

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, May 4, 2016 - 9:00 a.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**

**ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**

**IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**

1.	16-0480	707 El Rancho Drive	Tovar, Rita & Martin	Janey Vanderhorst
2.	16-0482	712 El Rancho Drive	Miranda, Rafael	Janey Vanderhorst
3.	16-0484	714 El Rancho Dr	Norbella Investments LLC	Janey Vanderhorst
4.	16-0481	711 El Rancho Drive	Estrada, Maria A	Janey Vanderhorst

4. **PUBLIC HEARINGS - VIOLATION CASES**

A.	15-1900	1004 Texas Court	Saeed, Ghazanfar	Shaun Coss
B.	15-1925	1008 Bell Avenue	Rowan Construction LLC	Shaun Coss
C.	15-2001	3626 S US Highway 1	U-Haul Co of Florida 10 LLC	Shaun Coss
D.	15-2188	435 N 23rd Street	Greit LLC	Shaun Coss
E.	16-0185	221 Fisherman's Wharf	River Marina, Inc.	Shaun Coss
F.	16-0186	219 Fisherman's Wharf	River Marina, Inc.	Shaun Coss
G.	15-0694	3010 Carver Street	Jones, Yvonne	Shaun Coss

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

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

A. 

09-2795	114 Maple Avenue	Guerrier, Yves	Peggy Arraiz
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B. 

11-1341	701 Delaware Avenue	Delaware's Petroleum Services	Peggy Arraiz
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7. **REQUEST FOR EXTENSION OF TIME**

A. 

15-0679	3625 S US Highway 1	Motel FP LLC	Shaun Coss
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8. **NEW BUSINESS**  
**Amendment to Rule 17 - Lien Reduction Requests**

9. **OLD BUSINESS**

A. 

16-0498	2025 S Ocean Drive	Hollander, Ted L	Peggy Arraiz
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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**

**3. 1.**

**Meeting Date:** 05/04/2016

**Re:** Case # 16-0480 - 707 El Rancho Drive

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

**Information**

**SUBJECT:**

16-0480	707 El Rancho Drive	Tovar, Rita & Martin	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	February 19, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Rita Tovar Martin Tovar 707 El Rancho Drive Fort Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Please remove all miscellaneous items that are being stored throughout yard and carport. They need to be stored in a shed or enclosed garage.

**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 \$10.00 per day be assessed.

**Form Review**

Form Started By: Janey Vanderhorst  
Final Approval Date: 04/29/2016

Started On: 04/13/2016 06:55 AM

**Special Magistrate Blandino Hearing**

**3. 2.**

**Meeting Date:** 05/04/2016

**Re:** Case # 16-0482 - 712 El Rancho Drive

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

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**Information**

**SUBJECT:**

16-0482	712 El Rancho Drive	Miranda, Rafael	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	February 19, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Rafael Miranda 712 El Rancho Drive Fort Pierce, FL 34982	OCCUPIED BY:
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Please remove all miscellaneous items that are being stored throughout yard and carport. They need to be stored in a shed or enclosed garage.

**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 \$10.00 per day be assessed.

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**Form Review**

Form Started By: Janey Vanderhorst  
Final Approval Date: 04/29/2016

Started On: 04/13/2016 07:39 AM

**Special Magistrate Blandino Hearing**

**3. 3.**

**Meeting Date:** 05/04/2016

**Re:** Case # 16-0484 - 714 El Rancho Drive

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

**Information**

**SUBJECT:**

16-0484	714 El Rancho Dr	Norbella Investments LLC	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	February 19, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Norbella Investments LLC 1806 N Pembroke Pines Suite 316 Pembroke Pines, FL 33028	<b>OCCUPIED BY:</b> Tenants 714 El Rancho Dr Fort Pierce, FL 34982
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Please remove all miscellaneous items that are being stored throughout yard and carport. They need to be stored in a shed or enclosed garage.

**RECOMMENDATION:**

The City requests that if the Code Enforcement Board finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$10.00 per day be assessed.

**Form Review**

Form Started By: Janey Vanderhorst  
Final Approval Date: 04/29/2016

Started On: 04/13/2016 08:33 AM

**Special Magistrate Blandino Hearing**

**3. 4.**

**Meeting Date:** 05/04/2016

**Re:** Case # 16-0481 - 711 El Rancho Drive

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

**Information**

**SUBJECT:**

16-0481	711 El Rancho Drive	Estrada, Maria A	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	February 19, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Maria A Estrada 711 El Rancho Drive Ft Pierce, FL 34982	OCCUPIED BY:
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Please remove inside chairs from carport and front porch when not in use.

**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 \$10.00 per day be assessed.

**Form Review**

Form Started By: Janey Vanderhorst  
Final Approval Date: 04/29/2016

Started On: 04/13/2016 06:42 AM

**Special Magistrate Blandino Hearing****4. A.****Meeting Date:** 05/04/2016**Re:** Case #15-1900 - 1004 Texas Court**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

15-1900	1004 Texas Court	Saeed, Ghazanfar	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	October 22, 2015	Type of Presentation:	Regular
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**OWNER:**

OWNER: GHAZANFAR SAEED & MUHAMMAD AFZAL 5201 PALEO PINES CIR. FT PIERCE, FL 34951	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-1.101.2.1- Unsafe Building****Section(s): 5-1.105.1- Permit Required****IPMC 108.1.1- Unsafe Structure****IPMC 304.1- Exterior Structure****IPMC 304.7- Roofs and Drainage****IPMC 304.13- Windows, Doors and Frames****IPMC 304.13.2- Openable Windows****IPMC 304.14- Insect Screens****IPMC 305.3- Interior Surfaces****IPMC 504.1- Plumbing Fixtures****IPMC 603.1- Mechanical Equipment****IPMC 605.1- Electrical Equipment****IPMC 605.2- Electrical Receptacles****IPMC 605.4- Wiring****IPMC 704.2- Smoke Alarms****CORRECTIVE ACTIONS:**

1. Repair or replace all broken glass in windows and doors.
2. All openable windows must be operable. Fix all damaged window hardware and remove the screws from the windows.
3. Replace missing insect screens.
4. The structure has been added onto without a permit and the space is being utilized as livable space. Obtain a permit and bring the addition up to code or obtain a permit to restore this area back to its original state.
5. The air conditioning system, water heater and framing for the bathroom wall and door have been replaced/constructed without proper permits. Obtain a permit for the work that has

been done.

6. Repair all holes in the exterior walls. Walls must be restored by using a material consistent to the rest of the structure.
7. It appears that a window has been eliminated and replaced with plywood. Obtain a permit to remove the plywood and re-install the window.
8. Repair or replace all light fixtures. Light fixtures must be supplied with proper coverings.
9. The attic access panel in the carport is sagging. It appears that if further deterioration occurs, the latching system may fail causing damage to persons or property; make all necessary repairs.
10. The roof over the storage area is leaking, repair or replace the roof.
11. Repair, replace or remove all unsafe electric including but not limited to exposed wiring in the storage area, and on the pump at the rear of the house
12. Remove all flexible wiring running through walls.
13. Repair or replace all damaged and/or missing faceplates over electrical outlets, switches and junctions.
14. Replace the dirt that has washed out under the foundation.
15. Repair or replace all screened soffit that is damaged or missing.
16. Repair all holes in the interior walls. Walls must be restored by using a material consistent to the rest of the structure.
17. Replace the missing floor drain cover in the shower with an appropriate cover.
18. Install smoke alarms in all required areas. Ensure proper operation of existing smoke alarms.

**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.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/11/2016 09:36 AM

**Special Magistrate Blandino Hearing****4. B.****Meeting Date:** 05/04/2016**Re:** Case #15-1925 - 1008 Bell Avenue**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

15-1925	1008 Bell Avenue	Rowan Construction LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	October 26, 2015	Type of Presentation:	Regular
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**OWNER:**

OWNER: ROWAN CONSTRUCTION LLC 10455 S 85TH ST. VERO BEACH, FL 32967	OCCUPIED BY: REARDEN STEEL MANUFACTURING LLC 1008 BELL AVE. FORT PIERCE, FL 34982
OCCUPIED BY: POWERLIFT HYDRAULIC DOORS OF FLORIDA 1008 BELL AVE. FORT PIERCE, FL 34982	

**VIOLATIONS:****Section(s): 5-1.105.1- Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for the installation of the temporary office trailer and the bay door that was installed without permits.

**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: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/08/2016 04:38 PM

**Special Magistrate Blandino Hearing****4. C.****Meeting Date:** 05/04/2016**Re:** Case #15-2001 - 3626 S US Highway 1**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

15-2001	3626 S US Highway 1	U-Haul Co of Florida 10 LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	November 9, 2015	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> U-HAUL CO OF FLORIDA 10 LLC 2727 N CENTRAL AVE #500N PHOENIX, AZ 85004	<b>OCCUPIED BY:</b> U-HAUL 3626 S US HWY 1 FORT PIERCE, FL 34982
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**VIOLATIONS:****Section(s): 5-1.105.4.1.2- Expired Permit****Section(s): 5-1.105.1- Permit Required****CORRECTIVE ACTIONS:**

1. Renew permit 14-646 for commercial repair.

**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.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/11/2016 08:24 AM

**Special Magistrate Blandino Hearing**

**4. D.**

**Meeting Date:** 05/04/2016

**Re:** Case #15-2188 - 435 N 23rd Street

**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

**Information**

**SUBJECT:**

15-2188	435 N 23rd Street	Greit LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	December 21, 2015	Type of Presentation:	Regular
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**OWNER:**

OWNER: GREIT LLC 10700 SW SOUTHGATE CT PORT ST. LUCIE, FL 34987	OCCUPIED BY:
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**VIOLATIONS:**

- Section(s): 5-1.105.1- Permit Required**
- Section(s): 5-1.101.2.1- Unsafe Building**
- IPMC 304.13- Windows, Doors and Frames**
- IPMC 304.15- Exterior Doors**
- IPMC 305.3- Interior Surfaces**
- IPMC 309.1- Infestation**
- IPMC 504.1- Plumbing Fixtures**
- IPMC 506.2- Sanitary Drainage System Maintenance**
- IPMC 602.2- Residential Heat Supply**
- IPMC 603.1- Mechanical Equipment**
- IPMC 605.1- Electrical Equipment**
- IPMC 605.2- Electrical Receptacles**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for framing, drywall and plumbing alterations.
2. Repair or replace the air conditioning/heating unit.
3. Unclog and ensure functionality of all toilets. Make all necessary repairs.
4. Repair or replace all shower/tub faucets and/or handles.
5. Replace the kitchen light cover.
6. Install faceplates on all electrical outlets without faceplates.
7. Repair or replace all broken windows.
8. Repair or replace all broken doors and door hardware including entry doors and closet doors.
9. Repair all holes in the drywall.

10. Repair or replace the ceiling fan that is not securely mounted to the ceiling.
11. Repair or replace the stove.
12. The house is infested with insects. Have the house property treated. Secure all openings to prevent the entry and harborage of rodents, snakes and other vermin.

**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.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/11/2016 08:34 AM

**Special Magistrate Blandino Hearing****4. E.****Meeting Date:** 05/04/2016**Re:** Case #16-0185 - 221 Fisherman's Wharf**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-0185	221 Fisherman's Wharf	River Marina, Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 21, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: RIVER MARINA, INC. PO BOX 466 PALM CITY, FL 34991	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-318.101- Floodplain Development Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a Floodplain Development Permit. Erosion control must be reviewed by the Engineering Department and use of the property must be reviewed by Planning and Zoning.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 15 days to obtain a permit and comply with all permit conditions or a fine of \$250.00 per day be assessed.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/11/2016 09:51 AM

**Special Magistrate Blandino Hearing****4. F.****Meeting Date:** 05/04/2016**Re:** Case #16-0186 - 219 Fisherman's Wharf**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-0186	219 Fisherman's Wharf	River Marina, Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 21, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: RIVER MARINA, INC. PO BOX 466 PALM CITY, FL 34991	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-318.101- Floodplain Development Permit Required****CORRECTIVE ACTIONS:**

1. Cease work and obtain a Floodplain Development Permit. Erosion control must be reviewed by the Engineering Department and the use of the property must be reviewed by the Planning & Zoning Department.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 15 days to obtain a permit and comply with all permit conditions or a fine of \$250.00 per day be assessed.

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**Form Review**

Form Started By: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/11/2016 09:46 AM

**Special Magistrate Blandino Hearing**

**4. G.**

**Meeting Date:** 05/04/2016

**Re:** Case #15-694 - 3010 Carver Street

**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

**Information**

**SUBJECT:**

15-0694	3010 Carver Street	Jones, Yvonne	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	May 11, 2015	Type of Presentation:	Regular
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**OWNER:**

OWNER: YVONNE JONES 3010 CARVER ST. FORT PIERCE, FL 34947	OCCUPIED BY:
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**VIOLATIONS:**

**Section(s): 5-1.105.1- Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the travel trailer that was anchored to the ground and connected to the electric and sewer system.

**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: Shaun Coss  
Final Approval Date: 04/29/2016

Started On: 04/08/2016 04:57 PM

**Special Magistrate Blandino Hearing****6. A.****Meeting Date:** 05/04/2016

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**Information****SUBJECT:**

09-2795	114 Maple Avenue	Guerrier, Yves	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	November 10, 2009	Type of Presentation:	Lien Reduction
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**OWNER:**

<b>PREVIOUS OWNER:</b> Yves Guerrier 114 Maple Avenue Ft. Pierce, FL 34982	<b>CURRENT OWNER:</b> Bank of America 7887 Safeguard Cir Valley View, OH 44125
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**VIOLATIONS:****Section(s): 22-187 (13) Landscape Maintenance****Section(s): 5-368 (4) Property Maintenance****Section(s): 16-25 (C) Responsibility for Containers****Section(s): 5-369 Vacant Buildings****FINDINGS/ORDER:**

February 3, 2010 the Special Magistrate found Yves Guerrier failed to comply with the violations listed above and ordered them be complied within 30 days or a fine of \$500.00 per day (repeat violator) would be assessed until violations were corrected.

**ACTION DATES:**

1. March 8 2010 an inspection was made, the violations were not corrected, the fines started.
2. April 28, 2010 the Order Assessing Fine and Imposing Lien was recorded with the Clerk of the Circuit Court.
3. December 04, 2012 Bank of America filed a Lis Pendens with the Clerk of Court initiating foreclosure; however they failed to list the City of Fort Pierce as a party. Therefore our lien remains active and enforceable.
4. February 22, 2016 an inspection was made, the violations had now been corrected, the fines stopped.
5. April 13, 2016 received request for reduction/rescindment from Bank of America.

**RECOMMENDATION:**

The total amount of lien is \$1,088,550.00 (\$50.00 recording fees).

Bank of America has offered \$8,500 to settle the lien and staff recommends accepting their offer.

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**Attachments**

Request

tax card  
7 Criteria  
History

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### **Form Review**

Form Started By: Collen Greer  
Final Approval Date: 04/14/2016

Started On: 04/14/2016 11:55 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:		4/5/16	
Property address:		114 Maple Ave	
Owner(s) of record:		Bank of America	
Mailing address:		7887 Safeguard Cir. Valley View, OH 44125	
Property tax ID #:		2422-504-0027-000/4	
Original purchase date:	9/1/78	Original purchase price:	\$0.00
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:	Mike Hamm	Relationship to owner(s):	Property preservation company
Telephone #:	800-852-8306 x1657	Mobile phone #:	
E-mail:	mike.hamm@safeguardproperties.com	Preferred contact method:	email
What are owner(s) intentions for property:	Title will be transferred to HUD and they will market		
Amount of Fine:	\$1,088,500.00	Date Fine Initiated:	4/5/10 3/8/10
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? see above
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

\$ 1,088,500.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 1,080,000.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 8,500.00

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.

Michael C. Hamm  
(Signature of Owner or Representative)

Michael C. Hamm  
(Printed Name)



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

I, Michael Hamm, Safeguard Properties, 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:

the property (114 Maple Ave.) has been vacant since 11/23/12, the fines started 3/8/10. Bank of America obtained title on 12/2/14 so they were unable to abate the violations prior to that date

Date: 4/13/16

Signed: Michael C. Hamm  
Print Name: Michael C. Hamm

STATE OF FLORIDA OHIO  
COUNTY OF ST. LUCIE CUYAHOGA

PERSONALLY APPEARED before me, the undersigned authority Michael C Hamm who acknowledged before me that the information contained herein is true and correct. He / She is not



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

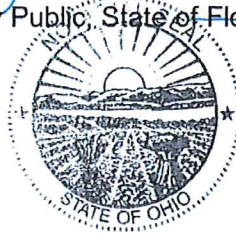
Margaret M. Arraiz, Code Compliance Manager

personally known to me and has produced ID Badge  
as identification.

SWORN TO AND SUBSCRIBED before me this 13th day of April, 2016.

M. Ruminski

Notary Public, State of Florida OH



MELISSA RUMINSKI  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
December 15, 2016

**Property Identification**

Site Address: 114 MAPLE AVE Map ID: 24/22N	Parcel ID: 2422-504-0027-000-4 Zoning: R3	Account #: 29952 Use Type: 0100	Sec/Town/Range: 22/35S/40E Jurisdiction: Fort Pierce
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**Ownership**

Bank of America NA  
7105 Corporate DR  
Plano, TX 75024

**Legal Description**

SUNSET PARK BLK 2 LOT 17 (OR 3723-1228)

**Current Values**

Just/Market: \$32,700	Assessed: \$32,700
Exemptions: \$0	Taxable: \$32,700

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$32,700	\$32,700	\$0	\$32,700
2014	\$33,400	\$33,400	\$0	\$33,400
2013	\$33,100	\$33,100	\$0	\$33,100

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
03-02-2015	3723 / 1228	0111	QC	Secretary of Housing and Urban Development	\$0
04-07-2014	3688 / 2400	0112	DE	Bank of America NA,	\$0
01-28-2014	3599 / 2406	0112	CT	Guerrier, Yves	\$1,300

**Primary Building Information**

Finished Area of this building: 1,340 SF  
Gross Area of this building: 1,400 SF

**Exterior Data**

View:	Roof Cover: Fibrglss Shg	Roof Structure: Hip	Building Type: HD+
Year Built: 1959	Frame:	Grade: D+	Effective Year: 1977
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: Carpet



**Total Areas**

Finished/Under Air (SF):	1,340
Gross Area (SF):	1,400
Land Size (acres):	0.16
Land Size (SF):	7,149
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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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: 09-2795**

**Address: 114 Maple Avenue**

**Date: May 4, 2016**

1.) The gravity or seriousness of the violation:	Minor
2a.) Any and all actions taken by the violator to correct the violations; OR	Property was brought up to compliance by Bank Of America
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:	Cured all original violations that were cited when case opened.
3.) The length of time necessary to bring the property into compliance:	7 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:	1
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	2
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



**Special Magistrate Blandino Hearing****6. B.****Meeting Date:** 05/04/2016**Information****SUBJECT:**

11-1341	701 Delaware Avenue	Delaware's Petroleum Services	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	August 25, 2011	Type of Presentation:	Revised Req for Reduction
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**OWNER:**

<b>PREVIOUS OWNER:</b> Hein Van Nguuyen Delaware's Petroleum/Services 641 NW Selvitz Road Port St. Lucie, FL 34983-1052	<b>CURRENT OWNER:</b> Ryan Andrew, Trustee c/o Steve Tarr 4521 PGA Blvd, #201 Palm Beach Gardens, FL 33418
---	--

**VIOLATIONS:****Section(s): 5-368 (1) (4) (6) Property Maintenance.****Section(s): 16-46, 16-47, 16-48 (1) (5) Outside Storage.****Section(s): 15-3 (C) (1) Sign Removal.****FINDINGS/ORDER:**

January 4, 2012 the Special Magistrate found Nein Van Nguuyen, Delaware's Petroleum Services to be in violation of the section(s) listed above and gave them 60 days to comply or a fine of \$250.00 per day.

**ACTION DATES:**

1. April 16, 2012 an inspection was made, the property was not in compliance, the fines began.
2. February 11, 2013 the Order Assessing Fine and Imposing Lien was recorded with the St. Lucie County Clerk of Court.
3. March 21, 2016 an inspection was made; the property is now in compliance, the fines stopped.
4. March 22, 2016 received a request for lien reduction from Mr. Steve Tarr.
5. April 6, 2016 Special Magistrate, after considering the facts of the case and the 7 criteria required by Rule 17 Special Magistrate Blandino recommended the City Commission reduce the lien to \$3,695.56.
6. April 12, 2016 Staff learned there was an excess proceeds of the sale in the amount of \$57,693.69. Staff informed the new owner of the excess proceeds and advised that matter was being returned to the Special Magistrate for review.

**RECOMMENDATION:**

The lien total is \$358,790.00 (\$40.00 recording fees).  
Staff recommends accepting the \$57,693.69.

---

### **Attachments**

Excess Funds Not  
Minutes  
Revised

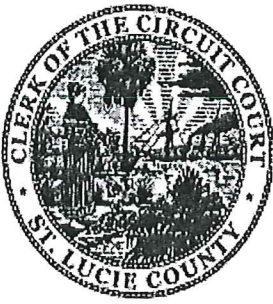
---

### **Form Review**

Form Started By: Collen Greer  
Final Approval Date: 04/14/2016

Started On: 04/14/2016 09:25 AM

2410-709-00100018



JOSEPH E SMITH  
CLERK OF THE CIRCUIT COURT  
ST. LUCIE COUNTY, FLORIDA  
TAX DEED/OFFICIAL RECORDS  
2300 VIRGINIA AVENUE, 2ND FLOOR  
FORT PIERCE FLORIDA 34982  
(772) 462-6926  
MAILING ADDRESS: 2300 VIRGINIA AVENUE, 2ND FLOOR, FORT PIERCE, FL 34982

CITY OF FORT PIERCE  
K D'ARTON ATTN FINANCE DEPT  
PO BOX 1480  
FORT PIERCE, FL 34954-1480



NOTICE

File # 15-074  
Certificate # 2012/3327  
Name in Which Assessed: DELAWARE'S PETROLEUM/SERVICES | DELAWARE'S MARATHON

Pursuant to Chapter 197, Florida Statutes, the property located at 701 DELAWARE AVE, PSL was sold at public auction on 8th DAY OF FEBRUARY 2016. After the costs of the sale, a surplus of \$57,693.69 remains. These funds will be held for up to one year from the date of the sale for the benefit of persons having an interest in this property as described in Section 197.502 (4), Florida Statutes as their interests may appear. For example, a senior mortgage or lien on the property will be satisfied before a junior mortgage or lien.

In order to be considered for distribution and possibly receive any of these funds, you must fill out, have notarized and submit the enclosed affidavit to this office, detailing the particulars of your claim and the amount currently due. This affidavit must be received within 90 days from the date of this notice. A copy of this notice must be attached to your statement of claim/affidavit. After reviewing the affidavit/claim, this office will notify you if you are entitled to any payment.

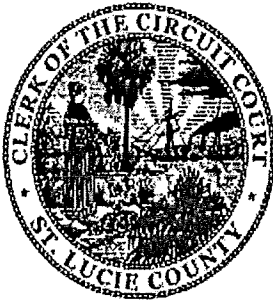
Dated this day of 11th DAY OF FEBRUARY 2016

JOSEPH E SMITH  
Clerk of the Circuit Court  
ST. LUCIE COUNTY, FL



*Joseph Smith*  
By: *Margaret Rahal*  
MARGARET RAHAL  
Deputy Clerk





JOSEPH E SMITH  
 CLERK OF THE CIRCUIT COURT  
 ST. LUCIE COUNTY, FLORIDA  
 TAX DEED/OFFICIAL RECORDS  
 201 SOUTH INDIAN RIVER DRIVE, 2ND FLOOR  
 FORT PIERCE, FLORIDA 34950  
 (772) 462-6926  
 MAILING ADDRESS: 2300 VIRGINIA AVENUE 2ND FLOOR, FORT PIERCE, FL 34982

**AFFIDAVIT (Tax Deed Sale - Excess Proceeds)**

File # 15-074  
 Certificate # 2012/3327

MARGARET M ARRAIZ FOR, being first duly sworn, deposes and says:  
 (Print/Type Name of Affiant) THE CITY OF FORT PIERCE

1. That, as further stated in paragraph 3 below, I am one of the person(s) described in F.S. 197.502(4), to wit:
  1. Legal titleholder of record whose address appears on the record of conveyance of the lands to the owner.
  2. Lien holder of record whose address appears on the recorded lien. That the lien in the amount of \$358,790.00 (Includes applicable interest) has not been transferred or satisfied.
  3. Mortgage of record whose address appears on the recorded mortgage.
  4. Vendee of a recorded contract or vendee who has applied to receive notice.
  5. Other lien holder who has applied to receive notice.
  6. Person to whom property was assessed on the tax roll for year in which property was last assessed.
  7. OTHER: If property was acquired by other than a deed (for example, Court Order or Probate), certified copies of all pertinent documents are attached.

2. Of certain real property legally described as:  
701 DELAWARE AVE AKA PID # 2410-709-0001-0008

3. That, because of delinquent real property taxes, the above described real property was sold under the administration of the Clerk of Circuit Court of St Lucie County, Florida, on 2/8/16 in accordance with and pursuant to law.

4. That at the aforesaid time of sale of the above described real property, as connected with Tax Certificate No. 2012/3327, I am one of those persons described in paragraph 1 above and entitled under Florida Statutes 197.582(2) to certain undistributed surplus funds as my interests appear. My maximum entitlement to such funds is \$57,693.69, which is subject to all other claims by such other persons as described in F.S. 197.502(4)

Attached, as required, is a copy of my Notice of Overbid Surplus Monies.

Signature of Affiant: Margaret M. Arraiz  
 Print/Type address and telephone number of Affiant: CITY OF FORT PIERCE  
100 N US Hwy 1  
FORT PIERCE, FL 34950  
772-467-3148

The foregoing instrument was acknowledged before me this 12th day of April,  
 by Margaret M. Arraiz, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

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

Colleen Greer  
 Notary Public

Ms. Adair said there were people coming and going all the time from this residence. Mr. Smith asked her if she knew for sure whether they were renters or were they guests. After this question was asked Steve McCain, the Asst. City Attorney, asked for a brief recess. After a few minutes of discussion outside the chambers, they returned. Mr. McCain said due to the fact Ms. Arraiz was not present, her testimony was necessary to the case; therefore, he was requesting a continuance. Mr. Smith said he objected; they were ready to continue and would like to finish even if it takes all day. He said he was there, did not want to come. He asked that the Special Magistrate dispose of the case.

Special Magistrate Blandino stated this was a case of "judicial economy" and decided to continue the case.

Special Magistrate Blandino said due to the fact that the Code Compliance Manager Ms. Arraiz is absent today and her testimony is necessary he ordered the case be continued.

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

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

A.

11-1341	701 Delaware Avenue	Delaware's Petroleum Services	Andy Avery
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Case Initiated:	August 25, 2011	Type of Presentation:	Lien Reduction Request
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<b>PREVIOUS OWNER:</b> Hein Van Ngueyen Delaware's Petroleum/Services 641 NW Selvitz Road Port St. Lucie, FL 34983-1052	<b>CURRENT OWNER:</b> Ryan Andrew, Trustee % Steve Tarr 4521 PGA Boulevard, #201 Palm Beach Gardens, FL 33418
---	---

**Section(s): 5-368 (1)(4)(6) Property Maintenance.**  
**Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage.**  
**Section(s): 15-3 (C)(1) Sign Removal.**

Code Enforcement Officer Janey Vanderhorst read the facts of the case and presented the 7 criteria required to consider in recommending a lien reduction or rescindment.

Ryan Andrew, the current owner, was sworn in. He stated that 30 days should be plenty of time to make the payment and asked when the City Commission meeting would be.

Staff said everything was ready except the results of this hearing and scheduled for April 18.

Special Magistrate Blandino reviewed the 7 criteria required by Rule 17 and he would recommend the City Commission reduce the lien to \$3,695.56 payable in 30 days. If not paid within that time the lien would revert back to its original amount.

7. **REQUEST FOR EXTENSION OF TIME**

8. **NEW BUSINESS**



# 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:	3-21-16		
Property address:	701 DELAWARE AVE		
Owner(s) of record:	RYAN ANDREW, AS TRUSTEE		
Mailing address:	4521 PGA BLVD., #201 Palm Beach Gardens, FL 33418		
Property tax ID #:	2410-709-0001-000/8		
Original purchase date:	2-8-16	Original purchase price:	\$105,300.00
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 type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Steven TARR	Relationship to owner(s):	Agent/owner
Telephone #:	561-622-3386	Mobile phone #:	561-762-3732
E-mail:	hovenre@gmail.com	Preferred contact method:	email
What are owner(s) intentions for property:	Clean-up, lease to business		
Amount of Fine:	\$358,790-	Date Fine Initiated:	4/16/12
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?	\$358,790-
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

\$ 358,790-

DOLLAR AMOUNT REQUESTING TO BE WAIVED

Revised  
Received excess  
funds from sale  
\$57,693.69

\$ 355,094.44

DOLLAR AMOUNT I AGREE TO PAY

~~\$ 3,695.56~~

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)

STEVEN TARR  
\_\_\_\_\_  
(Printed Name)



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, STEVEN TARR, 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:

WE purchased the property at a courthouse sale on Feb 8, 2016. We immediately began cleaning up the property, which included: pressure cleaning, termite treatment, fence repair, building repair, removed signs, paint, debris removal, and much more. Our intentions is to bring this property back to life to improve the neighborhood. The original violations were minor; however, the bank that was foreclosing neglected the issues. We respectfully request the fines be reduced to \$3,695.56.

Date: 3/21/16

Signed: \_\_\_\_\_

Print Name: Steve TARR

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Florida

# Administrative Cost Estimator

2/18/2016

Property Address: 701 Delaware Ave

Date case originated: 8/25/2011

Date case complied: 3/1/2016

Total time: 54 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>6</u>	\$30.60
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Photographs (per page)	\$0.50	<u>12</u>	\$6.00
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>54</u>	\$2,700.00
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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
----------	----------	----------	----------

Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$275.00	<u>1</u>	\$275.00
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Covers cost to advertise, copies, review time for commissioners/attorney/city manager time at hearing, post hearing correspondence and processing / filing fees.

**Total Estimated Cost: \$3,695.56**



# 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. *cgreer@city-ftpiece.com*
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: 701 DELAWARE AVE

Property Owner: RYAN ANDREW, TRUSTEE

Mailing Address: 4521 PGA BLVD #201 PALM BEACH GARDENS, FL 33418

Telephone #: 561-622-3386 Cell Phone #: 561-762-3732

E-Mail Address: haverre@gmail.com

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Special Magistrate Blandino Hearing****7. A.****Meeting Date:** 05/04/2016**Re:** Case #15-0679 - 3625 S US Highway 1 - Extension**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information****SUBJECT:**

15-0679	3625 S US Highway 1	Motel FP LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 30, 2015	Type of Presentation:	Extension of Time
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**OWNER:**

<b>OWNER:</b> Motel FP LLC 3625 S US Highway 1 Ft. Pierce, FL 34982	<b>OCCUPIED BY:</b>
--	---------------------

**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****Section(s): 5-1.101.2.1 Unsafe Building****IPMC 108.1.2 Unsafe Equipment****CORRECTIVE ACTIONS:**

1. On October 8, 2015 the Special Magistrate found the owners responsible for the violations and gave them 60 days to obtain permits and comply with all conditions of the permits or be assessed \$100.00 per day until property was in compliance.
2. December 16, 2015 Building Department Investigator exercised his administrative authorization and granted a 90 day extension.
3. April 1, 2016 received Mr. Jeremiah Baron's request for extension of time.

**RECOMMENDATION:**

To be determined.

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**Attachments**Request  
Order  
Tax Card

---

**Form Review**Form Started By: Collen Greer  
Final Approval Date: 04/14/2016

Started On: 04/04/2016 08:55 AM

# Jeremiah Baron & CO.

Commercial Real Estate, LLC

49 SW Flagler Ave. Suite 301, Stuart FL, 34957 | Phone: 772-286-5744 | Fax: 772-286-5750

[www.CommercialRealEstateLLC.com](http://www.CommercialRealEstateLLC.com)

April 1, 2016

Dear Shaun Cross,

This is my written request for a hearing in front of the Special Magistrate for an extension of time.

Sincerely,



**Jeremiah Baron**

Broker/Owner

Jeremiah Baron & Co.

Commercial Real Estate, LLC

49 Flagler Ave, 3rd floor

Stuart, Florida 34994

Office 772-286-5744

Cell 772-528-0506

Fax 772-286-5750

Email: [jbaron@commercialrealestatellc.com](mailto:jbaron@commercialrealestatellc.com)

Website: [www.commercialrealestatellc.com](http://www.commercialrealestatellc.com)

**SPECIAL MAGISTRATE  
CITY OF FORT PIERCE, FLORIDA**

SM CASE # 15-0679

RE: Violation of Section(s): 5-1.105.1 Permit Required; 5-1.101.2.1 Unsafe Building; IPMC 108.1.2 Unsafe Equipment.

Violator: MOTEL FP LLC  
3625 S US HIGHWAY 1  
FT PIERCE, FL 34982

Property Address: 3625 S US HWY 1                      Tax ID #: 2434-601-0026-000/2  
Legal Description: KELLEM'S S/D S 165 FT OF E 440 FT OF LOT 7-LESS RD RW- (1.51 AC) (OR 508-1590)

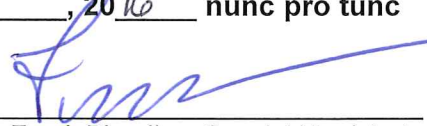
**AMENDED ORDER DETERMINING VIOLATION**

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on October 07, 2015, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that MOTEL FP LLC failed to obtain a permit prior to wiring the electric gate and security cameras, constructing pergola, deck/patio, re-sealing and re-striping the parking lot, and changing the breaker panel, also failure to bring the electrical outlets up to code, ground fault protect all exterior outlets, replace the cover on the power supply for the pool lamp and replace the swinging cover over the junction box with a proper cover in violation of the Code of Ordinances as specified above, on property located at the above described location. In the event the violation is not remedied 60 days to obtain permits and comply with all permit conditions and make proper replacement/repairs; hereinafter, there shall be imposed a fine pursuant to Florida Statutes 162.09 at a daily, cumulative rate of \$100.00

This Order may be recorded in the Public Records of the County and shall constitute notice to any subsequent purchasers, successors in interest or assigns wherein the violation concerns real property, and subsequent purchasers, successors in interest or assigns. If this Order is not complied with timely, then there shall be issued an Order pursuant to Florida Statutes 162.09 imposing the fine provided for herein.

**The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3149 when the violation is corrected. The violator has 30 days in which to file an appeal of the Special Magistrate's decision in the Circuit Court of St. Lucie County.**

DONE AND ORDERED this 4th day of April, 2016 nunc pro tunc  
March 2, 2016.

  
\_\_\_\_\_  
Frank Rlandino, Special Magistrate

I CERTIFY THAT THE ABOVE ORDER WAS  
MAILED TO THE RESPONDENT ON THIS

4th DAY OF April, 2016.

Colleen Greer  
\_\_\_\_\_  
Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4176048 04/05/2016 at 01:41 PM  
OR BOOK 3853 PAGE 1017 - 1017 Doc Type: AMORD  
RECORDING: \$10.00

**Property Identification**

Site Address: 3625 S US HWY 1  
 Map ID: 24/34N  
 Parcel ID: 2434-601-0026-000-2  
 Zoning: C3  
 Account #: 33435  
 Use Type: 3900  
 Sec/Town/Range: 34/35S/40E  
 Jurisdiction: Fort Pierce

**Ownership**

Motel FP LLC  
 3625 S US Highway 1  
 Fort Pierce, FL 34982

**Legal Description**

KELLEM'S S/D S 165 FT OF E 440 FT OF LOT 7-LESS RD R/W- (1.51 AC) (OR 3721-2775)

**Current Values**

Just/Market: \$495,400  
 Exemptions: \$0  
 Assessed: \$403,810  
 Taxable: \$403,810

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$495,400	\$403,810	\$0	\$403,810
2014	\$367,100	\$367,100	\$0	\$367,100
2013	\$366,800	\$366,190	\$0	\$366,190

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
02-27-2015	3721 / 2775	0002	WD	Farrell'S Motel Inc	\$695,000
07-01-1986	0508 / 1590	01	CV		\$0
12-01-1985	0487 / 2726	00	CV		\$390,000

**Primary Building Information**

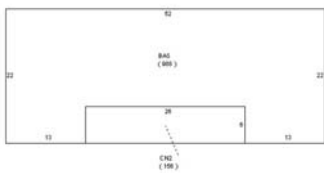
Finished Area of this building: 988 SF  
 Gross Area of this building: 1,144 SF

**Exterior Data**

View:	Roof Cover: Clay Tile	Roof Structure: Gable	Building Type: HTL1
Year Built: 1955	Frame:	Grade: Y_D	Effective Year: 1955
Primary Wall: CB Stucco	Story Height: 1 Story	No. Units: 18	Secondary Wall:

**Interior Data**

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0%	Heat Fuel:	Primary Floors: Tile-Ceramic



**Total Areas**

Finished/Under Air (SF):	6,535
Gross Area (SF):	8,241
Land Size (acres):	1.51
Land Size (SF):	65,670
Total Building Count:	7

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
CONCRETE LOW	1	112	1979
CHAINLINK 4'	1	142	1981
ASP1 HIGH	1	6000	1981

This information is believed to be correct at this time but it is subject to change and is not warranted.  
 © Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

**Special Magistrate Blandino Hearing**

**8.**

**Meeting Date:** 05/04/2016

**Re:**

---

**Information**

**SUBJECT:**

**NEW BUSINESS**

**Amendment to Rule 17 - Lien Reduction Requests**

**CASE INFORMATION:**

**OWNER:**

**VIOLATIONS:**

**CORRECTIVE ACTIONS:**

**RECOMMENDATION:**

---

**Attachments**

Memo

Resolution to amend Rules & Regulations

Rule 17 - as amended

---

**Form Review**

Form Started By: Peggy Arraiz

Started On: 04/29/2016 10:22 AM

Final Approval Date: 04/29/2016



# City of Fort Pierce

## Community Response Divisions Code Enforcement & Animal Control

Protecting the health, safety and welfare of our community

Margaret M. Arraiz, Code Compliance Manager

---

TO: Chairman Minton and Code Board Members  
FROM: Peggy Arraiz, Code Compliance Manager  
RE: Lien Reduction Procedures  
DATE: April 29, 2016

---

The City Commission has requested a review of our current procedures for addressing fines and mitigating lien reductions, which have previously been discussed by the Board. Following the most recent discussion by the Commission at the April Conference Agenda, staff has drafted a revision to the Rules of Procedure for your review and approval. If approved by the Board, this proposed change will be forwarded to the City Commission for final approval.

There are two forms attached for your review. The first is the strike out / underline version and the second is a "final" version.

Cc: Special Magistrate Blandino  
Special Magistrate Ross

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDMENT TO THE RULES OF PROCEDURE FOR CODE ENFORCEMENT BOARD AND SPECIAL MAGISTRATE**; AMENDING RULE 17 BY ESTABLISHING A SET OF PROCEDURES IN WHICH REDUCTION REQUESTS FOR CODE ENFORCEMENT LIENS AND SPECIAL ASSESSMENT LIENS ARE TO BE ADDRESSED AND MITIGATED.

**WHEREAS**, the City of Fort Pierce recently experienced a recession in which many homes were lost through foreclosure or tax sale resulting in substantial stock of vacant and distressed properties; and

**WHEREAS**, due to the abandonment and neglect of these properties, code enforcement action was taken resulting in fines and liens being assessed, which placed an encumbrance upon the title; and

**WHEREAS**, the current economy is changing direction and investors and new home buyers alike are interested in purchasing these distressed properties and correcting any code violations; and

**WHEREAS**, the Code Enforcement Board for the City of Fort Pierce, Florida, at its regular meeting on May 11, 2016, adopted an amendment to Rule 17 (Requests for Reduction of Liens) of its Rules of Procedure, said amendment establishing procedures in which these encumbrances can be addressed and settled in a timely fashion thus clearing any title deficiencies, as follows:

**Rule 17. Requests for Reduction of Liens.**

**Section (a)** A respondent may request a reduction of a lien otherwise imposed by the City after the original violation is in compliance and the Department has issued an affidavit of compliance. No such request shall be made until after the date originally set for compliance has passed and the property is already under penalty. The request shall be made in writing to the Department and shall state reasons for why there should be consideration of reduction. The request should include a description of any supporting documentation which should be considered in furtherance of such request. ~~The Department shall schedule a hearing on the request before the Special Magistrate or Board, with notice to the respondent. After hearing both sides, the Special Magistrate shall make a determination, or the Board shall adopt a motion, recommending to the Commission that the request for reduction of the lien be denied, granted, or granted with conditions. The recommendation will be based upon evidence, upon consideration of the following criteria:~~

- ~~1. The gravity or seriousness of the violation;~~
- ~~2. Any and all actions taken by the violator to correct the violations;~~
- ~~3. The length of time necessary to bring the property into compliance;~~
- ~~4. The number of prior violations committed by the violator;~~
- ~~5. The number of violation notices the violator has received in the past;~~
- ~~6. Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.~~

- ~~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.~~

~~Any motion of recommendation shall include findings on each criterion. Any recommendation that the lien be reduced in whole or in part shall include provision for payment of administrative costs except that such costs may be waived as appropriate upon consideration of the same factors upon which the recommendation is based. Any recommendation for reduction may include further recommendation that reduction be conditioned upon payment of the reduced amount within a specified period of time.~~

**Section (b)** If any of the following conditions are met, the Department has the authority to process a lien reduction request and issue a Release of Lien. The Department may, at its discretion, forward the request to the Special Magistrate or Code Enforcement Board if they feel additional review is required or in the best interest of the City.

1. The amount of settlement for a property zoned residential is at least \$5000 and is payable in less than 30 days.
2. The amount of the settlement for a property zoned commercial or industrial is at least \$10,000 and is payable in less than 30 days.
3. The settlement is based upon the receipt of excess tax sale proceeds that have been received by the City and respectively cover the administration costs incurred.

**Section (c)** If the request does not meet the criteria outlined in Section (b) or the Department has determined the request requires additional review, the Department shall schedule a hearing on the request before the Special Magistrate or Board, with notice to the respondent. After hearing both sides, the Special Magistrate shall make a determination, or the Board shall adopt a motion, that the request for reduction of the lien be denied, granted, or granted with conditions. The determination will be based upon evidence, upon consideration of the following criteria:

1. The gravity or seriousness of the violation;
2. Any and all actions taken by the violator to correct the violations;
3. The length of time necessary to bring the property into compliance;
4. The number of prior violations committed by the violator;
5. The number of violation notices the violator has received in the past;
6. Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
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.

**Section (d)** If the Special Magistrate or the Board determines that the request for reduction be approved and the following conditions are met, they may order the Department, once payment is received and any other conditions are met, to issue a Release of Lien. The Special Magistrate or Code Enforcement Board may, at its discretion, forward the request to the Commission if they feel additional review is required or in the best interest of the City.

1. The amount of settlement for a property zoned residential is at least \$3,000 and is payable in less than 6 months.
2. The amount of the settlement for a property zoned commercial or industrial is at least \$7,500 and is payable in less than 6 months.

**Section (e)** If the Special Magistrate or the Board determines that the request for reduction be approved but the request does not meet the criteria outlined in Section (d), the determination is to deny the request, or additional review is required, they shall forward their recommendation to the City Commission for a final determination.

**Section (f)** Any recommendation for waiver or reduction may include further recommendation that the reduction be conditioned upon payment of the reduced amount within a specified period of time. Failure to pay the reduced amount within that time period will result in the lien reverting to the original amount.

**Section (g)** There shall be established an administrative fee of \$250.00 for any requests for mitigation of a code enforcement lien that must be heard by the City Commission. Such fee may be made payable after consideration by the City Commission. This fee shall not apply to special assessment reduction requests.

**Section (h)** The Department has the authority to mitigate in part or in full the administration fees only that have been assessed by the Department for Special Assessment Liens imposed for nuisance abatement actions including but not limited to lot clearing, demolition, graffiti removal and securing of vacant structures.

**WHEREAS**, Rule 18 of the Rules of Procedure for the Code Enforcement Board and Special Magistrate provide that any amendment to the procedural rules for code enforcement proceedings shall not become effective unless or until subsequently ratified or approved by the City Commission; and

**WHEREAS**, the City Commission considered the proposed amendment to Rule 17 and determines that such amendment is reasonable and provides for procedures governing the orderly disposition of enforcement related proceedings.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Fort Pierce, Florida, that the aforesaid amendment to the Rules of Procedure for the Code Enforcement Board and Special Magistrate should be and the same is hereby approved.

**ADOPTED** by the City Commission of the City of Fort Pierce, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Linda Hudson, Mayor

ATTEST:

\_\_\_\_\_  
Linda Cox, City Clerk

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
James M. Messer, Esq.  
City Attorney

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**Special Magistrate Blandino Hearing****9. A.****Meeting Date:** 05/04/2016**Re:****Information****SUBJECT:**

16-0498	2025 S Ocean Drive	Hollander, Ted L	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	February 23, 2016	Type of Presentation:	Motion to Dismiss
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**OWNER:**

<b>OWNER:</b> Ted L. Hollander 6502 NW 63rd Way Parkland, FL 33067	<b>OCCUPIED BY:</b> Ted L. Hollander 2025 S. Ocean Drive Fort Pierce, FL 34949
<b>3rd ADDRESS:</b> 6502 NW 63rd Way Coral Springs, FL 33067	

**VIOLATIONS:**

**Sec. 22-22 (C) Allowed uses**  
**Section: 9-27 (B) Doing Business without a Tax**

**CORRECTIVE ACTIONS:**

1. Renting of dwellings for less than six months is not permissible in this district without a conditional use approved by the Fort Pierce City Commission. Please cease all short term rentals immediately.
2. Please review the procedure for short term rentals on the City of Fort Pierce website at <http://www.fortpierce.com/478/Short-Term-Vacation-Rentals>.

**RECOMMENDATION:**

The City of Fort Pierce moves to dismiss the action against Mr. Ted L. Hollander based upon the additional evidence presented at the hearing held on April 6, 2016 and the confirmation of the information provided. This dismissal is without prejudice should additional infractions occur or addition evidence be presented at a later date.

**Form Review**

Form Started By: Peggy Arraiz  
 Final Approval Date: 05/04/2016

Started On: 05/04/2016 08:14 AM