

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, July 20, 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**

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

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

4. **PUBLIC HEARINGS - VIOLATION CASES**

A. 

16-0180	503 Mayflower Land Apt A	Perez, Eduardo & Yolanda	Shaun Coss
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B. 

16-0276	551 Wendell Road	Lareste, Justin	Shaun Coss
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C. 

16-0297	429 N 14th Street	Capital Made EZ LLC	Shaun Coss
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D. 

16-0536	427 N 12th Street Rear Unit A	L Discount Photo & Video Inc.	Shaun Coss
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E. 

16-0537	427 N 12th Street Rear Unit B	L Discount Photo & Video Inc	Shaun Coss
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F. 

16- 0915	3111 Orange Avenue	Magnolia Ft Pierce Inc (TR)	Andy Avery
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G. 

16-0929	2717 Orange Avenue	Ft Pierce Jetty LLC	Andy Avery
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H. 

16-1090	611 S 17th Street	Bisesar, Shanawatti	Andy Avery
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I. 

16-1091	613 S 17th Street	Bisesar, Shanawatti	Andy Avery
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J. 

16-1092	617 S 17th Street	Rai, Digbijai B & Betty N	Andy Avery
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K.	16-1093	619 S 17th Street	Bisesar, Shanawatti	Andy Avery
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L.	16-1439	1144 Fernandina Street	Tomaszewski, Stanley J Alvite, Annabelle C	Terry Denmark
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M.	16-1470	1505 Pine Hollow Drive	Duvelsaint, Pierre & Marie	Janey Vanderhorst
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	16-1243	1131 Granada Street	Johnson, Arley (TR) Johnson, Mary E (TR)	Peggy Arraiz Terry Denmark
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B.	16-0523	1889 N US Highway 1	Taylor Creek LLC	Isaac Saucedo
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C.	15-0596	528 S US Highway 1	Lafferty, Gregg D & Kimberly	Shaun Coss
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6. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	14-1025	315 S 17th St	Lazare, Ermith	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. A.****Meeting Date:** 07/20/2016**Re:** Case #16-0180 - 503 Mayflower Land Apt A**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0180	503 Mayflower Land Apt A	Perez, Eduardo & Yolanda	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 20, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Eduardo E Perez & Yolanda Perez 129 SW N Meade Circle Port St. Lucie, FL 34953	<b>OCCUPIED BY:</b>
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**VIOLATIONS:****Section(s): IPMC 108.1.1 Unsafe Structure****IPMC 304.13 Windows, Doors & Frames****IPMC 304.14 Insect Screens****IPMC 304.15 Exterior Doors****IPMC 305.3 Interior Surfaces****IPMC 605.1 Electrical Equipment****IPMC 605.2 Electrical Receptacles****IPMC 704.1 Fire Protection Systems****CORRECTIVE ACTIONS:**

1. Replace the batteries in the smoke alarms.
2. Repair or replace the exterior door where holes and cracks are present.
3. Repair or replace exterior door weather stripping.
4. Repair or replace the door and door knob to the utility room. Since the utility room is non-habitable space, the door must be weather tight.
5. Repair or replace all damaged window hardware.
6. Repair or replace all damaged window screens.
7. Repair or replace all damaged electrical receptacles.
8. Repair all holes in the walls.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$100.00 per day be assessed.

## Form Review

Form Started By: Shaun Coss  
Final Approval Date: 07/11/2016

Started On: 06/22/2016 12:09 PM

**Special Magistrate Ross Hearing****4. B.****Meeting Date:** 07/20/2016**Re:** Case #16-0276 - 551 Wendell Road**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0276	551 Wendell Road	Lareste, Justin	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 28, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Justin Lareste 1110 Colonial Road Fort Pierce, FL 34981	<b>OCCUPIED BY:</b>
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain permits for the framing, drywall, electrical and plumbing repairs.

**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: 07/11/2016

Started On: 06/22/2016 11:53 AM

**Special Magistrate Ross Hearing****4. C.****Meeting Date:** 07/20/2016**Re:** Case #16-0297 - 429 N 14th Street**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0297	429 N 14th Street	Capital Made EZ LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 29, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Capital Made EZ LLC 2676 SW 129th Terrace Pembroke Pines, FL 33027	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section(s): 5-1.101.2.1 Unsafe Building**  
**IPMC 108.1.3 Structure Unfit for Human Occupancy**  
**IPMC 304.7 Roofs & Drainage**  
**IPMC 305.3 Interior Surfaces**  
**IPMC 602.2 Residential Heat Supply**  
**IPMC 603.1 Mechanical Equipment**  
**IPMC 605.2 Electrical Receptacles**

**CORRECTIVE ACTIONS:**

1. Repair or replace the roof where it is leaking.
2. Repair or replace the water damaged ceiling.
3. Repair or replace the heater.
4. Repair or replace the oven.
5. Install faceplates on all electrical receptacles missing faceplates.

**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: 07/11/2016

Started On: 06/22/2016 11:56 AM



**Special Magistrate Ross Hearing****4. D.****Meeting Date:** 07/20/2016**Re:** Case #16-0536 - 427 N 12th Street Rear Unit A**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0536	427 N 12th Street Rear Unit A	L Discount Photo & Video Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	February 26, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: L Discount Photo & Video Inc. 527 NE 125th Street Miami, FL 33161	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain permits for the electrical, plumbing and drywall repairs that were made to repair fire damage.
2. Obtain permits for the replacement of the plumbing vent stack and repair/replacement of the meter can that has been tampered with.

**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: 07/11/2016

Started On: 06/22/2016 11:48 AM

**Special Magistrate Ross Hearing****4. E.****Meeting Date:** 07/20/2016**Re:** Case #16-537 - 427 N 12th Street. Rear Unit B**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-0537	427 N 12th Street Rear Unit B	L Discount Photo & Video Inc	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	February 26, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: L Discount Photo & Video Inc. 527 NE 125th Street Miami, FL 33161	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for the plumbing vent stack that has been replaced.

**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: 07/11/2016

Started On: 06/22/2016 11:40 AM

**Special Magistrate Ross Hearing**

**4. F.**

**Meeting Date:** 07/20/2016

**Re:** Case # 16-0915 - 3111 Orange Avenue

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

**Information**

**SUBJECT:**

16- 0915	3111 Orange Avenue	Magnolia Ft Pierce Inc (TR)	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 15, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Magnolia Ft Pierce Inc (TR) PO BOX 523895 Miami, FL 33152	<b>OCCUPIED BY:</b> Manuel Esquivel Concrete Cont 3111 Orange Avenue Ft. Pierce, FL 34947
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**VIOLATIONS:**

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

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

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

**CORRECTIVE ACTIONS:**

1. Please pressure clean all loose paint and dirt from the structure and paint in a workmanlike manner.
2. Please store all trash and recycle cans on the side or the rear of the structure except when its curbside on the pickup day.
3. Please cut all grass and weed all landscaping so that there is a neat appearance from the street.

**RECOMMENDATION:**

The City requests that if the Special Magistrate fines the violation exists, the violator (s) be given 30 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Andy Avery  
Final Approval Date: 07/11/2016

Started On: 06/16/2016 02:11 PM

**Special Magistrate Ross Hearing**

**4. G.**

**Meeting Date:** 07/20/2016

**Re:** Case # 16-0929 - 2717 Orange Avenue

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

**Information**

**SUBJECT:**

16-0929	2717 Orange Avenue	Ft Pierce Jetty LLC	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 15, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Ft Pierce Jetty LLC 100 Ocean Drive Ft Pierce, FL 34949	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section(s): 16-46, 16-47, 16-48 (10)(D) Non-Operable Vehicles**

**CORRECTIVE ACTIONS:**

Please remove all the non-operable vehicles from the property.

**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 \$25.00 per day be assessed.

**Form Review**

Form Started By: Andy Avery  
Final Approval Date: 07/11/2016

Started On: 06/16/2016 02:56 PM

**Special Magistrate Ross Hearing****4. H.****Meeting Date:** 07/20/2016**Re:** Case # 16-1090 - 611 S 17th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1090	611 S 17th Street	Bisesar, Shanawatti	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 28, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Shanawatti Bisesar 105 S 21st Street Ft. Pierce, FL 34950	OCCUPIED BY: Rene Silva 611 S 17th Street Apt A Ft. Pierce, FL 34950
	Tenant 611 S 17th Street Apt B Ft. Pierce, FL 34950

**VIOLATIONS:****Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section(s): 16-46, 16-47, 16-48 (11) Outside Storage-Indoor Furniture****Section(s): 2013 NEC Temporary Lighting****CORRECTIVE ACTIONS:**

1. Please remove all outside storage of scrap wood, poles, inside chairs, and any other miscellaneous items from the yard.
2. Please remove all Christmas lights from the outside.

**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 \$25.00 per day be assessed.

**Form Review**

Form Started By: Andy Avery  
Final Approval Date: 07/11/2016

Started On: 06/16/2016 10:58 AM

**Special Magistrate Ross Hearing****4. I.****Meeting Date:** 07/20/2016**Re:** Case # 16-1091 - 613 S 17th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1091	613 S 17th Street	Bisesar, Shanawatti	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 28, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Shanawatti Bisesar 105 S 21st Street Ft. Pierce, FL 34950	OCCUPIED BY: Valentin Espinoza-Salazar 613 S 17th Street Apt A Ft.Pierce, FL 34950
	Irma Gamez 613 S 17th Street Apt B Ft. Pierce, FL 34950

**VIOLATIONS:****Section(s): 5-368 (1)(3)(4) Property Maintenance****Section(s): 11-30 Refrigerator/Ice Box Safety****Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section(s): 16-46, 16-47, 16-48 (11) Outside Storage-Indoor Furniture****CORRECTIVE ACTIONS:**

1. Please repair the roof where needed to remove the tarp from the roof. Also, contact the building dept. because this will require a permit.
2. Please clean all dirty and stained or chipping painted areas and paint in a workmanlike manner.
3. Please remove the refrigerator from the yard.
4. Please remove all outside storage of trash, cans, mattress, buckets, air conditioner, blocks, washing machine, inside furniture, and any other miscellaneous items from the yard.
5. Please remove or have a current license tag on the dark blue truck or any other vehicle on the property.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$100.00 per day be assessed.

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### **Form Review**

Form Started By: Andy Avery

Started On: 06/16/2016 11:11 AM

Final Approval Date: 07/11/2016

**Special Magistrate Ross Hearing**

**4. J.**

**Meeting Date:** 07/20/2016

**Re:** Case # 16-1092 - 617 S 17th Street

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

**Information**

**SUBJECT:**

16-1092	617 S 17th Street	Rai, Digbijai B & Betty N	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 28, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Digbijai B Rai Betty N Rai 105 S 21st Street Ft. Pierce, FL 34950	OCCUPIED BY: Valintine Lucas Mendez 617 S 17th Street Apt A Ft. Pierce, FL 34950
	Johana M Cardona Matute 617 S 17th Street Apt B Ft.Pierce, 34950

**VIOLATIONS:**

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

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

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

**CORRECTIVE ACTIONS:**

1. Please clean all exterior surfaces including chipping and peeling paint and replace all rotting wood and paint in a workmanlike manner.
2. Please remove all outside storage of tires, metal, scrap wood, buckets, bed frame, and any other miscellaneous items from the yard.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Andy Avery  
Final Approval Date: 07/11/2016

Started On: 06/16/2016 11:31 AM



**Special Magistrate Ross Hearing****4. K.****Meeting Date:** 07/20/2016**Re:** Case # 16-1093 - 619 S 17th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1093	619 S 17th Street	Bisesar, Shanawatti	Andy Avery
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**CASE INFORMATION:**

Case Initiated:	April 28, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Shanawatti Bisesar 105 S 21st Street Ft. Pierce, FL 34950	OCCUPIED BY: Herberto Guerra Andreo 619 S 17th Street Apt A Ft. Pierce, FL 34950
	Maria A Vazquez-Roldan 619 S 17th St Apt B Ft. Pierce, FL 34950

**VIOLATIONS:****Section(s): 5-368 (1)(4) Property Maintenance****Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section(s): 16-46, 16-47, 16-48 (11) Outside Storage-Indoor Furniture****CORRECTIVE ACTIONS:**

1. Please clean all exterior surfaces including replacing all rotten wood and paint in a workmanlike manner.
2. Please remove all outside storage of appliances, buckets, inside furniture including wooden table and mattress and any other miscellaneous items from the yard.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Andy Avery  
Final Approval Date: 07/11/2016

Started On: 06/16/2016 01:58 PM

**Special Magistrate Ross Hearing****4. L.****Meeting Date:** 07/20/2016**Re:** Case # 16-1439 - 1144 Fernandina Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1439	1144 Fernandina Street	Tomaszewski, Stanley J Alvite, Annabelle C	Terry Denmark
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**CASE INFORMATION:**

Case Initiated:	June 13, 2016	Type of Presentation:	Repeat
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**OWNER:**

OWNER: Stanley J Tomaszewski Annabelle C Alvite PO Box 937 Kotzebue, AK 99752	OCCUPIED BY:
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**VIOLATIONS:****Section(s) 22-22 (C) Allowed uses****Section(s): 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 requests that if the Special Magistrate finds the violator(s) has conducted short term rentals and continue to do so. The rentals that have already commenced are considered irreversible and irrevocable in nature and that a fine equal to one weeks rental or \$581.00 be assessed. The City also request an immediate cease and desist order be imposed and all future rentals be terminated immediately.

**Form Review**

Form Started By: Terry Denmark  
Final Approval Date: 07/11/2016

Started On: 06/11/2016 08:31 AM

**Special Magistrate Ross Hearing****4. M.****Meeting Date:** 07/20/2016**Re:** Case #16-1470 - 1505 Pine Hollow Drive**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1470	1505 Pine Hollow Drive	Duvelsaint, Pierre & Marie	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	June 14, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Pierre & Marie Duvelsaint 1505 Pine Hollow Drive Fort Pierce, FL 34982	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 22-192 (A), 22-177 Tree Removal****CORRECTIVE ACTIONS:**

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

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be fined according to the recommendation of Urban Forester Paul Bertram: \$250.00 x 1 Floss Silk Tree 18" DBH = **\$4,500.00**. City is also asking that the property be brought into compliance with the City's Landscape Code.

**Attachments**

Public Works

**Form Review**

Form Started By: Janey Vanderhorst

Started On: 06/16/2016 09:08 AM

Final Approval Date: 07/11/2016



## INTEROFFICE MEMORANDUM PUBLIC WORKS DEPARTMENT

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TO: Janey Vanderhorst, Code Enforcement Officer

FROM: Paul Bertram, Parks & Grounds Division Manager  
City Forester, Executive Director Keep Fort Pierce Beautiful

P.B.

SUBJECT: 1505 Pine Hollow DR. Fort Pierce FL 34982

DATE: June 21, 2016

The above subject property is in violation of the following: Section: 22-194 (C), (F)  
Trees removed without a proper permit and or excessive pruning.

The subject property has removed one (1) Floss Silk Tree on the property without a permit.

**It is my recommendation that the property owner is fined for the above violation.**

**1 Floss Silk Tree 18" DBH x \$250.00 = \$ 4,500.00**

CC.

Public Works Manager  
Code Compliance manger  
Building Official  
City Manager

**Special Magistrate Ross Hearing****5. A.****Meeting Date:** 07/20/2016**Re:** Case #16-1243 - 1131 Granada Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1243	1131 Granada Street	Johnson, Arley (TR) Johnson, Mary E (TR)	Peggy Arraiz Terry Denmark
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**CASE INFORMATION:**

Case Initiated:	May 13, 2016	Type of Presentation:	Massey
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**OWNER:**

OWNER: Arley Johnson (TR) Mary E Johnson (TR) 9171 Quail Trail Jupiter, FL 33478	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 22-22 (C) Allowed uses****Section(s): 9-27 (B) Doing Business without a Tax****CORRECTIVE ACTIONS:**

1. June 1, 2016, Special Magistrate found Arley & Mary Johnson continued to rent their dwelling for less than six months without a conditional use approved by the Ft. Pierce City Commissioners and to obtain a Business Tax Receipt. She ordered that because the violation is irreversible and irrevocable in nature a fine of \$525.00 is ordered to be paid to the City of Ft. Pierce within 30 days. An immediate cease and desist order is imposed and all future rentals be terminated immediately.
2. June 29, 2016 received email from Mary Johnson requesting another hearing to reduce the fines.

**RECOMMENDATION:**

To be determined.

**Attachments**

Order  
Request  
Tax Card

**Form Review**

Form Started By: Terry Denmark  
Final Approval Date: 07/11/2016

Started On: 05/13/2016 11:55 AM

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

SM CASE # 16-1243

RE: Violation of Section(s): 22-22 (C) Allowed uses, 9-27 (B) Doing Business without a Tax

Violator: ARLEY & MARY E JOHNSON (TR)  
9171 QUAIL TRL  
JUPITER, FL 33478

Property Address: 1131 GRANADA ST                      Tax ID #: 2401-811-0044-000/7  
Legal Description: TROPICAL BEACH BLK 4 LOT 20 (OR 490-2123: 2716-2202)

ORDER DETERMINING VIOLATION

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on June 01, 2016, 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 ARLEY & MARY E JOHNSON (TR) continued to rent their dwelling for less than six months without a conditional use approved by the Fort Pierce City Commission and to obtain a Business Tax Receipt in violation of the Code of Ordinances as specified above, on property located at the above described location. This violation is irreversible and irrevocable in nature. A fine of \$525.00 is ordered to be paid to the City of Fort Pierce within 30 days of the date of this order. An immediate cease and desist order is imposed and all future rentals be terminated immediately.

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 22nd day of June, 2016, Nunc Pro Tunc  
June 15, 2016.



\_\_\_\_\_  
Fran Ross, Special Magistrate

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

22nd DAY OF June, 2016.



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

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4203503 06/22/2016 at 03:12 PM  
OR BOOK 3883 PAGE 1453 - 1453 Doc Type: ORD  
RECORDING: \$10.00



**Re: 1131 Granada St.**   
**Peggy Arraiz** to: Mary Johnson  
Cc: cgreer

06/29/2016 01:17 PM

Good afternoon Mary,

I got your voice mail message, but this email is exactly what I needed. I will notify Colleen to schedule this for a hearing. It will probably be July 20th. Is that OK?

Margaret M. (Peggy) Arraiz  
Code Compliance Manager  
City of Ft. Pierce  
Code Enforcement & Animal Control Divisions  
772-467-3148  
parraiz@city-ftpierce.com

From: Mary Johnson <mygam11@yahoo.com>  
To: Peggy Arraiz <parraiz@city-ftpierce.com>  
Date: 06/29/2016 10:50 AM  
Subject: 1131 Granada St.

Dear Ms. Arraiz,

I am requesting another hearing to reduce the penalty amount on 1131 Granada St. as my tenants are moving out and I do not think he is going to pay the fine.

Thank you for your cooperation in this matter. Enjoy your vacation.

Mary Johnson

### Property Identification

Site Address: 1131 GRANADA ST  
 Sec/Town/Range: 01/35S/40E  
 Map ID: 24/01H  
 Zoning: R2

Parcel ID: 2401-811-0044-000-7  
 Account #: 15663  
 Use Type: 0100  
 Jurisdiction: Fort Pierce

### Ownership

Arley Johnson (TR)  
 Mary E Johnson ((TR)  
 9171 Quail Trl  
 Jupiter, FL 33478

### Legal Description

TROPICAL BEACH BLK 4 LOT 20 (OR 490-2123: 2716-2202)

### Current Values

Just/Market Value: \$206,700  
 Assessed Value: \$141,570  
 Exemptions: \$0  
 Taxable Value: \$141,570  
 Taxes for this parcel: SLC Tax Collector's Office



### Total Areas

Finished/Under Air (SF): 2,914  
 Gross Area (SF): 3,832  
 Land Size (acres): 0.2  
 Land Size (SF): 8,750

### Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
Nov 27, 2006	2716 / 2202	XX01	WD	Johnson, Arley	\$100
Feb 1, 1986	0490 / 2123	XX00	CV		\$16,900
Oct 1, 1984	0446 / 0981	XX01	CV		\$0
Apr 1, 1980	0329 / 2780	XX00	CV		\$16,500
Apr 1, 1979	0306 / 2668	XX00	CV		\$11,500
Aug 1, 1974	0231 / 0586	XX00	CV		\$9,700

### Building Information (1 of 1)

Finished Area: 2,914 SF

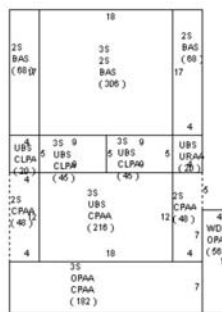
Gross Total Area: 3,832 SF

#### Exterior Data

View:	Roof Cover: Dim Shingle	Roof Structure: Gable
Building Type: HC	Year Built: 1987	Frame:
Grade: C	Effective Year: 1987	Primary Wall: Cedar Bd/Btn
Story Height: 2 Story	No. Units: 1	Secondary Wall:

#### Interior Data

Bedrooms: 2	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 2	Heat Type: FrcdHotAir	Avg Hgt/Floor: 0
Half Baths: 1	Heat Fuel: ELEC	Primary Floors: Carpet
A/C %: 100%	Heated %: 100%	Sprinkled %: 0%



**Sketch Area Legend**

Sub Area	Description	Area	Fin. Area	Perimeter
2S	ONE FULL STORY OVER BASE (TOTAL 2 FLOORS)	538	538	218
3S	TWO FULL STORIES OVER BASE (TOTAL 3 FLOORS)	794	1588	252
BAS	BASE AREA	442	442	154
CLPA	Closed Porch Average	110	0	74
CPAA	Carport Attached Average	494	0	190
OPAA	Open Porch Attached Average	238	0	102
UBS	UPPER BASE AREA/+1	346	346	152
URAA	Utility Room Attached Average	20	0	18
WDK	WOOD DECK	56	0	36

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
Driv-Concret	1	600	1987

**Current Year Values**

Current Values Breakdown		Current Year Exemption Value Breakdown				
		Tax Year	Grant Year	Code	Description	Amount
Building:	\$132,200					
Land:	\$74,500					
Just/Market:	\$206,700					
Ag Credit:	\$0					
Save Our Homes or 10% Cap:	\$65,130					
Assessed:	\$141,570					
Exemption(s):	\$0					
Taxable:	\$141,570					

**Current Year Special Assessment Breakdown**

Start Year	AssessCode	Units	Description	Amount
1999	0041	1	Fort Pierce Stormwater Charge	\$54.00

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office.

**Historical Values**

Year	Just/Market	Assessed	Exemptions	Taxable
------	-------------	----------	------------	---------

2015	\$206,700	\$141,570	\$0	\$141,570
2014	\$182,900	\$128,700	\$0	\$128,700
2013	\$117,000	\$117,000	\$0	\$117,000

**Permits**

Number	Date	Description	Amount	Fee
--------	------	-------------	--------	-----

Notice: This does not necessarily represent all the permits for this property.

Click the following link to check for additional permit data in Fort Pierce

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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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**Special Magistrate Ross Hearing****5. B.****Meeting Date:** 07/20/2016

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**Information****SUBJECT:**

16-0523	1889 N US Highway 1	Taylor Creek LLC	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	February 24, 2016	Type of Presentation:	Massey Hearing
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**OWNER:**

<b>OWNER:</b> Dr. Barry N. Burak Taylor Creek LLC 8000 SW 67th Avenue Miami, FL 33143	<b>OCCUPIED BY:</b>
---	---------------------

**VIOLATIONS:**

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

**FINDINGS/ORDER:**

On April 20, 2016 Special Magistrate found Taylor Creek LLC responsible for the violations and ordered 10 days to come into compliance or a fine of \$100.00 per day be assessed.

**ACTION DATES:**

May 5, 2016 an inspection was made, the violations were not corrected, the fines began.

May 19, 2016 an inspection was made, the violations were now corrected, the fines stopped.

June 10, 2016 received letter from Dr. Burak.

**RECOMMENDATION:**

The total amount of fines is \$1,430.00 (\$30.00 recording fees).

To be determined.

---

**Attachments**

Letter

Tax Card

3 Criteria

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**Form Review**

Form Started By: Collen Greer  
Final Approval Date: 06/23/2016

Started On: 06/21/2016 04:23 PM

**TAYLOR CREEK, LLC**

*8000 Southwest 67<sup>th</sup> Avenue*

*Miami, Florida 33143*

*Telephone: (305) 666-8883*

*Facsimile: (305) 666-8888*

REC'D

JUN 10 2016

CODE ENFORCEMENT  
CITY OF FT. PIERCE

June 6, 2016

**SENT VIA FACSIMILE AND  
REGULAR MAIL**

Attention: Colleen Greer,  
Secretary to Special Magistrate  
City of Fort Pierce Code Enforcement Division  
Post Office Box 1480  
Fort Pierce, Florida 34954

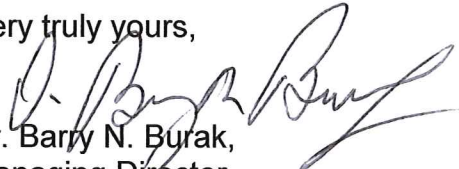
RE: 1889 N. US Hwy.  
SM Case # 16-0523

Dear Ms. Greer:

As per your request, please allow this correspondence to confirm our conversation of even date during which we advised you of the following. The above property which was cited with a violation of §16-46, 16-47, 16-48 (5) once belonged to the entity I purchased Taylor Creek, LLC from, but it was purchased by another company and therefore never a part of Taylor Creek, LLC. Notwithstanding however, please be advised that we have corrected the violation at our expense in the spirit of cooperation with the City of Ft. Pierce.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,

  
Dr. Barry N. Burak,  
Managing Director

BNB/ag

**Property Identification**

Site Address: 1889 N US HWY 1 Map ID: 14/33S Parcel ID: 1433-440-0005-000-0 Zoning: C3 Account #: 11539 Use Type: 1600 Sec/Town/Range: 33/34S/40E Jurisdiction: Fort Pierce

**Ownership**

Taylor Creek LLC  
8000 SW 67th Ave  
Miami, FL 33143

**Legal Description**

33 34 40/3 35 40/4 35 40 COM SE COR SEC 33-34-40 RUN S 89 11 58 W 97.22 FT TO W R/W US #1(BEING 200 FT WIDE) AND POB,TH S 28 05 56 E 108.93 FT,TH S 61 54 04 W 307.31 FT TO A CURVE CONCAVE SELY,R OF 30 FT,TH ALG ARC 34.86 FT TO A CURVE CONCAVE SELY,R OF 60 FT,TH ALG ARC 134.47 FT,TH S 88 52 59 W 256.75 FT TO ELY R/W CANAL C-25 AND CURVE CONCAVE SWLY,R OF 830 FT,TH NWLY ALG CANAL E R/W LI 188.08 FT,TH N 49 04 02 W 261 FT,TH N 20 50 01 W 39.12 FT TO S LI SECT 33,TH CONT NWLY 31.57 FT,TH N 40 55 58 E 261.60 FT,TH ALG ARC 147.54 FT,TH N 07 20 00 E 184.22 FT TO CURVE CONCAVE NELY,R OF 60 FT,TH ALG ARC 5307 FT,TH S 07 20 00 W 129.25 FT TO CURVE CONCAVE NELY,R OF 25 FT,TH ALG ARC 33.44 FT TO A CURVE CONCAVE NELY, R OF 112.50 FT, TH ALG ARC 57.28 FT, TH S 40 07 28 E 107.68 FT TO A CURVE CONCAVE NLY, R OF 25 FT,TH ALG ARC 39.27 FT,TH N 49 52 32 E 77.63 FT TO A CURVE CONCAVE SELY,R OF 143.96 FT,TH ALG ARC 44.83 FT,TH N 28 05 56 W 15.66 FT,TH N 89 07 15 E 205 FT,TH S 28 05 56 E 49.48 FT,TH S 89 DEG 07 MIN 15 SEC W 167.94 FT TO A CURVE CONCAVE SELY,R OF 103.96 FT,TH ALG ARC 12.91 FT TO CURVE CONCAVE SELY,R OF 25 FT,TH ALG ARC 35.39 FT,TH S 28 05 56 E 167.91 FT TO A CURVE CONCAVE NELY,R OF 25 FT,TH ALG ARC 27.39 FT,TH N 89 07 15 E 189.75 FT,TH S 28 05 56 E 116.19 FT TO POB (9.82 AC) (OR 1982-953)

**Current Values**

Just/Market: \$3,823,500 Assessed: \$3,823,500  
Exemptions: \$0 Taxable: \$3,823,500

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$3,823,500	\$3,823,500	\$0	\$3,823,500
2014	\$3,823,200	\$3,823,200	\$0	\$3,823,200
2013	\$3,693,700	\$3,693,700	\$0	\$3,693,700

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
05-19-2004	1982 / 0953	XX01	WD	Taylor Creek Commons LLC,	\$5,700,000
08-18-2003	1790 / 2937	XX00	WD	Taylor Creek Associates Ltd,	\$3,175,000
07-25-1989	0647 / 0400	XX01	WD	John E Corbally	\$100

**Primary Building Information**

Finished Area of this building: 54,890 SF  
Gross Area of this building: 60,233 SF

**Exterior Data**

View: Roof Cover: Tar & Gravel Roof Structure: BarJst/Rigid Building Type: NSCT  
Year Built: 1990 Frame: Grade: Y\_C Effective Year: 1990  
Primary Wall: Conc Block Story Height: 1 Story No. Units: 6 Secondary Wall:

**Interior Data**

Bedrooms: 0 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
Full Baths: 0 Heated %: 100% Heat Type: FredHotAir Avg Hgt/Floor: 0  
Half Baths: 0 Sprinkled %: 100% Heat Fuel: ELEC Primary Floors: Vinyl Tiles



**Total Areas**

Finished/Under Air (SF):	54,890
Gross Area (SF):	60,233
Land Size (acres):	9.82
Land Size (SF):	427,759
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
ASP2 LOW	1	241000	1980
CONCRETE LOW	1	6748	1990
CEMENT CURB	1	288	1990
SINGLE LIGHT	1	1	1990
DOUBLE LIGHT	1	8	1990

This information is believed to be correct at this time but it is subject to change and is not warranted.  
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**MASSEY HEARING**  
**SM Ross – July 20, 2016**  
**Case #16-0523**  
**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **minor.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATION(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE?

**The property was cleaned and complied. The clothing and shoe container was removed.**

3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? **0**

**Special Magistrate Ross Hearing**

**5. C.**

**Meeting Date:** 07/20/2016

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**Information**

**SUBJECT:**

15-0596	528 S US Highway 1	Lafferty, Gregg D & Kimberly	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 17, 2015	Type of Presentation:	Massey Hearing
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**OWNER:**

OWNER: Gregg D & Kimberly D Lafferty 6708 Santa Clara Boulevard Ft. Pierce, FL 34951	OCCUPIED BY:
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**VIOLATIONS:**

Section(s): 5-1.105.1 Permit Required.

**FINDINGS/ORDER:**

July 15, 2015 the Special Magistrate found Gregg & Kimberly Lafferty responsible for the violation listed above and gave them 60 days to obtain a permit and comply with all permit conditions.

**ACTION DATES:**

1. July 24, 2015 an inspection was made, the violations were not corrected, the fines began.
2. June 9, 2016 an inspection was made, the violations were now corrected, the fines stopped.
3. June 13, 2016 received letter from Janice V. Fisher, Law Offices of Fisher & Associates, P.A. explaining the circumstances that Mrs. Lafferty went through in order to comply with the violations.
4. June 14, 2016 received an email from Michael Waldrop, Innovation Contracting explaining that the permit had fallen through the cracks, but it has been completed as of this date.

**RECOMMENDATION:**

The total amount of fines is \$25,930.00 (includes \$30.00 recording fees.)  
To be determined.

---

**Attachments**

Legal  
Tax Card  
email  
3 Criteria

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## Form Review

Form Started By: Collen Greer  
Final Approval Date: 06/23/2016

Started On: 06/22/2016 11:53 AM

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 27<sup>th</sup>, 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

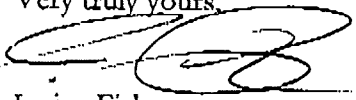
her that "the permit should be coming out of the City soon" and asking her about whether she would like for them to install the handicap parking sign. At that time, Mrs. Lafferty advised him to go ahead and order the sign and that she was concerned about being fined. She did not hear back from him. On 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

**Property Identification**

Site Address: 528 S US HWY 1 Map ID: 24/10F Parcel ID: 2410-711-0058-000-9 Zoning: C3 Account #: 23769 Use Type: 1700 Sec/Town/Range: 10/35S/40E Jurisdiction: Fort Pierce

**Ownership**

Gregg D Lafferty  
Kimberly D Lafferty  
6708 Santa Clara Blvd  
Fort Pierce, FL 34951

**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)

**Current Values**

Just/Market: \$68,600 Assessed: \$68,600  
Exemptions: \$0 Taxable: \$68,600

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$68,600	\$68,600	\$0	\$68,600
2014	\$70,500	\$70,500	\$0	\$70,500
2013	\$66,100	\$66,100	\$0	\$66,100

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
01-30-2013	3480 / 1809	0002	WD	Keane,Thomas C	\$90,000
05-14-2012	3391 / 2898	0119	PR	Keane,Thomas C	\$0
01-01-1978	0282 / 2065	XX00	CV		\$40,000

**Primary Building Information**

Finished Area of this building: 1,076 SF  
Gross Area of this building: 1,161 SF

**Exterior Data**

View: Roof Cover: Dim Shingle Roof Structure: Gable Building Type: LROF  
Year Built: 1939 Frame: Grade: Y\_C Effective Year: 1975  
Primary Wall: CB Stucco Story Height: 1 Story No. Units: 1 Secondary Wall:

**Interior Data**

Bedrooms: 0 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
Full Baths: 0 Heated %: 100% Heat Type: FrcdHotAir Avg Hgt/Floor: 0  
Half Baths: 0 Sprinkled %: 0% Heat Fuel: ELEC Primary Floors: Tile-Ceramic



**Total Areas**

Finished/Under Air (SF):	1,076
Gross Area (SF):	1,161
Land Size (acres):	0.14
Land Size (SF):	5,885
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
ASP1 HIGH	1	2819	1939
CEMENT CURB	1	15	1939

This information is believed to be correct at this time but it is subject to change and is not warranted.  
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528 US HWY1 - CASE # 15-1596 / PERMIT # 15-2707

Michael Waldrop

to:

cgreer@city-ftpierce.com

06/13/2016 04:38 PM

Cc:

Shaun Coss, "insyder411@aol.com", Chris Waldrop

Hide Details

From: Michael Waldrop <MWaldrop@innovationcontracting.com>

To: "cgreer@city-ftpierce.com" <cgreer@city-ftpierce.com>

Cc: Shaun Coss <SCoss@city-ftpierce.com>, "insyder411@aol.com"

<insyder411@aol.com>, Chris Waldrop <CWaldrop@innovationcontracting.com>

Mrs. Greer,

I would like to extend my apologies to the City of Fort Pierce, Shaun Coss and Special Magistrate for the time lapse in wrapping up this case I'm at a loss for why we had so many issues. I was contracted in August 2015 by Mrs. Lafferty, the Owner of 528 US Hwy1 to obtain permit for the work completed per the letter dated April 17<sup>th</sup>, 2015. This driveway and parking area is shared by the neighbor at 530 US Hwy1, Silver Shores Holdings, LLC and we were communicating with them in an effort to get both properties in compliance. The Owner of Silver Shores was very accommodating in the beginning and was interested in our help to make his part legal and to split the costs with his 528 neighbor. We waited for his decision and communicated with him for over a month and then he decided he was going to fight it out with Ft. Pierce over the case.

At that time we redrew the plans removing his side (530) from the permit package and submitted for permit for Mrs. Lafferty of 528 US Hwy1. We submitted on September 29<sup>th</sup> to the Building Department and then there was a lapse in time for some reason we did not pick up the permit until February 18<sup>th</sup>, 2016, I am not sure exactly how it fell between the cracks, but just by chance, I had a conversation with Shaun Coss a few weeks back and mentioned this address to him and he advised me to check with Permitting as he thought there may be an issue. He was correct, Somehow we did not get a FINAL inspection, I called it in for final inspection and we have finalized everything with the permit as of last week and I see that Shaun has forwarded the affidavit of compliance as well..

Thanks again for your help and patience in this matter. Please forward any paperwork that we must fill out for a dismissal or fee reduction and we will get it done in a timely manner from here forward.

If you have any questions please feel free to call or email.

Thank you,

*Michael J. Waldrop*

Cell/Text -772-834-7457

Office- 772-519-9108

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

P.O. BOX 12757, FT. PIERCE, FL 34979



State Certified General Contractor

**MASSEY HEARING**  
**SM Ross – July 20, 2016**  
**Case #15-0595**  
**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: \_\_\_\_\_.
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE?

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3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? \_\_\_\_\_

**Special Magistrate Ross Hearing**

**6. A.**

**Meeting Date:** 07/20/2016

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**Information**

**SUBJECT:**

14-1025	315 S 17th St	Lazare, Ermith	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	May 15, 2014	Type of Presentation:	Lien Reduction
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**OWNER:**

<b>PREVIOUS OWNER:</b> Washington Mutual Bank PO Box 100576 Florence, SC 29501	<b>CURRENT OWNER:</b> Ermith Lazare 315 S 17th Street Ft. Pierce, FL 34950
---	---

**VIOLATIONS:**

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

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

**FINDINGS/ORDER:**

On August 20, 2014 Special Magistrate Blandino found the previous owner, Washington Mutual Bank, responsible for the above violations and gave them 30 days to comply or a fine of \$250.00 per day would be assessed.

**ACTION DATES:**

1. September 22, 2014 an inspection was made, the violations were not in compliance and the fines began.
2. May 18, 2015, an inspection was made, the violations were now in compliance and the fines stopped.
3. October 1, 2015 Staff learned of a new owner, Ms. Lazare. A notice was notifying Ms. Lazare of the fines assessed against the property and that there was no lien at that time.
4. Having no response from the new owner, June 28, 2016, the Order Assessing Fine and Imposing Lien was recorded with the Clerk of Court.
5. July 11, 2016 received request for Lien Reduction/Rescindment from Ms. Lazare.

**RECOMMENDATION:**

The total amount of lien is \$59,540.00 which includes \$40.00 recording fees.  
To be determined.

---

**Attachments**

Request for Reduction  
Tax Card

## 7 Criteria

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### **Form Review**

Form Started By: Collen Greer  
Final Approval Date: 07/14/2016

Started On: 07/12/2016 08:43 AM



REQUEST FOR REDUCTION OR RESCINDMENT OF  
CODE ENFORCEMENT FINES / LIENS

Date:	7-11-16				
Property address:	315 S 17 Street				
Owner(s) of record:	Ermith LAZARE				
Mailing address:	315 S 17 Street				
Property tax ID #:	2409-314-0002.000-9				
Original purchase date:		Original purchase price:			
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:	Ermith LAZARE		Relationship to owner(s)	Owner	
Telephone #:	786-317-6916		Mobile phone #:	-	
E-mail:	-		Preferred contact method:	-	
What are owner(s) intentions for property:					
Amount of Lien:	\$59,500.00		Date Fine Initiated:	9/22/2014	
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)		
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

DOLLAR AMOUNT REQUESTING TO BE WAIVED

DOLLAR AMOUNT I AGREE TO PAY

\$ 59,540.00  
\$ 59,540.00  
\$ 0.00

*Ermith Lazare*

Signature of Owner or Representative

Date

Ermith LAZARE

Printed Name



**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 315 S 17 Street

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board and the City Commission.

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(d), I understand the requirements to be met and that I waive my right to a hearing before the City Commission.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(e) and that my request will be heard and determination made by the City Commission of the City of Fort Pierce.

[Signature]  
Signature of Owner or Representative

Date

Erin L. [Signature]  
Printed Name

**COFP – APPLICATION PROCESS DETERMINATION**

Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

Staff has reviewed the request for lien reduction and do not agree to process the application as requested by the signing party. The matter will be placed before either the Special Magistrate or Code Enforcement Board that authorized the Order Assessing Fine and Imposing Lien.

Margaret M. [Signature]  
City Representative

7/12/16  
Date

MARGARET M AREALIZ  
Printed Name

### 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 are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address:

315 S 17 Street

Property Owner:

Erminth LARARE

Mailing Address:

315 S 17 Street

Telephone #:

786 3176816

Cell Phone #:

—

E-Mail Address:

—

Is the property in compliance? yes If no, please explain in the narrative of your request.





I, Ermith LAZARE, 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:

At this time I'm not working

Date: 7-11-16

Signed: [Signature]  
Print Name: Ermith LAZARE

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Ermith lazare who acknowledged before me that the information contained herein is true and correct. He (She is not personally known to me and has produced FL DL as identification.

SWORN TO AND SUBSCRIBED before me this 11th day of July, 2016.



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

Colleen Greer  
Notary Public, State of Florida



**Property Identification**

Site Address: 315 S 17th ST Parcel ID: 2409-314-0002- Account #: 20951 Sec/Town/Range:  
 000-9 09/35S/40E  
 Map ID: 24/09S Zoning: R4 Use Type: 0800 Jurisdiction: Fort Pierce

**Ownership**

Ermith Lazare  
 3406 Menendez Ave  
 Fort Pierce, FL 34947

**Legal Description**

9 35 40 FROM SE COR OF NE 1/4 OF SW 1/4, TH W ALG 1/4 LI 472 FT, TH W 12.41 FT TO POB, TH CONT W 197.59 FT, TH N 70 FT, TH E 197.55 FT, TH S 70 FT TO POB (0.32 AC) (OR 3745-351)

**Current Values**

Just/Market: \$35,600 Assessed: \$35,600  
 Exemptions: \$0 Taxable: \$35,600

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$35,600	\$35,600	\$0	\$35,600
2014	\$35,600	\$35,600	\$0	\$35,600
2013	\$35,100	\$35,100	\$0	\$35,100

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
04-29-2015	3745 / 0351	0112	SP	Deutsche Bank National Trust Co (TR)	\$24,000
04-03-2015	3745 / 0350	0111	QC	Lazare Ermith	\$100
04-03-2015	3745 / 0342	0111	DE	Lazare Ermith	\$100

**Primary Building Information**

Finished Area of this building: 2,472 SF  
 Gross Area of this building: 2,958 SF

**Exterior Data**

View: Roof Cover: Fibrglss Shg Roof Structure: Gable Building Type: MFH  
 Year Built: 1929 Frame: Grade: MFLQ Effective Year: 1929  
 Primary Wall: Wood/Sheath Story Height: 2 Story No. Units: 4 Secondary Wall:

**Interior Data**

Bedrooms: 0 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
 Full Baths: 2 Heated %: 100% Heat Type: FredHotAir Avg Hgt/Floor: 0  
 Half Baths: 0 Sprinkled %: N/A% Heat Fuel: ELEC Primary Floors: Double Pine



**Total Areas**

Finished/Under Air (SF):	3,072
Gross Area (SF):	3,558
Land Size (acres):	0.32
Land Size (SF):	13,830
Total Building Count:	2

**Special Features and Yard Items**

Type Qty Units Year Blt

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: 14-1025**

**Address: 315 S 17<sup>th</sup> Street**

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
2b.) If the violations were not corrected by the original violator, what action was taken by any other owner or interested party to bring the violation into compliance:	NEW OWNER CORRECTED ALL VIOLATIONS AFTER PURCHASING FROM THE BANK
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:	NONE
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	NONE
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	NONE
7.) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the city owned by the respondent:	NONE