

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, April 2, 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**

B. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**

4. **PUBLIC HEARINGS - VIOLATION CASES**

A.

14-2323	1811 Linwood Avenue	Ragubeer, Gaitri	Janey Vanderhorst
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B.

15-0228	603 S 24th St	Desir, Benel	Andy Avery
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C.

15-0277	726 S 11th St	Freeman, Clifton B Freeman, Patricia L	Andy Avery
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D.

15-0397	1104 Boston Ave	Ortega (TR), Danilo Foster (TR), Lurine	Andy Avery
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E.

15-0426	4507 S Hwy 1	St Lucie Automotive Properties LLC	Janey Vanderhorst
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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

1.

08-2600	508 N 14th Street	Calixt, Alcinne (TR)	Peggy Arraiz
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2.	14-0768	3111 Boston Avenue	Ortega, Danilo (TR) Foster, Lurine (TR)	Peggy Arraiz
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7. **REQUEST FOR EXTENSION OF TIME**

1.	14-1543	1709 N 16th Street	Sturup, Alfredia	Peggy Arraiz
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8. **NEW BUSINESS**

9. **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 Blandino Hearing

4. A.

Meeting Date: 04/01/2015

Re: Case # 14-2323 - 1811 Linwood Avenue

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

Information

SUBJECT:

14-2323	1811 Linwood Avenue	Ragubeer, Gaitri	Janey Vanderhorst
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CASE INFORMATION:

Case Initiated:	February 26, 2015	Type of Presentation:	Repeat
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OWNER:

OWNER: Gaitri Ragubeer P.O. Box 584930 Kissimmee, Fl 34758		
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VIOLATIONS:

Section(s): 16-46, 16-47, 16-48 (1) Nuisance as a Condition

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

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:

1. The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 0 day(s) to comply or a fine of \$100.00 per day be assessed.
2. 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: Janey Singer
Final Approval Date: 03/04/2015

Started On: 02/26/2015 07:49 AM

Special Magistrate Blandino Hearing

4. B.

Meeting Date: 04/01/2015

Re: Case #15-0228 - 603 S 24th St.

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

Information

SUBJECT:

15-0228	603 S 24th St	Desir, Benel	Andy Avery
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CASE INFORMATION:

Case Initiated:	February 17, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Benel Desir P. O. Box 63 Fort Pierce, FL 34954	OCCUPIED BY: Humberto Lopez-Gonzalez 603 S 24 th St Fort Pierce, FL 34950
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VIOLATIONS:

Section(s): 5-368 (4) Property Maintenance

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

Section(s): 5-73 House Numbers

CORRECTIVE ACTIONS:

1. Please paint the trim of the house where it is faded and weathered in a workmanlike manner.
2. Please remove all outside storage of concrete and any other miscellaneous items from the yard.
3. Please replace the missing house numbers.

RECOMMENDATION:

1. 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 \$50.00 per day be assessed.

Form Review

Form Started By: Andy Avery
Final Approval Date: 03/25/2015

Started On: 03/12/2015 10:26 AM

Special Magistrate Blandino Hearing

4. C.

Meeting Date: 04/01/2015

Re: Case #15-0277 - 726 S 11th St.

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

Information

SUBJECT:

15-0277	726 S 11th St	Freeman, Clifton B Freeman, Patricia L	Andy Avery
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CASE INFORMATION:

Case Initiated:	February 17, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Clifton B. & Patricia L. Freeman 726 S. 11th Street Ft. Pierce, FL 34950	OCCUPIED BY:	
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VIOLATIONS:

Section(s): 5-369 Vacant Buildings

CORRECTIVE ACTIONS:

1. Please board up all openings including all windows and doors with plywood and paint the plywood in a workmanlike manner.

RECOMMENDATION:

1. 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 \$50.00 per day be assessed.

Form Review

Form Started By: Andy Avery
Final Approval Date: 03/25/2015

Started On: 03/12/2015 10:15 AM

Special Magistrate Blandino Hearing

4. D.

Meeting Date: 04/01/2015

Re: Case #15-0397 - 1104 Boston Avenue

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

Information

SUBJECT:

15-0397	1104 Boston Ave	Ortega (TR), Danilo Foster (TR), Lurine	Andy Avery
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CASE INFORMATION:

Case Initiated:	March 3, 2015	Type of Presentation:	Repeat
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OWNER:

OWNER: Danilo Ortega (TR) Lurine Foster (TR) 3548 SW Rivera Street Port St. Lucie, FL 34953	OCCUPIED BY: Nelda Merissaint 1104 Boston Avenue Fort Pierce, FL 34950
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VIOLATIONS:

Section(s): 5-368 (1) (3) (4) Property Maintenance

Section(s): 16-25 (C) Responsibility for Containers

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

Section(s): 16-46, 16-47, 16-48 (11) Outside Storage-Indoor Furniture

Section(s): 22-187 (13) (b) Landscape Maintenance

Section(s): 16-46, 16-47, 16-48 (4) Parking on Other Than Pavement

Section(s): 16-46, 16-47, 16-48 (7) Nuisance as a Condition

CORRECTIVE ACTIONS:

1. Please replace all rotting wood siding, trim, and any other wood in need of replacement. Also, paint all new wood in a workmanlike manner to match the structure.
2. Please remove cans from the curb no later than 7:00 pm on the day of collection and place the cans on the side or rear of the structure.
3. Please remove all outside storage of trash, crates, mattresses, buckets, inside furniture, and any other miscellaneous items from the yard.
4. Please cut all grass and weeds, trim bushes, and trim the grass around all bushes and the house so that the yard has a neat appearance.
5. Please park the vehicles on the driveway, not on the grass.

RECOMMENDATION:

1. 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 \$100.00 per day be assessed.
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Form Review

Form Started By: Andy Avery

Started On: 03/12/2015 09:48 AM

Final Approval Date: 03/25/2015

Special Magistrate Blandino Hearing

4. E.

Meeting Date: 04/01/2015

Re: Case #15-0426 - 4507 S US HWY 1

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

Information

SUBJECT:

15-0426	4507 S Hwy 1	St Lucie Automotive Properties LLC	Janey Vanderhorst
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CASE INFORMATION:

Case Initiated:	March 19, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: St. Lucie Automotive Properties LLC 4950 Pocatella Ave North Port FL 34287	OCCUPIED BY: The Motor shop 4507 S US Hwy 1 Fort Pierce FL 34982
OTHER: Matthew Memom 2091 Tamiami Trail Port Charlotte, FL 33948	

VIOLATIONS:

Section(s): 9-27 (B) Doing Business without a Tax

CORRECTIVE ACTIONS:

1. The Motor Shop needs to stop conducting business immediately from this location until a Business Tax Receipt from the City of Fort Pierce is obtained.
2. They also need to add the classification for the sale of vehicles to their application and supply the necessary state licenses.
3. The City Clerk's Office will issue the Business Tax Receipt once all the required criteria have been met.

RECOMMENDATION:

1. 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 \$25.00 per day be assessed and order all utilities to the premises be suspended while the violation continues.

Form Started By: Janey Singer
Final Approval Date: 03/25/2015

Started On: 03/19/2015 01:16 PM

Information

SUBJECT:

08-2600	508 N 14th Street	Calixt, Alcinne (TR)	Peggy Arraiz	
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CASE INFORMATION:

Case Initiated:	July 25, 2008	Type of Presentation:	Lien Reduction Request	
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OWNER:

PREVIOUS OWNER: Alcinne Calixt (TR) C/O Reynard Millien 508 N 14th Street Ft. Pierce, FL 34950	CURRENT OWNER: XJD LLC C/O Royston Dass 1528 SW Abingdon Avenue Port St. Lucie, FL 34953	
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VIOLATIONS:

Section(s): 5-1.105.1 Permit Required

FINDINGS/ORDER:

On February 4, 2009 Special Magistrate Blandino found the property owner, Alcinne Calixt (TR) to be in violation and gave her 90 days to obtain a Certificate of Appropriateness and 60 days to comply or be assessed a fine of \$125.00 per day until the violation is complied.

ACTION DATES:

1. May 18, 2009 an inspection was made; the property was not in compliance, the fines began.
2. July 2, 2009 the Order Assessing Fine and Imposing Lien was recorded.
3. February 29, 2015, an inspection was made; property is now in compliance, the fines stopped.
4. February 26, 2015 received Request for Reduction of Penalty from Mr. Royston Dass.

RECOMMENDATION:

1. The total amount of lien is \$262,915.00 (\$40.00 recording fees). Recommendation to be determined by the Special Magistrate.

Attachments

Request for Reduction
Tax Card

7 Criteria

Administrative Costs

Form Review

Form Started By: Collen Greer
Final Approval Date: 03/05/2015

Started On: 03/03/2015 09:52 AM



CITY OF FORT PIERCE

Case 08-2600
RECEIVED

DIVISIONS OF CODE ENFORCEMENT **FEB 26 2015** & ANIMAL CONTROL

CODE ENFORCEMENT
CITY OF FT. PIERCE

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: 508n 14th Street Fort Pierce FL 34950

Property Owner: Royston Dass

Mailing Address: 1528 SW Abingdon Ave Port Saint Lucie 34953

Telephone #: 772 237 9220 Cell Phone #: 772 237 9220

E-Mail Address: XJDINC@HOTMAIL.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, Royston Dass, 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:

I Royston Dass submit this Petition in Request for a reduction or wavier in the penalties charged and in support offer the following statement. This Property was left in despair due to the lack of commitment by the previous homeowner, Who made no attempt to bring the property into compliances and neglect payments of fines or liens associated with the city code violation. Hence: abandoning the building. The city was left with an abandoned building that was not only an atrocity but also an attraction for persons involved in illegal activities. The property was left with a very likely outcome of demolition, due to its horrific state there is no one willing to alleviate the cost or purchase the building.

Now that I have ownership of this property my main initiative is to bring it back to its



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

historic form. I plan to revitalize the property into full compliances with all city codes and regulations. Also to make this house a home for a loving family that will bring forth a positive up bringing to the neighborhood. This request is for a reduction or waiver to the current fines and liens that this property has accrued due to no fault of mine. The damages of this property are no fault of mines and I will devote myself to keep up with the city code. This will serve as an example to other homeowners. That wishes to buy dilapidated properties with the intention of fixing them up but is deferred to do so due to fines and liens that is no fault of their own. This reduction or waiver shows that Fort Pierce is ready and willing to keep improving an already great city.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

Date: 02-25-15

Signed: *Rayston Dass*

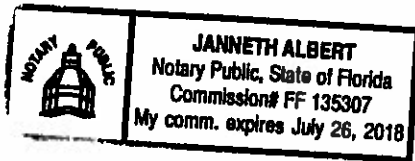
Print Name: Rayston DASS.

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Rayston D. Dass
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 D200724770500
as identification.

SWORN TO AND SUBSCRIBED before me this 25th day of February, 2015

Janneth Albert
Notary Public, State of Florida





CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

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

Date:	02-25-15		
Property address:	508n 14 th Street Fort Pierce FL, 34950		
Owner(s) of record:	Royston Dass		
Mailing address:	1528 SW Abingdon Ave Port Saint Lucie FL, 34953		
Property tax ID #:	2400-502-0027-000/7		
Original purchase date:	01/15/2015	Original purchase price:	11,000
Other Information:	<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale	<input checked="" type="checkbox"/> Adjoining Property Owner
Property is used for:	<input checked="" 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:	Royston Dass	Relationship to owner(s):	owner
Telephone #:	772 237 9220	Mobile phone #:	
E-mail:	Xjdinc@hotmail.com	Preferred contact method:	
What are owner(s) intentions for property:	To revitalize		
Amount of Fine:	\$262,915	Date Fine Initiated:	2009
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?	\$262,915
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	\$ 262,915
DOLLAR AMOUNT REQUESTING TO BE WAIVED	\$ 262,415
DOLLAR AMOUNT I AGREE TO PAY	\$ 500.00



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

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.


(Signature of Owner or Representative)


(Printed Name)

Property Identification

Site Address: 508 N 14th ST
Map ID: 24/09N

Parcel ID: 2409-502-0027-000-7
Zoning:

Account #: 21304
Use Type: 0100

Sec/Town/Range: 09/35S/40E
Jurisdiction: Fort Pierce

Ownership

XJD LLC
 292 Terrace RD
 Tarpon Springs, FL 34689-1906

Legal Description

CLYDE KILLER`S A/D BLK 1 LOT 25 (OR 3711-574)

Current Values

Just/Market: \$35,700 **Assessed:** \$35,700
Exemptions: \$0 **Taxable:** \$35,700

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2014	\$35,700	\$35,700	\$0	\$35,700
2013	\$35,400	\$35,400	\$0	\$35,400
2012	\$36,100	\$36,100	\$0	\$36,100

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
01-13-2015	3711 / 0574	0001	SP	Barrington Capital Investments LLC	\$11,000
01-12-2015	3711 / 570		DE	Barrington Capital Investments (TR)	\$0
07-15-2014	3656 / 0303	0111	TR	Redstone Capital LLC (TR),	\$100

Primary Building Information

Finished Area of this building: 1,056 SF
 Gross Area of this building: 1,056 SF

View:
Year Built: 1949
Primary Wall: CB Stucco

Roof Cover: Fibrglss Shg
Frame:
Story Height: 1 Story

Exterior Data

Roof Structure: Hip
Grade: D-
No. Units: 1

Building Type: HD-
Effective Year: 1949
Secondary Wall:

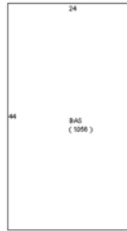
Bedrooms: 0
Full Baths: 1
Half Baths: 0

A/C %: 0%
Heated %: 0%
Sprinkled %: 0%

Interior Data

Electric: AVERAGE
Heat Type:
Heat Fuel:

Primary Int Wall:
Avg Hgt/Floor: 0
Primary Floors: A TL/CON



Total Areas

Finished/Under Air (SF):	1,952
Gross Area (SF):	2,124
Land Size (acres):	0.18
Land Size (SF):	7,750
Total Building Count:	2

Special Features and Yard Items

Type	Qty	Units	Year Blt
CHAINLINK 4'	1	280	1995
SITE DEV S-F	1	1	2001

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

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**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 08-2600

Date: April 1, 2015

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	None
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:	New owner obtained permits and repaired the roof.
3.) The length of time necessary to bring the property into compliance:	6 ½ years
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:	N/A- New owner made the request for reduction.
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	N/A- New owner made the request for reduction.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Property has changed ownership 5 times since the case was initiated.
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:	None

Administrative Cost Estimator

3/5/2015

Property Address: 508 N 14th Street (08-2600)

Date case originated: 7/25/2008

Date case complied: 2/19/2015

Total time: 79 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class: \$0.44 6 \$2.64

Certified Mail: \$5.10 2 \$10.20

Photographs (per page) \$0.50 3 \$1.50

Filing Fees \$10.00 4 \$40.00

Months Open \$50.00 79 \$3,950.00

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 1 \$150.00

Each additional Hearing \$75.00 0 \$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager \$75.00 1 \$75.00

Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour) \$125.00 1 \$125.00

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 2 \$300.00

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 1 \$250.00

Covers cost to advertise, copies, review time for commissioners/attorney/city manager time at hearing, post hearing correspondence and processing.

Total Estimated Cost: \$4,904.34

Information

SUBJECT:

14-0768	3111 Boston Avenue	Ortega, Danilo (TR) Foster, Lurine (TR)	Peggy Arraiz	
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CASE INFORMATION:

Case Initiated:	April 10, 2014	Type of Presentation:	Lien Reduction Request	
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OWNER:

OWNER: Danilo Ortega (TR) Lurine Foster (TR) 3549 SW Rivera Street Port St. Lucie, FL 34953		
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VIOLATIONS:

Section(s): 5-369 Vacant Buildings

Section(s): 5-368 (1) Property Maintenance

Section(s): 5-368 (6) Fence Maintenance

Section(s): 22-67 (B) (5) Fence Maintenance-Permit Required

FINDINGS/ORDER:

On August 20, 2014 Special Magistrate Blandino found that Danilo Ortega (TR) is in compliance with Section(s) 5-369 for vacant buildings but that he was in violation of the remaining three code sections. Special Magistrate Blandino ordered that they needed to obtain a permit or remove the privacy fence within 60 days. If not complied within this time a fine of \$250.00 per day would be assessed.

ACTION DATES:

1. October 20, 2014 an inspection was made, the property was not in compliance, the fines began.
2. January 30, 2015 the Order Assessing Fine and Imposing Lien was recorded.
3. February 26, 2015 an inspection was made, the property is now in compliance, the fines stopped.
4. February 26, 2015 received Request for Reduction of Penalty from Margaret A. Benton, Attorney for Danilo Ortega.

RECOMMENDATION:

1. The total amount of lien is \$32,290.00 (\$40.00 recording fees).
2. Staff recommends accepting the provided offer of \$1000.00.

Attachments

[Request for Reduction](#)

[Tax Card](#)

[7 Criteria](#)

[History](#)

[Administrative Costs](#)

Form Review

Form Started By: Collen Greer
Final Approval Date: 03/05/2015

Started On: 03/03/2015 10:36 AM



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

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

Date:	2/26/2015		
Property address:	3111 Boston Avenue, Fort Pierce, FL 34950		
Owner(s) of record:	Danilo Ortega (Tr) & Lurine Foster (Tr)		
Mailing address:	3549 SW Riviera Street, Port St Lucie, FL 34953		
Property tax ID #:	2408-805-0008-0005		
Original purchase date:	2/14/2007	\$75,000.00	\$75,000.00
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 checked="" 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:	Danilo Ortega	Relationship to owner(s):	Owner
Telephone #:	Home Telephone #	Mobile phone #:	772-801-3789
E-mail:	Danortega1955@gmail.com	Preferred contact method:	email
What are owner(s) intentions for property:	Try to bring mortgage current		
Amount of Fine:	\$30,000.00 +/-	Date Fine Initiated:	10/20/2014
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice) If yes, click to type explanation	
Is a lien filed against the property?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	If yes, what is the lien amount?	\$30,000.00 +/-
Is property listed for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is listing price?	Enter listing price
Is property under contract for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the sale price?	Enter sales price

AMOUNT OF FINE / LIEN \$ 30,000.00 +/-
 DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 29,000.00
 DOLLAR AMOUNT I AGREE TO PAY \$ 1,000.00

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.

 (Signature of Owner or Representative)

Danilo Ortega
 (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: 3111 Boston Avenue, Fort Pierce, FL 34950

Property Owner: Danilo Ortega (Tr) and Lurine Foster (Tr)

Mailing Address: 3549 SW Riviera Street, Port St Lucie, FL 34953

Telephone #: _____ Cell Phone #: 772-801-3789

E-Mail Address: Danortega1955@gmail.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, Danilo Ortega, 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:

My wife and I suffered a financial hardship with this property because of the downturn of the economy. There is a mortgage on it and we have been unable to pay the mortgage in the past three years. This is because we have been unable to rent it or sell it. I could not rent it because the house is located in a migrant area, and when the economy went down, the migrants left and did not return. Many properties in this same area appear to be abandoned due to this same problem. Therefore, we were unable to repair the fence with no income coming in. I owe approximately \$55,000.00 on the mortgage. However the present value of the property is approximately \$30,000.00. My financial situation is that I lost other rental properties due to foreclosure. If I have to pay a portion of the fine, I will need more than 60 days

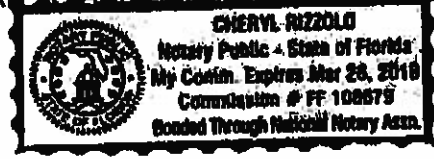
Date: 2-26-15

Signed: *[Signature]*
Print Name: Daniilo Ortega

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority DANILO ORTEGA
who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced Fla Dr. Lic 0632160551880
as identification.

SWORN TO AND SUBSCRIBED before me this 26th day of February, 2015.



[Signature]
Notary Public, State of Florida

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 14-768

Date: April 1 2015

1.) The gravity or seriousness of the violation:	minor
2a.) Any and all actions taken by the violator to correct the violations; OR	After the fines were started and the notice of lien letter was sent the fence was removed and the property came into compliance
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:	10 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:	3
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	See Attached
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	n/a
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:	Yes 15-397 1104 Boston Ave

Danilo Ortega Owned Property and Violations List

3111 Boston Ave

14-768 Fence Maintenance, Fence Main-Permit Required, Property Main (1), Vacant **Complied**

14-767 LTCL **Complied**

14-766 GF **Complied**

13-685 LTCL **Complied**

8-1575 Noop, Outside Storage **Complied**

7-2064 LTCL **Complied**

7-1995 Noop, Parking Other Than Pavement **Complied**

719 S 24th St

14-592 Noop, Outside Storage, Property Main (4) Responsibility for Containers **Complied**

13-640 Outside Storage **Complied**

11-46 Outside Storage, Property Main (1)(3)(4) **Complied S.M. Stip**

9-1817 Temporary Lighting, Responsibility for Containers **Complied**

8-1269 Noop C.M.CEB

8-692 Noop **Complied**

7-3089 LTCL **Complied**

1104 Boston Ave

15-397 Landscaping Main, Outside Storage, Outside Storage of Furn, Property Main (1)(3)(4), Responsibility for Containers **Active**

8-1616 Parking On The Right Of Way **Complied**

7-1936 Permit Required **Complied**

7-1053 Permit Required **Complied**

201 S 22nd St

14-983 GF **Complied**

14-982 LTCL Complied

7-2270 Outside Storage, Vacant Complied S.M. R&D

Violations List:

- 1. Property Maintenance:_____4
- 2. Permit Required:_____3
- 3. Parking On The Right Of Way:___1
- 4. Parking Other Than Pavement:___1
- 5. Fence Maintenance:_____1
- 6. Temporary Lighting:_____1
- 7. Landscape Maintenance:_____1
- 8. LTCL:_____5
- 9. GF:_____2
- 10. Non-Operable Vehicles:_____5
- 11. Vacant:_____2
- 12. Outside Storage_____6
- 13. Outside Storage of Furniture___1
- 14. Responsibility for Containers ___3

Violations Total: 36

Brought to S.M. or C.E.B Total: 3

Administrative Cost Estimator

3/5/2015

Property Address: 3111 Boston Ave

Date case originated: 4/10/2014

Date case complied: 2/26/2015

Total time: 10 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.44	<u>4</u>	\$1.76
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>8</u>	\$4.00
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>10</u>	\$500.00
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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: \$1,450.86

Special Magistrate Blandino Hearing

7. 1.

Meeting Date: 04/01/2015

Re: Case #14-1543 1709 N 16th Street

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

Information

SUBJECT:

14-1543	1709 N 16th Street	Sturup, Alfredia	Peggy Arraiz	
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CASE INFORMATION:

Case Initiated:	July 21, 2014	Type of Presentation:	Extension of Time	
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OWNER:

OWNER: Alfredia Sturup P. O. Box 884 Loxahatchee, FL 33470	OCCUPIED BY:	
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VIOLATIONS:

Section(s): 5-368 (1) (3) (4) Property Maintenance

CORRECTIVE ACTIONS:

1. On November 5, 2014 the Special Magistrate found the owners guilty and gave them 60 days to comply or be assessed \$250.00 per day until property was in compliance.
2. December 16, 2014 Office Avery exercised his administrative authorization and granted a 90 day extension issuing a warning that if the property did not come into compliance, owners would have to go before the Special Magistrate to request more time.
3. February 27, 2015 received a request for extension of time.

RECOMMENDATION:

1. To be determined.

Attachments

Extension

Death

Form Review

Form Started By: Collen Greer
Final Approval Date: 03/25/2015

Started On: 03/06/2015 02:57 PM



Re: SM CASE # 14-1543 <Watchdog: Virus checked> 
Colleen Greer to: Cheryl Brown

02/27/2015 03:54 PM

Andy:

Please reply to this.

Thank you,
Colleen

Cheryl Brown

Re: Violation of Section (s): 5-368 (1) (3) (4) Pro...

02/27/2015 03:37:27 PM

From: Cheryl Brown <cherylb99@gmail.com>
To: cgreer@city-ftpierce.com
Date: 02/27/2015 03:37 PM
Subject: SM CASE # 14-1543 <Watchdog: Virus checked>

Re: Violation of Section (s): 5-368 (1) (3) (4) Property Maintenance

Violator: Alfredia Sturrup

PO Box 884

Loxahatchee, FL 33470

Property Address: 1709 N 16th ST Tax ID#: 2404-512-0001-000/5

Legal Description: Irene Plaza BLK 1 Lots 1 and 2 (or 3198-2533)

We the family, would like an extension of the above situation.

Alfredia Sturrup went into a contact agreement on 1/24/25 (CBC1254324) with Gadsden Property Investment Inc. DBA: GPI Construction Division License #: CBC1254324

We checked to see was a permit pulled, but it has not as of February 23, 2015. The family is looking into the situation.

Thanks for your support.

OFFICE of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2015029421

DATE ISSUED: March 3, 2015

DECEDENT INFORMATION

STATE FILE DATE: February 27, 2015

NAME: ALFREDIA STURRUP

DATE OF DEATH: February 20, 2015

SEX: FEMALE SSN: 999-99-9999

AGE: 060 YEARS

DATE OF BIRTH: September 8, 1954

BIRTHPLACE: FORT PIERCE, FLORIDA, UNITED STATES

PLACE OF DEATH: INPATIENT

FACILITY NAME OR STREET ADDRESS: WELLINGTON REGIONAL MEDICAL CTR

LOCATION OF DEATH: WELLINGTON, PALM BEACH COUNTY, 33414

SURVIVING SPOUSE, DECEDENT'S RESIDENCE AND HISTORY INFORMATION

MARITAL STATUS: DIVORCED

SPOUSE (IF FEMALE, MAIDEN NAME): NONE

RESIDENCE: 123 LAKE BARBARA DRIVE, ROYAL PALM BEACH, FLORIDA 33411, UNITED STATES

COUNTY: PALM BEACH

OCCUPATION, INDUSTRY: TEACHER, PALM BEACH COUNTY SCHOOL

RACE: White Black or African American Asian Indian Chinese Filipino Native Hawaiian Japanese Korean American Indian or Alaskan Native-Tribe: Vietnamese Other Asian: Guamanian or Chamorro Samoan Other Pacific Isl: Other: Unknown

HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN

EDUCATION: BACHELORS DEGREE

EVER IN U.S. ARMED FORCES? NO

PARENTS AND INFORMANT INFORMATION

FATHER: CECIL STURRUP

MOTHER: GEORGIA BROWN

INFORMANT: JOHNNY BROWN

RELATIONSHIP TO DECEDENT: UNCLE

INFORMANT'S ADDRESS: 2003 AVE Q, FORT PIERCE, FLORIDA 34950, UNITED STATES

PLACE OF DISPOSITION AND FUNERAL FACILITY INFORMATION

PLACE OF DISPOSITION: EDGLEY CREMATION SERVICE
WEST PALM BEACH, FLORIDA

METHOD OF DISPOSITION: CREMATION

FUNERAL DIRECTOR/LICENSE NUMBER: TIMOTHY E. KITCHENS, F043499

FUNERAL FACILITY: TIMOTHY E KITCHENS FUNERAL HOME INC F059562
2703 BROADWAY AVE, RIVIERA BEACH, FLORIDA 33404

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN

MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE

TIME OF DEATH (24 hr): 1346

CERTIFIER'S NAME: GLENROY PATRICK WONG

CERTIFIER'S LICENSE NUMBER: ME47449

NAME OF ATTENDING PHYSICIAN (If other than Certifier): NOT APPLICABLE

CAUSE OF DEATH AND INJURY INFORMATION

MANNER OF DEATH: NATURAL

CAUSE OF DEATH - PART I - and Approximate Interval: Onset to Death:

a ACUTE CARDIOPULMONARY FAILURE

b METASTATIC NON HODGKINS LYMPHOMA

c

d

PART II - Other significant conditions contributing to death but not resulting in the underlying cause given in PART I:

AUTOPSY PERFORMED? NO

AUTOPSY FINDINGS AVAILABLE TO COMPLETE CAUSE OF DEATH?

DATE OF SURGERY:

DID TOBACCO USE CONTRIBUTE TO DEATH? NO

REASON FOR SURGERY:

IF FEMALE, NOT PREGNANT WITHIN PAST YEAR

DATE OF INJURY: NOT APPLICABLE

TIME OF INJURY (24 hr):

INJURY AT WORK?

LOCATION OF INJURY:

DESCRIBE HOW INJURY OCCURRED:

PLACE OF INJURY:

IF TRANSPORTATION INJURY, Status of Decedent:

Type of Vehicle:

Ken Jones

, State Registrar

REQ: 2015721961

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THIS DOCUMENT WILL NOT PRODUCE A COLOR COPY.



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DH FORM 1947 (11/11)

CERTIFICATION OF VITAL RECORD

