

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, January 7, 2015 - 9:00 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ADMINISTRATIVE BUSINESS**

A. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**

4. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED:**

A.	14-2188	1393 BAYSHORE DR	WYNNE BUILDING CORP	Isaac Saucedo
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B.	14-2269	1001 SEAWAY DR	SAUCIER REALTY LLC	SAUCEDO, ISAAC
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C.	14-2180	1917 Wren Ave	Charles & Joanna Viereck	Janey Singer
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D.	14-2381	3603 WILDERNESS DR	MARYANN SCHMIDT	JANEY SINGER
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E.	14-2286	3011 FAIRWAY DR	BRYANT, JAMES & LIANE	JANEY SINGER
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F.	14-2288	604 Tumblin Kling RD	Nava, Alejandro Nava Eugenio	Janey Singer
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G.	14-2325	2600 S 26TH ST	MORALES, IRENE	JANEY SINGER
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	14-1610	1123 Alameda Ave	Elias, Leo A	Janey Singer
B.	14-1660	719 Texas Ct	Platts, Jennifer J	Shaun Coss
C.	14-1698	516 S 5th St.	B & N Ventures Inc	Shaun Coss
D.	14-1839	709 S 23rd St.	Gibson, Ann P	Shaun Coss
E.	14-1950	1708 S 8th St.	Marco Antonio Parra Godinez & Silvia A Martinez	Shaun Coss
F.	14-2013	2611 S 27th St	Amparo Torres	Janey Singer
G.	14-2131	1800 JUANITA	JEROME HENDLEY	Isaac Saucedo
H.	14-2174	2021 GOLFVIEW CT	CESAR CUMERMA	Isaac Saucedo
I.	14-2323	1811 LINWOOD AVE	RAGUBEER, GAITRI	JANEY SINGER

6. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	07-0535	505 N 13th Street	Mellon, Beracah (Estima)	Peggy Arraiz
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7. **REQUEST FOR EXTENSION OF TIME**

8. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

9. **NEW BUSINESS**

10. **OLD BUSINESS**

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Code Enforcement Office at (772) 467-3149, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.



**Special Magistrate Hearing**

**4. A.**

**Meeting Date:** 01/07/2015

**Re:** 14-2188

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2188	1393 BAYSHORE DR	WYNNE BUILDING CORP	Isaac Saucedo	
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**CASE INFORMATION:**

Case Initiated:	10/28/2014	Type of Presentation:	REGULAR	
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**OWNER:**

WYNNE BUILDING CORP  
8000 S US HIGHWAY 1 STE 402  
PORT ST LUCIE, FL 34952

**VIOLATIONS:**

**Section: 22-187 (13)**

**Landscape Maintenance**

Property owners shall maintain all required landscaping so that it continues to present a healthy, neat and orderly appearance free of refuse and debris, in conformity with the following requirements:

- a.** Vegetation required by this article shall be replaced with equivalent vegetation if it is not living. All trees for which credit is awarded and which subsequently die shall be replaced by the same number of living trees according to the standards established in this article.
- b.** Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices so as to assure that the landscaping continues to maintain a healthy, neat and orderly appearance.

**CORRECTIVE ACTIONS:**

- 1. Please trim any overgrown bushes, trees and shrubs.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **10** days to comply or a fine of **\$100** per day be assessed.

**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 12/31/2014

Started On: 11/19/2014 02:28 PM

**Special Magistrate Hearing****4. B.****Meeting Date:** 01/07/2015**Re:** Case number 14-2269**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information****SUBJECT:**

14-2269	1001 SEAWAY DR	SAUCIER REALTY LLC	SAUCEDO, ISAAC	
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**CASE INFORMATION:**

Case Initiated:	NOVEMBER 7, 2014	Type of Presentation:	REGULAR	
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**OWNER:**

SAUCIER REALTY LLC  
8351 CHINABERRY ROAD  
VERO BEACH, FL 32963

**VIOLATIONS:****Section: 5-368****Property Maintenance**

(4) All the exterior surfaces subject to deterioration, and all exterior exposed surfaces not inherently resistant to deterioration, shall be properly maintained, repaired, coated, treated, or sealed to protect them from deterioration, weathering, and from the elements by paint or other approved protective coating, applied in a workmanlike fashion. Exterior surfaces which have been damaged or show evidence of dry rot or other deterioration, including cracked, chipped, and peeling paint or other coating, shall be repaired or replaced and finished in a workmanlike manner.

**CORRECTIVE ACTIONS:**

Please pressure wash or paint exterior building in areas where mildew or staining has occurred.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **10** days to comply or a fine of **\$100** per day be assessed.

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**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 12/22/2014

Started On: 12/05/2014 04:12 PM

**Special Magistrate Hearing**

**4. C.**

**Meeting Date:** 01/07/2015

**Re:** 14-2180

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2180	1917 Wren Ave	Charles & Joanna Viereck	Janey Singer	
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**CASE INFORMATION:**

Case Initiated:	October 27, 2014	Type of Presentation:	Regular	
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**OWNER:**

CHARLES VIERECK JOANNA VIERECK  
1917 WREN AVE  
FT PIERCE, FL 34982

**VIOLATIONS:**

**Section 16-46, 16-47, 16-48**

**Nuisance as a Condition**

Nuisance as a Condition means a certain state of being or situation located on property which:

- (1) Injures or endangers the comfort, repose, health or safety of any person.
- (5) Renders other persons insecure in life or the use of property.
- (6) Interferes with the comfortable and quiet enjoyment of life or property.

**CORRECTIVE ACTIONS:**

- 1. Please remove Bee Hive from home.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **5** days to comply or a fine of **\$200.00** per day be assessed.

**Form Review**

Form Started By: jsinger  
Final Approval Date: 11/17/2014

Started On: 11/14/2014 11:27 AM

**Special Magistrate Hearing****4. D.****Meeting Date:** 01/07/2015**Re:** 3603 WILDERNESS DR**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-2381	3603 WILDERNESS DR	MARYANN SCHMIDT	JANEY SINGER	
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**CASE INFORMATION:**

Case Initiated:	12-2-14	Type of Presentation:	REGULAR	
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**OWNER:**

OWNER: MARYANN SCHMIDT 513 2ND AVE LAKE WORTH FL 33460		
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**VIOLATIONS:****Section: 22-192 (A), 22-177****Tree Removal**

No person shall, directly or indirectly, cut down, substantially alter, destroy, remove, relocate, damage or authorize any such act involving a protected tree (8" in diameter or circumference of 25") situated on land within the city, without first obtaining a tree removal permit.

**CORRECTIVE ACTIONS:**

1. Due to irreversible nature of the violation, this matter is being scheduled for a hearing in accordance with state statute 162.06 (4).

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be fined according to the recommendation of our Forester Paul Bertram; \$200 per each Sable Palm Tree that was cut. The total amount of the fine is \$6,600.00. 33 Sable Palms were removed. Also asking that the property will be brought into compliance with the City's Landscape code.

**Form Review**

Form Started By: jsinger

Started On: 12/03/2014 12:30 PM

Final Approval Date: 12/22/2014

**Special Magistrate Hearing**

**4. E.**

**Meeting Date:** 01/07/2015

**Re:** 3011 FAIRWAY DR

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2286	3011 FAIRWAY DR	BRYANT, JAMES & LIANE	JANEY SINGER	
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**CASE INFORMATION:**

Case Initiated:	NOVEMBER 12, 2014	Type of Presentation:	REGULAR	
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**OWNER:**

OWNER: JAMES & LIANE BRYANT	OCCUPIED BY:	
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**VIOLATIONS:**

**Section: 16-46, 16-47, 16-48 (1)(5)**

**Outside Storage**

Outside storage of any garbage, rubbish, trash, boxes, tires, abandoned or inoperative appliance, mechanical equipment or parts, construction material, tools, machinery, wood and all other miscellaneous items are not allowed.

**Section: 16-46, 16-47, 16-48 (10)(D)**

**Non-Operable Vehicles**

All non-operative or unlicensed vehicles shall be kept, stored or maintained within a fully enclosed building at all times.

**CORRECTIVE ACTIONS:**

1. All miscellaneous items being stored throughout yard is to be removed and placed in a shed discard or enclosed garage.
2. All vehicles and trailers are to be operable, otherwise they need to be stored in an enclosed garage.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **15** days to comply or a fine of **\$150** per day be assessed.

**Form Review**

Form Started By: jsinger  
Final Approval Date: 12/29/2014

Started On: 12/10/2014 03:50 PM

**Special Magistrate Hearing**

**4. F.**

**Meeting Date:** 01/07/2015

**Re:** 604 Tumblin Kling Rd

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2288	604 Tumblin Kling RD	Nava, Alejandro Nava Eugenio	Janey Singer	
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**CASE INFORMATION:**

Case Initiated:	November 10, 2014	Type of Presentation:	Regular	
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**OWNER:**

OWNER: Alejandro Nava 917 S Lake Dr Fort Pierce FL 34982	OWNER: Eugenio Nava 710 Windsor Ave Fort Pierce FL 34982	
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**VIOLATIONS:**

**Section: 16-25 (C)**

**Responsibility for Containers**

Trash containers need to be placed by the curb no earlier than 7:00 pm on the evening before collection day and must be removed to the rear or side of structure no later than 7:00 pm on the day of collection.

**CORRECTIVE ACTIONS:**

1. Please place trash containers in back of home.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: jsinger  
Final Approval Date: 12/11/2014

Started On: 11/18/2014 02:49 PM

**Special Magistrate Hearing****4. G.****Meeting Date:** 01/07/2015**Re:** 2600 S 26TH ST**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-2325	2600 S 26TH ST	MORALES, IRENE	JANEY SINGER	
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**CASE INFORMATION:**

Case Initiated:	NOVEMBER 17, 2014	Type of Presentation:	REGULAR	
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**OWNER:**

OWNER: MORALES, IRENE	OCCUPIED BY:	
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**VIOLATIONS:****Section 16-46, 16-47, 16-48****Nuisance as a Condition**

Nuisance as a Condition means a certain state of being or situation located on property which:  
 (1) Injures or endangers the comfort, repose, health or safety of any person.

**CORRECTIVE ACTIONS:**

1. Please remove dilapidated swing set from property. It is unsafe.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$150 per day be assessed.

**Form Review**

Form Started By: jsinger

Started On: 12/10/2014 10:20 AM

Final Approval Date: 12/29/2014

**Special Magistrate Hearing**

**5. A.**

**Meeting Date:** 01/07/2015

**Re:** 1123 Alameda Ave

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-1610	1123 Alameda Ave	Elias, Leo A	Janey Singer	
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**CASE INFORMATION:**

Case Initiated:	September 12, 2014	Type of Presentation:	Regular	
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**OWNER:**

OWNER: Leo A Elias 1123 Alameda Ave Fort Pierce FL 34982		
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**VIOLATIONS:**

**Section: 5-368 (6)**

**Fence Maintenance**

All fences shall be maintained in reasonably good repair. Any fence in a state of disrepair shall be replaced or repaired.

**Section: 16-46, 16-47, 16-48 (8)**

**Nuisance – Stagnant Water**

Stagnant or insufficiently treated water, in a pool, pond or container of any kind, including water in which algae is allowed to grow or in which mosquitoes or other insects are able to breed is prohibited.

**CORRECTIVE ACTIONS:**

1. Please repair or replace wood fence in backyard. A permit might be required, if you have any questions, please contact the Building Department at 467-3000.
2. Pool needs to be clean at all times.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **30** days to comply or a fine of **\$200** per day be assessed.

## Form Review

Form Started By: jsinger  
Final Approval Date: 12/11/2014

Started On: 11/18/2014 11:09 AM

**Special Magistrate Hearing****5. B.****Meeting Date:** 01/07/2015**Re:** 14-1660**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-1660	719 Texas Ct	Platts, Jennifer J	Shaun Coss	
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**CASE INFORMATION:**

Case Initiated:	August 11, 2014	Type of Presentation:	Regular	
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**OWNER:**

<b>OWNER:</b> JENNIFER J PLATTS 719 TEXAS CT FORT PIERCE, FL 34950	<b>OCCUPIED BY:</b> NORMAN PLATTS 719 TEXAS CT FORT PIERCE, FL 34950	
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**VIOLATIONS:****Section: 5-368****Property Maintenance**

(1) Every foundation, exterior and interior wall, roof, floor, ceiling, window and exterior door shall be structurally sound and maintained in good repair.

(4) Exterior surfaces which have been damaged or show evidence of dry rot or other deterioration, including cracked, chipped, and peeling paint or other coating, shall be repaired or replaced and finished in a workmanlike manner.

**Section: 16-46, 16-47, 16-48 (1)(5)****Outside Storage**

Outside storage of any garbage, rubbish, trash, boxes, tires, abandoned or inoperative appliance, mechanical equipment or parts, construction material, tools, machinery, wood and all other miscellaneous items are not allowed.

**Section: 5-370****Exterior Property and Landscaping**

All landscaping shall be well-maintained so that lawns, hedges, bushes and trees shall be kept trimmed and free from becoming overgrown and unsightly where exposed to public view and where the same may constitute a blighting factor thereby depreciating adjoining property. Such maintenance shall include, but not be limited to the replacement of trees and shrubs which have died or otherwise been destroyed.

**Section: 22-187 (13)****Landscape Maintenance**

Property owners shall maintain all required landscaping so that it continues to present a healthy, neat and orderly appearance free of refuse and debris, in conformity with the following requirements:

**b.** Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices so as to assure that the landscaping continues to maintain a healthy, neat and orderly appearance.

**Section: 16-46, 16-47, 16-48 (8)****Nuisance – Stagnant Water**

Stagnant or insufficiently treated water, in a pool, pond or container of any kind, including water in which algae is allowed to grow or in which mosquitoes or other insects are able to breed is prohibited.

**Section 16-46, 16-47, 16-48****Nuisance as a Condition**

Nuisance as a Condition means a certain state of being or situation located on property which:  
(10) Any condition which provides, or could provide, harborage for rats, mice, snakes, insects or other vermin.

**CORRECTIVE ACTIONS:**

1. Please contact the Code Enforcement Officer at (772)467-3151 to pick up the street signs and barricades once you have accessed them.
2. Repair or replace all broken window panes. A permit may be required; contact the Building Department at (772)467-3000 with any permitting questions you may have.
3. Pressure wash the house where staining has occurred.
4. Paint the house where peeling of paint has occurred.
5. Outside storage of pots, buckets, toilets, scrap wood, concrete blocks, building materials, storage containers, pipes, gas cans, coolers, crates and all other miscellaneous items is prohibited.
6. The collection of insufficiently treated water in the above mentioned items is also prohibited.
7. Cut all grass and weeds as needed.
8. Remove the dead tree from the property.
9. Remove all vines that are growing onto the house.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 90 days to comply or a fine of \$250.00 per day be assessed.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 12/22/2014

Started On: 12/03/2014 01:24 PM

**Special Magistrate Hearing****5. C.****Meeting Date:** 01/07/2015**Re:** 14-1698**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-1698	516 S 5th St.	B & N Ventures Inc	Shaun Coss	
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**CASE INFORMATION:**

Case Initiated:	August 18, 2014	Type of Presentation:	Regular	
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**OWNER:**

OWNED BY: B & N Ventures Inc. 3263 NW 61st St. Boca Raton, FL 33496	OCCUPIED BY: Caitlin Bartolome 516 S 5 <sup>th</sup> St., Apt. 1 Fort Pierce, FL 34950
OCCUPIED BY: Marilyn Johnson 516 S 5 <sup>th</sup> St., Apt. 2 Fort Pierce, FL 34950	OCCUPIED BY: James Thompson 516 S 5 <sup>th</sup> St., Apt. 3 Fort Pierce, FL 34950
OCCUPIED BY: . Tenant 516 S 5 <sup>th</sup> St., Apt. 4 Fort Pierce, FL 34950	OCCUPIED BY: Lawrence Nicoletti III 516 S 5 <sup>th</sup> St., Apt. 5 Fort Pierce, FL 34950
OCCUPIED BY: Alonzo Cassidy 516 S 5 <sup>th</sup> St., Apt. 6 Fort Pierce, FL 34950	OCCUPIED BY: Tedi Mann 516 S 5 <sup>th</sup> St., Apt. 7 Fort Pierce, FL 34950
OCCUPIED BY: Current Resident 516 S 5 <sup>th</sup> St., Apt. 8 Fort Pierce, FL 34950	

**VIOLATIONS:**

**Section: 5-368**

**Property Maintenance**

(1) Every foundation, exterior and interior wall, roof, floor, ceiling, window and exterior door shall be structurally sound and maintained in good repair.

(3) The roof of every building and accessory structure shall be adequately drained of rainwater. All roofs, in addition to exterior walls, and areas around doors, windows, chimneys and other parts of a building shall be so maintained as to keep water from entering the building.

(4) Exterior surfaces which have been damaged or show evidence of dry rot or other deterioration, including cracked, chipped, and peeling paint or other coating, shall be repaired or replaced and finished in a workmanlike manner.

**Section: 16-46, 16-47, 16-48 (1)(5)**

**Outside Storage**

Outside storage of any garbage, rubbish, trash, boxes, tires, abandoned or inoperative appliance, mechanical equipment or parts, construction material, tools, machinery, wood and all other miscellaneous items are not allowed.

**Section: 16-46, 16-47, 16-48 (10)(D)**

**Non-Operable Vehicles**

All non-operative or unlicensed vehicles shall be kept, stored or maintained within a fully enclosed building at all times.

**CORRECTIVE ACTIONS:**

1. Repair or replace all broken windows and window panes. A permit may be required, contact the Building Department at (772)467-3000 with any permitting questions you may have.
2. Remove the tarp from the chimney; repair the area around the chimney to keep water from entering the building.
3. Pressure wash the structure where staining has occurred.
4. Outside storage of pallets, boxes, air conditioning units, containers, buckets, wood and all other miscellaneous items stored in the carport and elsewhere on the property is prohibited.
5. All vehicles on the property including but not limited to the Jeep Wrangler must have a current registration, inflated tires and otherwise be operable.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$250.00 per day be assessed.

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**Form Review**

Final Approval Date: 12/22/2014

**Special Magistrate Hearing****5. D.****Meeting Date:** 01/07/2015**Re:** 14-1839**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-1839	709 S 23rd St.	Gibson, Ann P	Shaun Coss	
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**CASE INFORMATION:**

Case Initiated:	September 11, 2014	Type of Presentation:	Regular	
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**OWNER:**

OWNER: ANN P GIBSON 709 S 23RD ST FORT PIERCE, FL 34950		
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**VIOLATIONS:****Section: 5-370****Exterior Property and Landscaping**

All landscaping shall be well-maintained so that lawns, hedges, bushes and trees shall be kept trimmed and free from becoming overgrown and unsightly where exposed to public view and where the same may constitute a blighting factor thereby depreciating adjoining property.

**Section: 22-187 (13)****Landscape Maintenance**

Property owners shall maintain all required landscaping so that it continues to present a healthy, neat and orderly appearance free of refuse and debris, in conformity with the following requirements:

**b.** Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices so as to assure that the landscaping continues to maintain a healthy, neat and orderly appearance.

**Section: 16-46, 16-47, 16-48 (1)(5)****Outside Storage**

Outside storage of any garbage, rubbish, trash, boxes, tires, abandoned or inoperative appliance, mechanical equipment or parts, construction material, tools, machinery, wood and all other miscellaneous items are not allowed.

**Section: 5-368****Property Maintenance**

(1) Every foundation, exterior and interior wall, roof, floor, ceiling, window and exterior door shall be structurally sound and maintained in good repair.

**CORRECTIVE ACTIONS:**

1. Trim all overgrown trees in the backyard. Tree branches hanging lower than 6 feet from the ground should be eliminated.
2. Cut all grass and weeds as needed. Remove all grass and weeds that have grown against the privacy fence.
3. Outside storage of boxes, luggage, containers, scrap wood and all other miscellaneous items is prohibited.
4. Repair the exterior of the structure near the front porch where there is loose wood hanging at the bottom of the house.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$250.00 per day be assessed.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 12/22/2014

Started On: 12/03/2014 01:28 PM

**Special Magistrate Hearing**

**5. E.**

**Meeting Date:** 01/07/2015

**Re:** 14-1950

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-1950	1708 S 8th St.	Marco Antonio Parra Godinez & Silvia A Martinez	Shaun Coss	
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**CASE INFORMATION:**

Case Initiated:	September 24, 2014	Type of Presentation:	Regular	
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**OWNER:**

<b>OWNED BY:</b> MARCO ANTONIO PARRA GODINEZ & SILVIA A MARTINEZ 1003 PENNSYLVANIA AVE FT PIERCE, FL 34950	<b>OCCUPIED BY:</b> MARCO PARRA 1708 S 8TH ST FORT PIERCE, FL 34950
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**VIOLATIONS:**

**Section: 16-25 (C)**

**Responsibility for Containers**

Trash containers need to be placed by the curb no earlier than 7:00 pm on the evening before collection day and must be removed to the rear or side of structure no later than 7:00 pm on the day of collection.

**Section: 22-187 (13)**

**Landscape Maintenance**

Property owners shall maintain all required landscaping so that it continues to present a healthy, neat and orderly appearance free of refuse and debris, in conformity with the following requirements:

**b.** Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices so as to assure that the landscaping continues to maintain a healthy, neat and orderly appearance.

**Section: 5-368**

**Property Maintenance**

(4) Exterior surfaces which have been damaged or show evidence of dry rot or other deterioration, including cracked, chipped, and peeling paint or other coating, shall be repaired or replaced and finished in a workmanlike manner.

**Section: 16-46, 16-47, 16-48 (4)**

**Parking on Other Than Pavement**

A motor vehicle kept in the front yard of a residence on other than pavement unless parked in a driveway, whether such driveway is paved or unpaved is considered a Nuisance as an Object and requires prompt removal or abatement.

**CORRECTIVE ACTIONS:**

1. Refuse containers must be stored at the side or rear of the house.
2. Cut all grass and weeds as needed. The fence line needs to be weed whacked.
3. Pressure wash and/or paint the fence where staining has occurred.
4. Vehicles in the front yard of the residence must be parked in the driveway.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$250.00 per day be assessed.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 12/22/2014

Started On: 12/03/2014 03:06 PM

**Special Magistrate Hearing****5. F.****Meeting Date:** 01/07/2015**Re:** 2611 S 27th St**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information****SUBJECT:**

14-2013	2611 S 27th St	Amparo Torres	Janey Singer	
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**CASE INFORMATION:**

Case Initiated:	October 8, 2014	Type of Presentation:	Regular	
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**OWNER:**

AMPARO TORRES  
2611 S 27TH ST  
FT PIERCE, FL 34981

**VIOLATIONS:****Section: 5-368 (6)****Fence Maintenance**

All fences shall be maintained in reasonably good repair. Any fence in a state of disrepair shall be replaced or repaired.

**CORRECTIVE ACTIONS:**

1. Wood fence in yard is to be repaired or removed. A permit might be required to repair fence, if you have any questions, please call the Building Department at 772- 467-3529.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **30** days to comply or a fine of **\$200** per day be assessed.

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**Form Review**

Form Started By: jsinger

Started On: 11/14/2014 11:49 AM

Final Approval Date: 11/17/2014

**Special Magistrate Hearing**

**5. G.**

**Meeting Date:** 01/07/2015

**Re:** 14-2131

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2131	1800 JUANITA	JEROME HENDLEY	Isaac Saucedo	
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**CASE INFORMATION:**

Case Initiated:	ISAAC SAUCEDO	Type of Presentation:	REGULAR	
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**OWNER:**

JEROME HENDLEY  
PINKIE W HENDLEY  
1800 JUANITA AVE  
FT PIERCE, FL 34946

**VIOLATIONS:**

**Section: 22-187 (13)**

**Landscape Maintenance**

Property owners shall maintain all required landscaping so that it continues to present a healthy, neat and orderly appearance free of refuse and debris, in conformity with the following requirements:

- a.** Vegetation required by this article shall be replaced with equivalent vegetation if it is not living. All trees for which credit is awarded and which subsequently die shall be replaced by the same number of living trees according to the standards established in this article.
- b.** Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices so as to assure that the landscaping continues to maintain a healthy, neat and orderly appearance.

**CORRECTIVE ACTIONS:**

- 1. Please trim any overgrown bushes, trees and shrubs that are located in the back yard along the fence.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **10** days to comply or a fine of **\$250** per day be assessed.

**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 11/17/2014

Started On: 11/14/2014 12:41 PM

**Special Magistrate Hearing**

**5. H.**

**Meeting Date:** 01/07/2015

**Re:** 14-2174

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information**

**SUBJECT:**

14-2174	2021 GOLFVIEW CT	CESAR CUMERMA	Isaac Saucedo	
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**CASE INFORMATION:**

Case Initiated:	ISAAC SAUCEDO	Type of Presentation:	REGULAR	
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**OWNER:**

CESAR CUMERMA  
ROBERTO CUMERMA  
3746 WHITEWAY DAIRY RD  
FT PIERCE, FL 34947

**VIOLATIONS:**

**Section: 5-368**

**Property Maintenance**

(1)Every foundation, exterior and interior wall, roof, floor, ceiling, window and exterior door shall be structurally sound and maintained in good repair.

**CORRECTIVE ACTIONS:**

1. Please properly replace all broken windows located in the front of the house. A permit may be required. If you have any questions please contact the Building Department at (772) 467-3000

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **10** days to comply or a fine of **\$250** per day be assessed.

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**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 11/17/2014

Started On: 11/14/2014 12:25 PM

**Special Magistrate Hearing**

**5. I.**

**Meeting Date:** 01/07/2015

**Re:** 1811 LINWOOD AVE

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

14-2323	1811 LINWOOD AVE	RAGUBEER, GAITRI	JANEY SINGER	
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**CASE INFORMATION:**

Case Initiated:	NOVEMBER 17, 2014	Type of Presentation:	REGULAR	
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**OWNER:**

OWNER: RAGUBEER, GAITRI ?1107 S 33RD ST FT PIERCE, FL 34981	OCCUPIED BY:	
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**VIOLATIONS:**

**Section 16-46, 16-47, 16-48**

**Nuisance as a Condition**

Nuisance as a Condition means a certain state of being or situation located on property which:  
(1) Injures or endangers the comfort, repose, health or safety of any person.

**Section: 16-46, 16-47, 16-48 (8)**

**Nuisance – Stagnant Water**

Stagnant or insufficiently treated water, in a pool, pond or container of any kind, including water in which algae is allowed to grow or in which mosquitoes or other insects are able to breed is prohibited.

**CORRECTIVE ACTIONS:**

1. Gate is to be closed & locked at all times.
2. Pool needs to be cleaned and kept that way to avoid insects to breed.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 0 days to comply or a fine of \$200 per day be assessed. If the violation is not corrected within the time given, the City is to take the necessary steps to remedy the violation(s), the cost of which is to be assessed as a special assessment lien against the property.

**Form Review**

Form Started By: jsinger  
Final Approval Date: 12/30/2014

Started On: 12/11/2014 08:39 AM



**Special Magistrate Hearing****6. A.****Meeting Date:** 01/07/2015**Information****SUBJECT:**

07-0535	505 N 13th Street	Mellon, Beracah (Estima)	Peggy Arraiz	
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**CASE INFORMATION:**

Case Initiated:	April 11, 2007	Type of Presentation:	Lien Reduction	
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**OWNER:**

OWNER: Beracah (Estima) Mellon 312 N 12th Street Ft. Pierce, FL 34950		
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**VIOLATIONS:**

**Section: 5-368**  
**Section: 23-41**  
**Appropriateness**

**Description: Property Maintenance**  
**Description: Certificate of**

**FINDINGS/ORDER:**

On February 6, 2008, the Special Magistrate found the owners in violation. 120 days were granted to correct the violation or a fine of \$300.00 a day be accessed.

**ACTION DATES:**

December 11, 2008 - Fines began to accrue.  
February 24, 2009 - Order Assessing Fine and Imposing Lien recorded.  
August 13, 2012 - Violation corrected / Property in compliance. Fine stopped.  
December 3, 2014 - Special Magistrate Hearing but Ms. Mellon nor a representative appeared.  
Rescheduled for January.

**RECOMMENDATION:**

Amount of Lien is \$402,320.00. Recommendation to be determined.

**Attachments**

Reduction Request  
7 Criteria  
Criteria History  
Administrative Costs

**Form Review**

Form Started By: Collen Greer  
Final Approval Date: 12/22/2014

Started On: 12/11/2014 04:26 PM



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

RECEIVED

OCT 16 2014

CODE ENFORCER  
CITY OF FORT PIERCE

### REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:		10-14-14	
Property address:		505 N. 13 <sup>th</sup> St Fort Pierce FL 34950	
Owner(s) of record:			
Mailing address:		312 N 12 <sup>th</sup> St Fort Pierce FL 34950	
Property tax ID #:			
Original purchase date:		Original purchase price:	
Other Information:		<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale
		<input type="checkbox"/> Adjoining Property Owner	
Property is used for:		<input type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family
		<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
		<input type="checkbox"/> Vacant Lot	
Name of person requesting reduction:		Relationship to owner(s):	
Beracah E Mellon		owner(s)	
Telephone #:		Mobile phone #:	
772-353-8139			
E-mail:		Preferred contact method:	
beracahestima@yahoo.com		772-353-8139	
What are owner(s) intentions for property:			
Amount of Fine:		Date Fine Initiated:	
402320.00		12/11/2008 / 8/13/2014	
Are there current code violations?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
		Explain: (please attached notice)	
Is a lien filed against the property?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
		If yes, what is the lien amount?	
		402320.00	
Is property listed for sale?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
		If yes, what is listing price?	
Is property under contract for sale?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
		If yes, what is the sale price?	

AMOUNT OF FINE / LIEN

\$ 402320.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ All

DOLLAR AMOUNT I AGREE TO PAY

\$ None

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Beracah E Mellon  
(Signature of Owner or Representative)

BERACAH ESTIMA  
(Printed Name)



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

### REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

#### INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 505 N. 13th St

Property Owner: Beracah E. Mellon

Mailing Address: 312 N. 12th St Ft P FL 34950

Telephone #: 772) 353-8139 Cell Phone #: 772) 353-8139

E-Mail Address: beracahestima@yahoo.com

Is the property in compliance? yes If no, please explain \_\_\_\_\_



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Beracah E. Mellon, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

AS a commercial property I could not do any kind of work without permit. I spent 4 years trying to get permit from the city. My work was with the planning and urban redevelopment for the all 4 years. I would not like to do with all time

Date: 10/14/14

Signed: Beracah E. Mellon  
Print Name: BERACAH E. MELLON

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Beracah E Mellon who acknowledged before me that the information contained herein is true and correct. He (She) is not personally known to me and has produced FL DL M450-065-63-764-0 as identification.

SWORN TO AND SUBSCRIBED before me this 16th day of October, 2014.



COLLEEN GREER  
MY COMMISSION # EE 216024  
EXPIRES: November 13, 2016  
Bonded Thru Budget Notary Services

Colleen Greer  
Notary Public, State of Florida

Case No: 07-0535

**LIEN REDUCTION HEARING    Date: December 3, 2014**  
**CONTESTING OF FINE/NON-COMPLIANCE**

1.) The gravity or seriousness of the violation:	Between minor and moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	After the fines were begun on December 13, 2004 violator fixed the shed but it took until May 16, 2009 to complete the repairs.
2b.) If the violations were not corrected by the original violator, what action was taken by any other owner or interested party to bring the violation into compliance:	N/A
3.) The length of time necessary to bring the property into compliance:	5 years and 7 months
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	In 2007 on another piece of property she owns 505 N 13 <sup>th</sup> Street.
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	6 total violation notices but all were complied.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	She was ill.
7.) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the city owned by the respondent:	N/A

(3) NUMBER OF VIOLATION NOTICES VIOLATOR HAS RECEIVED IN THE PAST  
 HEARING DATE : December 3, 2014      HISTORY OF VIOLATIONS      CASE NOS: 07-0535  
 LIEN REDUCTION / RESCINDMENT

NO.	CASE NO.	DATE	OFFICER	VIOLATIONS	FINAL DISPOSITION
1	14-0254	2/7/2014	TD	Signs prohibited	complied
2	08-3194	10/14/2008	SC	Signs prohibited	complied
3	07-1711	5/24/2007	CS	6 Non-Operable Vehicles	complied
4	07-1509	5/11/2007	AA	Prop Maint & Non Ops	complied
5	07-0535	4/11/2007	JS	Prop Maint & Historic	complied but fines & lien rec.
6	6-3287	9/14/2006	AA	Prop Maint & Non-Op	complied
7					
8					

# Administrative Cost Estimator

11/24/2014

Property Address: 505 N 13th Street

Date case originated: 4/11/2007

Date case complied: 8/13/2012

Total time: 64 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>9</u>	\$3.96
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Certified Mail:	\$5.10	<u>3</u>	\$15.30
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Photographs (per page)	\$0.50	<u>19</u>	\$9.50
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Filing Fees	\$10.00	<u>2</u>	\$20.00
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Months Open	\$50.00	<u>64</u>	\$3,200.00
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Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

## Code Enforcement Secretary

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
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Each additional Hearing	\$75.00	<u>0</u>	\$0.00
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Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	\$125.00	<u>1</u>	\$125.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	\$150.00	<u>2</u>	\$300.00
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Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$250.00	<u>1</u>	\$250.00
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Covers cost to advertise, copies, review time for commissioners/attorney/city manager time at hearing, post hearing correspondence and processing.

Total Estimated Cost: \$4,148.76

### Property Identification

**Site Address:** 505 N 13th St  
**Sec/Town/Range:** 09/35S/40E  
**Map ID:** 24/09N  
**Zoning:** C3

**Parcel ID:** 2409-502-0001-020-5  
**Account #:** 21282  
**Use Type:** M-F < 10U  
**Jurisdiction:** Fort Pierce


### Ownership

Beracah E Estima  
 Jean B Mellon (EST)  
 312 N 12th St  
 Fort Pierce, FL 34950-8826

### Legal Description

CLYDE KILLER'S A/D BLK 1 LOT 2-LESS S 2 FT- (OR 2330-1918)

### Current Values

**Just/Market Value:** \$24,100  
**Assessed Value:** \$24,100  
**Exemptions:** \$0  
**Taxable Value:** \$24,100  
**Taxes for this parcel:** SLC Tax Collector's Office 



### Total Areas

**Finished/Under Air (SF):** 2,688  
**Land Size (acres):** 0.16  
**Land Size (SF):** 6,825

*This information is believed to be correct at this time but it is subject to change and is not warranted.*

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