

LAW OFFICES OF
FISHER & ASSOCIATES, P.A.

ATTORNEYS AT LAW

JANICE V. FISHER
ROBERT G. FISHER

Paralegal
CHRIS JUDY THOMAS

June 13, 2016

Via Facsimile: 772-468-0457

Attention: **The Honorable Fran Ross**
Special Magistrate
City of Fort Pierce
Code Enforcement Division
P.O. Box 1480
Fort Pierce, FL 34954

RE: **Our Client** : **Gregg and Kimberly Lafferty**
Property Description : **528 S US HWY 1, Fort Pierce, FL 34950**
Tax ID# : **2410-711-0058-000/9**
Legal Description : **BLVD DEV CO'S S/D BLK D LOT 8 AND W 7.5 FT OF VAC**
ALLEY ADJ ON E (MAP 24/10F) (OR 3480-1809)

Dear Special Magistrate:

I am writing on behalf of my clients, Gregg and Kimberly Lafferty in regards to an "ORDER DETERMINING VIOLATION," which was dated on July 16, 2015.

Back in June of 2015, my client's hired an acquaintance to re-seal and re-strip their parking lot. No structural changes weremade to subject parking lot.

Mrs. Lafferty currently operates a pet grooming business at this location and was in charge of handling the affairs of the subject property. Due to the condition of the parking lot and the faint lines of the parking spaces, Mrs. Lafferty was to make aesthetic improvements. It was her understanding that simply re-sealed the parking lot and painting over the existing stripes did not require a permit. Mrs. Lafferty assumed that since Mr. Jones owned and operated a legitimate paving business that he was knowledgeable regarding the permitting requirements set forth by the City. Mr. Jones recently died unexpectedly in January of and is no longer available.

Once Mrs. Lafferty learned that she needed to correct the violation by obtaining a permit and comply with all conditions attached thereto, she contacted Michael Waldrop at Innovation Contracting on July 13, 2015. She informed him of the situation and the letter that she received from the City. Mr. Waldrop advised her that he had been in contact with Shaun Coss, the Code Enforcement Officer for the City. Mr. Waldrop advised Mrs. Lafferty that he was told by Mr. Coss that the Hearing would be delayed in order for Mr. Waldrop to pull the permit and rectify the violation.

There was a slight delay on Mrs. Lafferty's part in getting a check over to Mr. Waldrop to pull the permits by approximately one month. She received a bill from him on August 27th, 2015. She paid the invoice on September 22, 2015. She was contacted by Mr. Waldrop via text on October 10, 2015, advising

900 DELAWARE AVENUE · FORT PIERCE, FLORIDA 34950
TELEPHONE: (772) 595-9899 · FACSIMILE: (772) 595-9881

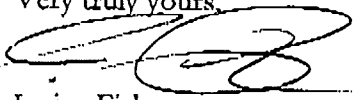
her that "the permit should be coming out of the City soon" and asking her about whether she would like for them to install the handicap parking sign. At that time, Mrs. Lafferty advised him to go ahead and order the sign and that she was concerned about being fined. She did not hear back from him. On December 28, 2015, she contacted him again inquiring about the sign and advising again that she was worried about having the job completed as soon as possible. He did respond and advise her that he would purchase and install the sign and call for inspections. She did not hear back from him.

In May, 2016, Mrs. Lafferty had to have an air conditioning unit installed at the subject property and in speaking with the contractor regarding permitting; she learned that permits are only good for a certain period of time. Trying to be proactive, she went and purchased the handicap sign and post and her husband, Gregg Lafferty installed it. It was around this time that she received a letter regarding the current fine status of \$24,320.00. She then contacted Mr. Waldrop and told him that the sign was installed and that she was very upset about how he had handled the situation since he had been paid eight months prior. She is not sure of what transpired after the payment was made and entrusted Innovation Contracting to correct the situation on her behalf.

On June 9, 2016, the Inspector has passed the inspection. Mr. Waldrop picked up the permit this morning and advised Mrs. Lafferty that he would file it with the City. He advised Mrs. Lafferty that he would also write a letter in response to the May 24, 2016 City's letter advising that the delays were not Mrs. Lafferty's fault but rather delays on his part.

It was not the intention of Mr. and Mrs. Lafferty to violate any Code of Ordinances. She was not aware of the permitting process or that a permit was needed to improve the looks of her parking lot. She is currently under contract with another local contractor making improvements on the building, both structurally and aesthetically. The appropriate permits have been pulled in compliance with the Code of Ordinances. She is proud to be a small business owner in the City of Fort Pierce and wants her building to reflect these sentiments. This fine would do irreparable financial harm to Mr. and Mrs. Lafferty. For this reason, we respectfully request that the fines and/or liens to the subject property be waived. Alternatively, we are requesting a hearing before your Honor to further consider the matter.

Very truly yours,



Janice Fisher
JVF/cjt