

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, July 15, 2015 - 9:00 AM.

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**

1.	15-0351	308 North 19 Street	Ceballo, Javier Ceballo, Kenia	Shaun Coss
2.	15-0431	1711 N 19th Street	Keith, Willie Keith, Jennifer J Keith, Glenn R	Isaac Saucedo
3.	15-0443	2804 South 10th Street	Morales, Adrian	Shaun Coss
4.	15-0576	711 South 12 Street (Front)	Chernet, Addis Chernet, Ababaychu	Shaun Coss
6.	15-0596	528 South US Hwy 1	Lafferty, Gregg D. Lafferty, Kimberly D.	Shaun Coss
7.	15-0597	530 South US Hwy 1	Silver Shores Holding LLC	Shaun Coss

8.	15-0749	1405 North 15 Street	Mathieu, Josette Joseph, Marie	Shaun Coss
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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

1.	14-0338	1116 S 7th Street	Nava, Noel	Peggy Arraiz
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2.	13-1046	1815 S 30th Street	Pereira, Custodio Jr.	Peggy Arraiz
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3.	14-0324	1815 S 30th Street	Pereira Jr., Custodio	Peggy Arraiz
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7. **REQUEST FOR EXTENSION OF TIME**

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 Ross Hearing

4. 1.

Meeting Date: 07/15/2015

Re: Case #15-0351 - 308 North 19th Street

Submitted For: Marc Meyers, Building Official, Building

Information

SUBJECT:

15-0351	308 North 19 Street	Ceballo, Javier Ceballo, Kenia	Shaun Coss
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CASE INFORMATION:

Case Initiated:	February 23, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Javier Ceballo Kenia Ceballo 1994 SE Floresta Drive Port St. Lucie, FL 34983	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5.1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. General construction, Framing, Drywall, Electrical and Re-roof was done without permits. Obtain permits for work that has been done.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbusow

Started On: 06/03/2015 12:32 PM

Final Approval Date: 06/29/2015

Special Magistrate Ross Hearing

4. 2.

Meeting Date: 07/15/2015

Re: Case #15-0431 - 1711 N 19th Street

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

Information

SUBJECT:

15-0431	1711 N 19th Street	Keith, Willie Keith, Jennifer J Keith, Glenn R	Isaac Saucedo
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CASE INFORMATION:

Case Initiated:	March 18, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Jennifer J. & Willie Keith Glenn R. Keith 1711 N 19th Street Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

- Section(s): 5-369 Vacant Buildings**

CORRECTIVE ACTIONS:

- Please properly secure all doors and windows with exterior grade plywood, painted to match the exterior of the building.

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 \$50.00 per day be assessed.

Form Review

Form Started By: Collen Greer
Final Approval Date: 07/07/2015

Started On: 07/06/2015 11:35 AM

Special Magistrate Ross Hearing

4. 3.

Meeting Date: 07/15/2015

Re: Case #15-0443 - 2804 South 10th Street

Submitted For: Marc Meyers, Building Official, Building

Information

SUBJECT:

15-0443	2804 South 10th Street	Morales, Adrian	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 20, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Adrian Morales 2804 South 10th Street Ft. Pierce, FL 34982	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Roof and general building was done without permits. Obtain a permit for work that has been done

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbusow
Final Approval Date: 06/29/2015

Started On: 06/03/2015 12:02 PM

Special Magistrate Ross Hearing**4. 4.****Meeting Date:** 07/15/2015**Re:** Case #15-0576 - 711 South 12th Street (Front)**Submitted For:** Marc Meyers, Building Official, Building**Information****SUBJECT:**

15-0576	711 South 12 Street (Front)	Chernet, Addis Chernet, Ababaychu	Shaun Coss
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CASE INFORMATION:

Case Initiated:	April 10, 2015	Type of Presentation:	Regular
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OWNER:

OWNER: Addis Chernet Ababaychu Chernet 5600 North Flagler Drive Apt. 2601 West Palm Beach, FL 33407	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Windows, Doors, Construction of Patio, Mechanical (AC), Drywall, Electric and Plumbing were done without permits. Obtain permits for work that were done.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbuzow

Started On: 06/03/2015 12:54 PM

Final Approval Date: 06/29/2015

Special Magistrate Ross Hearing**4. 6.****Meeting Date:** 07/15/2015**Re:** Case #15-0596 - 528 South US Hwy 1**Submitted For:** Marc Meyers, Building Official, Building**Information****SUBJECT:**

15-0596	528 South US Hwy 1	Lafferty, Gregg D. Lafferty, Kimberly D.	Shaun Coss
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CASE INFORMATION:

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

OWNER: Gregg D. Lafferty Kimberly D. Lafferty 6708 Santa Clara Blvd Ft Pierce, Florida 34951	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. The parking lot has been re-sealed and striped without a permit. Obtain a permit for work that has been done.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbuzow

Started On: 06/03/2015 01:04 PM

Final Approval Date: 06/29/2015

Special Magistrate Ross Hearing

4. 7.

Meeting Date: 07/15/2015

Re: Case #15-0597 - 530 South US Hwy 1

Submitted For: Marc Meyers, Building Official, Building

Information

SUBJECT:

15-0597	530 South US Hwy 1	Silver Shores Holding LLC	Shaun Coss
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CASE INFORMATION:

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

OWNER: Silver Shores Holding LLC 719 Shore Drive Vero Beach, FL 32963	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. The parking lot has been re-sealed and striped without permits. Obtain a permit for work that has been done

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbusow
Final Approval Date: 06/29/2015

Started On: 06/03/2015 02:09 PM

Special Magistrate Ross Hearing**4. 8.****Meeting Date:** 07/15/2015**Re:** Case #15-0749 - 1405 North 15th Street**Submitted For:** Marc Meyers, Building Official, Building**Information****SUBJECT:**

15-0749	1405 North 15 Street	Mathieu, Josette Joseph, Marie	Shaun Coss
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CASE INFORMATION:

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

OWNER: Josette Mathieu Marie Joseph 6001 Spruce Drive Ft. Pierce, FL 34982	OCCUPIED BY:
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VIOLATIONS:

- 1. IPMC 506.1 & IPMC 506.2: Sanitary Drainage System**
- 2. IPMC 108.1.1 & IPMC 108.1.3: Unsafe Structures and Equipment**
- 3. Section(s): 5-1.101.2 Unsafe Building**

CORRECTIVE ACTIONS:

1. Plumbing system not properly connected to sewage system. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system (IPMC 506.1)
2. Plumbing stack, vent, waste and sewer line damaged/unsafe. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects (IPMC 506.2)
3. Unsafe Structure. Dangerous to life, health, property or safety of the public (IPMC 108.1.1)
4. Structure unfit for human occupancy. Structure is unsafe/unlawful/degree of disrepair and structure is unsanitary/vermin or rat infested/contains filth (IPMC 108.1.3).
5. Rear structure has raw sewage on the ground

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Mechelle Arbusow

Started On: 06/03/2015 02:20 PM

Final Approval Date: 06/29/2015

Information

SUBJECT:

14-0338	1116 S 7th Street	Nava, Noel	Peggy Arraiz
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CASE INFORMATION:

Case Initiated:	February 20, 2014	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Noel Nava 1116 S 7th Street Ft. Pierce, FL 34950	OCCUPIED BY: Carlson Family LLC 2103 Sunrise Blvd. Ft. Pierce, FL 34950
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VIOLATIONS:

Section(s): 5-73 House Numbers.

FINDINGS/ORDER:

May 7, 2014 Special Magistrate Ross found that Noel Nava was in violation of code section 5-73 and ordered house numbers to be installed and plainly visible from the street within 15 days or a fine of \$50.00 per day would be assessed.

ACTION DATES:

1. May 27, 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. April 15, 2015 an inspection was made; the property is now in compliance, the fines stopped.
4. Received notice of tax deed sale - excess proceeds from the Clerk of the Circuit Court.
5. April 21, 2015 received Request for a Reduction or Rescindment of Code Enforcement Fines/Liens from the new owner Noah Jacobson, Carlson Family LLC.
6. May 22, 2015 received check in the amount of \$6,875.24 for excess funds from tax deed sale. There are two liens; therefore we agreed to split the funds with the recommendation of the Special Magistrate to City Commission for approval.

RECOMMENDATION:

The total amount of lien is \$16,190.00 (includes \$40.00 recording fees).
Recommendation to be determined.

Request for Reduction

Tax Card

7 Criteria

Administrative Costs

Excess

Check

Form Review

Form Started By: Collen Greer

Started On: 04/27/2015 04:19 PM

Final Approval Date: 05/27/2015



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

RECEIVED

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

APR 21 2015

CODE ENFORCEMENT
CITY OF FT. PIERCE

Date:	4-21-15		
Property address:	1116 S 7th St, Fort Pierce, FL 34950		
Owner(s) of record:	Carbon Family LLC		
Mailing address:	2103 Sunrise Blvd, Fort Pierce, FL 34950		
Property tax ID #:	2415-601-0372-000-3		
Original purchase date:	4-6-15	Original purchase price:	13,100.00
Other Information:	<input type="checkbox"/> Inherited Property	<input checked="" 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:	Noah Jacobson	Relationship to owner(s):	Managing Member
Telephone #:	305-360-6262	Mobile phone #:	305-360-6262
E-mail:	Lnjacobson@hotmail.com	Preferred contact method:	All
What are owner(s) intentions for property:	Clean up yard + home keep for rental		
Amount of Fine:	16,190.00	Date Fine Initiated:	4-15-15
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?	16,190.00
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

\$ 16,190.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ All fines & Interest

DOLLAR AMOUNT I AGREE TO PAY

\$ Hard costs + Admin Fees

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)

Noah Jacobson

(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: 1116 S 7th, Fort Pierce, FL 34950
Property Owner: Carlson Family LLC
Mailing Address: 2103 Sunrise Blvd, Fort Pierce, FL 34950
Telephone #: 305-360-6262 Cell Phone #: Same
E-Mail Address: Lnjacobson@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, Noah Jacobson, 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 would like the fines dropped in order to clean up & make the neighborhood better. I don't have a problem paying some hard costs but these fines were put on the property before I owned them. I myself would not put myself in a position with the city to owe this large amount of money. please consider working with me.

Date: 4-21-15

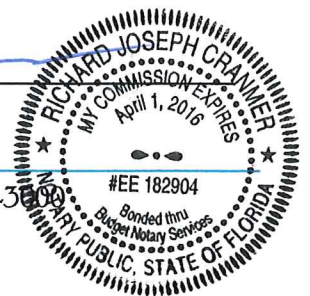
Signed: [Signature]
Print Name: Noah Jacobson

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Noah Jacobson who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced PL DL as identification.

SWORN TO AND SUBSCRIBED before me this 21 day of April, 2015.

[Signature]
Notary Public, State of Florida



Case No: 14-338

LIEN REDUCTION HEARING Date: 4-28-15
CONTESTING OF FINE/NON-COMPLIANCE

1.) The gravity or seriousness of the violation:	minor
2a.) Any and all actions taken by the violator to correct the violations; OR	n/a new owner
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:	All of the property was cleaned immediately and complied with the current violations.
3.) The length of time necessary to bring the property into compliance:	n/a new owner
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
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
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:	n/a

Administrative Cost Estimator

5/7/2015

Property Address: 1116 S 7th Street (14-338)

Date case originated: 2/20/2014

Date case complied: not complied

Total time: 13+ 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>3</u>	\$1.50
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>13</u>	\$650.00
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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: \$1,588.36



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

May 27, 2015

Mr. Noah Jacobson
Carlson Family LLC
2103 Sunrise Boulevard
Ft. Pierce, FL 34950

RE: 1116 S. 7th Street Parcel ID # 2415-601-0372-000-3
Case # 11-1436 Case # 14-0338

Dear Mr. Jacobson:

This department received excess proceeds of the sale of property in the amount of \$6,875.24 and we would be willing to split the payment between the two liens as discussed at the prior hearing date. Once you approve we will schedule the hearings with the Special Magistrate and the Code Enforcement Board for their consideration and recommendation to the City Commission.

Case #14-0338 will be heard by Special Magistrate Ross whose next meeting date is July 15. There is a lien recorded on this case, therefore, her recommendation will be presented to the City Commission for final approval. That date will be announced after the recommendation is made.

Case #11-1436 will be heard by the Code Enforcement Board whose next meeting date is August 12. There is a lien recorded on this case, therefore, their recommendation will be presented to the City Commission for final approval. That date will be announced after the recommendation is made.

If the City Commission approves the settlements; the Release of Liens will be prepared and mailed to you for recording at the St. Lucie County Clerk of Court's office.

Please acknowledge receipt of this information either by a letter or email and confirm whether you are accepting this settlement offer. My Email address is:
cgreer@city-ftpierce.com.

Sincerely yours,

Colleen Greer, Executive Secretary
City of Ft. Pierce
Division of Code Enforcement



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager



St. Lucie County
Clerk of the Circuit Court
 AP Account
 201 South Indian River Drive
 Fort Pierce, FL 34950

Seacoast National Bank
 Stuart, Florida 34995

00448261

Check Date: 05/15/15
 Check Number: 00448261
 Check Amount: \$*****6,875.24

63-515
 670

Six Thousand Eight Hundred Seventy-Five & 24/100***
 PAY TO THE ORDER OF

This Check Void After 180 Days

City Of Ft Pierce
 Code Enforcement
 Attn: Peggy Arraiz
 P. O. Box 1480
 Fort Pierce FL 34954

[Signature]
 AUTHORIZED SIGNATURE
[Signature]
 AUTHORIZED SIGNATURE

SIGNATURE HAS A COLORED BACKGROUND

⑈00448261⑈ ⑆067005158⑆ 4137081101⑈

Clerk of the Circuit Court - AP Account

INVOICE		DOC #	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
NUMBER	DATE					
TAXDEED 14.127	05/14/15	I1505471	Lien Code Enforcement 1116 S 7th St, FP <i>1116 S 7th St</i>	6,875.24	0.00	6,875.24
<p>RECEIVED MAY 22 2015 CODE ENFORCEMENT CITY OF FT. PIERCE</p>						
CHECK NUMBER	CHECK DATE			TOTAL GROSS	TOTAL DISCOUNT	TOTAL AMOUNT
00448261	05/15/15			6,875.24	.00	6,875.24

Information

SUBJECT:

13-1046	1815 S 30th Street	Pereira, Custodio Jr.	Peggy Arraiz
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CASE INFORMATION:

Case Initiated:	July 8, 2013	Type of Presentation:	Lien Reduction
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OWNER:

PREVIOUS OWNER: Custodio & Monica Pereira, Jr. 1815 S 30th Street Ft. Pierce, FL 34947	CURRENT OWNER: David Buryanek 1811 S 30th Street Ft. Pierce, FL 34948-3862
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VIOLATIONS:

Section(s): 5-369 Vacant Buildings.

FINDINGS/ORDER:

October 16, 2013 Special Magistrate Ross found that Custodio & Monica Pereira Jr. was in violation of Section 5-369 and ordered that they secure all openings including all windows and doors in a workmanlike manner and paint all plywood to match the structure within 10 days of the order or be assessed a fine of \$100.00 per day until the violation is complied.

ACTION DATES:

1. November 5, 2013 an inspection was made, the property was not in compliance, the fines began.
2. January 29, 2014 the Order Assessing Fine and Imposing Lien was recorded.
3. February 18, 2015 an inspection was made, the property is now in compliance, the fines stopped.
4. June 22, 2015 received request for lien reduction from Mr. Buryanek.

RECOMMENDATION:

The total amount of lien is \$47,040.00 (\$40.00 recording fees).
Recommendation to be determined.

Attachments

Request for Reduction

Tax Card

7 Criteria

Form Review

Form Started By: Collen Greer

Started On: 06/29/2015 03:48 PM

Final Approval Date: 06/30/2015



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:	6-12-15		
Property address:	1815 S. 30 th ST. Ft Pierce FL 34947		
Owner(s) of record:	David & Kathryn Buryanek		
Mailing address:	1811 S. 30 th St, Ft Pierce FL 34947		
Property tax ID #:	2417-506-0105-000/5		
Original purchase date:	2-18-15	Original purchase price:	\$ 24,000
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:	David Buryanek	Relationship to owner(s):	Owner
Telephone #:		Mobile phone #:	772-812-3598
E-mail:	dburyane@Fau.edu	Preferred contact method:	Phone
What are owner(s) intentions for property:	Rent		
Amount of Fine:	47,040	Date Fine Initiated:	7-15-2013
Are there current code violations?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Explain: (please attached notice) Case # 13-1046
Is a lien filed against the property?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, what is the lien amount? \$47,040
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

\$ 47,040

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 47,040

DOLLAR AMOUNT I AGREE TO PAY

\$ 0

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.

David Buryanek
(Signature of Owner or Representative)

David Buryanek
(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: 1815 S. 30th St, Ft Pierce FL 34947

Property Owner: David & Kathryn Buryanek

Mailing Address: 1811 S. 30th St, Ft Pierce FL 34947

Telephone #: _____ Cell Phone #: 772-812-3598

E-Mail Address: dburyane@fau.edu

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, David Buryanek, 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:

Case # 13-1046. We are requesting that the lien and fine for the mentioned case be dismissed for the following reasons. We have purchased this property that was foreclosed on by the bank and inherited this fine. It seems that our banks foreclose on properties abandon them and take no action to keep them in compliance. We live next door to this house and are the ones who originated the complaint because of the condition and the safety it had presented. Once the property became available we purchased it and immediately began to get the house in compliance at our expense and time. We have been cleaning, painting and repairing this property in order to make it a respectful part of our community and keep up this standard for ourselves and the City Of Ft Pierce. So, we believe for these reasons the fine be dismissed and that we should not be responsible for the action of the bank in their decision to abandon this property. We would like to thank you and move forward in making our neighborhood a clean and safe place to live.



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Date: 6/11/15

Signed: Kathryn Buryanek

Print Name: Kathryn Buryanek

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Kathryn Buryanek

who acknowledged before me that the information contained herein is true and correct. He / She is not

personally known to me and has produced _____

as identification.

SWORN TO AND SUBSCRIBED before me this 11 day of June, 2015.

Susan Fuhrer

Notary Public, State of Florida



Property Identification

Site Address: 1815 S 30th ST
Map ID: 24/17S

Parcel ID: 2417-506-0105-000-5
Zoning: R3

Account #: 26732
Use Type: 0100

Sec/Town/Range: 17/35S/40E
Jurisdiction: Fort Pierce

Ownership

David Buryanek
Kathryn Buryanek
1815 S 30th ST
Fort Pierce, FL 34947

Legal Description

FAIRLAWN S/D BLK 4 LOTS 5 AND 6 (OR 3749-2387)

Current Values

Just/Market: \$31,500 Assessed: \$31,500
Exemptions: \$25,000 Taxable: \$6,500

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2014	\$31,500	\$31,500	\$25,000	\$6,500
2013	\$31,600	\$31,600	\$25,000	\$6,600
2012	\$32,000	\$32,000	\$25,000	\$7,000

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
02-13-2015	3749 / 2387	0001	WD	Pereira Jr Custodio	\$24,000
04-26-2002	1520 / 2202	00	WD	Martinez, Jorge A	\$60,000
12-31-1993	0877 / 2751	00	WD		\$43,000

Primary Building Information

Finished Area of this building: 1,024 SF
Gross Area of this building: 1,627 SF

Exterior Data

View:	Roof Cover: Fibrglss Shg	Roof Structure: Gable	Building Type: HD
Year Built: 1957	Frame:	Grade: D	Effective Year: 1976
Primary Wall: CB Stucco	Story Height: 1 Story	No. Units: 1	Secondary Wall:

Interior Data

Bedrooms: 2	A/C %: 0%	Electric: AVERAGE	Primary Int Wall:
Full Baths: 1	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: N/A%	Heat Fuel:	Primary Floors: Terrazo



Total Areas

Finished/Under Air (SF):	1,024
Gross Area (SF):	1,627
Land Size (acres):	0.33
Land Size (SF):	14,224
Total Building Count:	1

Special Features and Yard Items

Type	Qty	Units	Year Blt
WOOD FEN 6'	1	42	

This information is believed to be correct at this time but it is subject to change and is not warranted.
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Case No: 13-1046

LIEN REDUCTION HEARING Date: 7-15-15
CONTESTING OF FINE/NON-COMPLIANCE

1.) The gravity or seriousness of the violation:	moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	n/a new owner
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:	The new owner corrected the violation
3.) The length of time necessary to bring the property into compliance:	Upon the purchase the new owner brought the property into compliance.
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
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
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:	n/a

Information

SUBJECT:

14-0324	1815 S 30th Street	Pereira Jr., Custodio	Peggy Arraiz
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CASE INFORMATION:

Case Initiated:	February 20, 2014	Type of Presentation:	Lien Reduction
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OWNER:

PREVIOUS OWNER: Custodio & Monica Pereira, Jr. 1815 S 30th Street Ft. Pierce, FL 34947	CURRENT OWNER: David Buryanek 1811 S 30th Street Ft. Pierce, FL 34948-3862
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VIOLATIONS:

Section(s): 5-370 Exterior Property and Landscaping

FINDINGS/ORDER:

May 7, 2014 Special Magistrate Ross found Custodio Pereira, Jr. in violation of Section 5-370 and issued an order to remove the fallen tree within 30 days or a fine of \$250.00 per day would be assessed until the violation is complied.

ACTION DATES:

1. May 7, 2014 an inspection was made, the property was not in compliance and the fines began.
2. January 30, 2015 the Order Assessing Fine and Imposing Lien was recorded.
3. February 18, 2015, an inspection was made, the property is now in compliance and the fines stopped.
4. June 22, 2015 received request for lien reduction from Mr. Buryanek.

RECOMMENDATION:

The total amount of the lien is \$63,540.00 (\$40.00 recording fees).
Recommendation to be determined.

Attachments

Request for Reduction

Tax Card

7 Criteria

Administrative Costs

Form Review

Form Started By: Collen Greer
Final Approval Date: 06/30/2015

Started On: 06/30/2015 08:55 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:	6-12-15		
Property address:	1815 S. 30 th ST, FT Pierce FL 34947		
Owner(s) of record:	David + Kathryn Boryanek		
Mailing address:	1811 S. 30 th ST, Ft Pierce FL 34947		
Property tax ID #:	2417-506-0105-000/5		
Original purchase date:	2-18-15	Original purchase price:	\$ 24,000
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:	David Boryanek	Relationship to owner(s):	owner
Telephone #:		Mobile phone #:	772-812-3598
E-mail:	dboryane@fwp.edu	Preferred contact method:	Phone
What are owner(s) intentions for property:	Rent		
Amount of Fine:	\$ 63540	Date Fine Initiated:	2/20/14
Are there current code violations?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Explain: (please attached notice) Case # 14-0324
Is a lien filed against the property?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, what is the lien amount? \$ 63,540
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

\$ 63,540

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 63,540

DOLLAR AMOUNT I AGREE TO PAY

\$ 0

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.

David Boryanek
(Signature of Owner or Representative)

David Boryanek
(Printed Name)



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

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Property Owner: David & Kathryn Buryanek

Mailing Address: 1811 S. 30th St, Ft Pierce FL 34947

Telephone #: _____ Cell Phone #: 772-812-3598

E-Mail Address: dburyane@fau.edu

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, David Buryanek, 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:

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CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Date: 6/11/15

Signed: Kathryn Burganek

Print Name: Kathryn Burganek

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Kathryn Burganek

who acknowledged before me that the information contained herein is true and correct. He / She is not


personally known to me and has produced _____

as identification.

SWORN TO AND SUBSCRIBED before me this 11 day of June, 20 15.

Susan Fuhrer

Notary Public, State of Florida

 SUSAN FUHRER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF153748
Expires 8/31/2018

Property Identification

Site Address: 1815 S 30th ST
Map ID: 24/17S

Parcel ID: 2417-506-0105-000-5
Zoning: R3

Account #: 26732
Use Type: 0100

Sec/Town/Range: 17/35S/40E
Jurisdiction: Fort Pierce

Ownership

David Buryanek
Kathryn Buryanek
1815 S 30th ST
Fort Pierce, FL 34947

Legal Description

FAIRLAWN S/D BLK 4 LOTS 5 AND 6 (OR 3749-2387)

Current Values

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Exemptions: \$25,000 Taxable: \$6,500

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Year	Just/Market	Assessed	Exemptions	Taxable
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04-26-2002	1520 / 2202	00	WD	Martinez, Jorge A	\$60,000
12-31-1993	0877 / 2751	00	WD		\$43,000

Primary Building Information

Finished Area of this building: 1,024 SF
Gross Area of this building: 1,627 SF

Exterior Data

View:	Roof Cover: Fibrglss Shg	Roof Structure: Gable	Building Type: HD
Year Built: 1957	Frame:	Grade: D	Effective Year: 1976
Primary Wall: CB Stucco	Story Height: 1 Story	No. Units: 1	Secondary Wall:

Interior Data

Bedrooms: 2	A/C %: 0%	Electric: AVERAGE	Primary Int Wall:
Full Baths: 1	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: N/A%	Heat Fuel:	Primary Floors: Terrazo



Total Areas

Finished/Under Air (SF):	1,024
Gross Area (SF):	1,627
Land Size (acres):	0.33
Land Size (SF):	14,224
Total Building Count:	1

Special Features and Yard Items

Type	Qty	Units	Year Blt
WOOD FEN 6'	1	42	

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: 14-0324

Date: July 15, 2015

1.) The gravity or seriousness of the violation:	minor
2a.) Any and all actions taken by the violator to correct the violations; OR	n/a new owner
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:	The new owner corrected the violation
3.) The length of time necessary to bring the property into compliance:	Upon the purchase the new owner brought the property into compliance.
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
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
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:	n/a

Administrative Cost Estimator

6/30/2015

Property Address: 1815 S 30th Street (14-0324)

Date case originated: 2/20/2014

Date case complied: 2/18/2015

Total time: 12 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.44	<u>6</u>	\$2.64
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>4</u>	\$2.00
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>12</u>	\$600.00
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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: \$1,549.74