is owned by Crossroads Plaza FP II & III, 4800 N Federal Highway, Suite 205-B, Boca Raton, FL 33431. The code section(s) in violation are 16-46, 16-47, 16-48 (1) (7) (9) (10) (15) nuisance as a condition; 5-370 exterior property and landscaping.

Officer Coss presented both cases stating he had learned from Richard D. Sneed, Jr., Attorney at Law and legal counsel for the violator that a sale of the property was scheduled to close and Staff was agreeable to continuing the case for 30 days.

Special Magistrate Blandino agreed to continue the case and rescheduled it for September 3, 2014.

The next item on the agenda is a case for **Review & Determination**

Item 5A-09 is case #14-0826, 309 Decordre Court, Ft. Pierce, FL. The property is owned by Shanawatti Bisesar, 5814 Shannon Dr., Ft. Pierce, FL 34951. The code section(s) in violation are 5-1.105.1 permit required, 5-368 (1) (4) property maintenance and 16-46, 16-47, 16-48 (1) (5) outside storage.

Special Magistrate Blandino 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 FL Statute 162.09, the Code Officer may notify the Special Magistrate and request that a fine be entered.

The next items on the agenda **New Violation Cases Where No One is Present.**

Item 5A-03 is case #13-2324, 1810 N 21st Street, Ft. Pierce, FL. The property owner is Dreida Goodman (Est), 3239 S 7th Street, Ft. Pierce, FL 34982. The code section violation(s) is 5-369 vacant buildings.

Item 5A-04 is case #14-0396, 724 Texas Court, Ft. Pierce, FL. The property owner is Alan J & Dana Branca, 724 Texas Court, Ft. Pierce, FL 34950. The code violation(s) are 5-73 house numbers, 5-368 (4) property maintenance, 5-369 vacant buildings.

Item 5A-08 is case #14-0737, 812 Kaufman Avenue, Ft. Pierce, FL. The property owner is Lanaise A. Valsaint, 4708 Palmetto Dr., Ft. Pierce, FL 34982. The code section violation(s) are 5-368 (1) property maintenance, 16-46, 16-47, 16-48 (10) (D) non-operable vehicles.

Item 5A-10 is case #14-0834, 406 Decordre Court, Ft. Pierce, FL. The property owner is David & Jennifer Pachtman, 16651 Westwood Lane, Ft. Lauderdale, FL 33326. The code section violation(s) are 5-368 (1) (4) property maintenance.

Item 5A-11 is case #14-0839, 313 Decordre Court, Ft. Pierce, FL. The property owner is David & Jennifer Pachtman, 16651 Westwood Lane, Ft. Lauderdale, FL 33326. The code section violation(s) are 5-368 (4) property maintenance, 16-46, 16-47, 16-48 (1) (5) outside storage.

Special Magistrate Blandino ruled that the violations do exist and the violators who 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.

The next item on the agenda is a **Request for Lien Reduction.**

Item 6B-15 is case #09-1924, 314 N 15th Street, Ft. Pierce, FL. The property was owned by James B. Frangella, 1009 N 7th Street, Ft. Pierce, FL 34950. The current owner is WPG Group, 4410 NE 18th Avenue, Oakland Park, FL 33334. The code section(s) in violation was 16-46, 16-47, 16-48 (10) (D) non-op/unlicensed vehicles.

Margaret Arraiz presented the Facts of the Case. The case was initiated on June 21, 2006. The case came before the Special Magistrate on November 1, 2006 who gave the property owner 15 days to comply or a fine of \$250.00 per day would be assessed. An inspection was made on January 16, 2007; the property was not in compliance and the fine began. A lien was recorded on February 27, 2007. Another inspection was made on February 21, 2007; the property was now in compliance and the fines stopped. The total amount of the lien is \$9,000.00. On April 18, 2008 Staff received a lien reduction request from Mr. Frangella and the City Commission reduced the lien to \$1,016.12 payable in 60 days. Mr. Frangella did not pay this reduced lien so it reverted back to the original amount of \$9,000. On July 23, 2014 Staff received a lien reduction request from Mr. Tim Gallagher, WPG Group, 4410 NE 18th Avenue, Oakland Park, FL offering to pay the \$1,016.12 original lien reduction. There was no one present to represent the case until after Special Magistrate Blandino made his findings and recommendation.

Special Magistrate Blandino reviewed the 7 criteria required by Rule 17 and recommended the City Commission reduce the lien to \$1,016.12 payable in 60 days. If not paid within that time the lien would revert back to the original amount. The City Commission meeting will be September 2, 2014.

Mr. Gallagher arrived after the rulings and he was informed of the proceedings and told when the City Commission would meet.

The next meeting will be September 3, 2014.

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

ATTEST:



SECRETARY TO THE SPECIAL MAGISTRATE



CODE ENFORCEMENT MANAGER

The Taped Recording of this Meeting had a technical Problem and Staff was unable to save it.