

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, August 17, 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.

16-0580	5203 Okeechobee Rd.	Public Storage Inc.	Shaun Coss
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B.

16-0689	1610 N 25th St. #14	26 Investment LLC	Shaun Coss
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C.

16-0690	1610 N 25th St. #12	26 Investment LLC	Shaun Coss
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D.

16-0691	1610 N 25th St. #6	26 Investment LLC	Shaun Coss
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E.

16-0758	505 Wisteria Ave.	Gill, Alvaro	Shaun Coss
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F.

16-0878	1401 N 22nd Street	Boston, Homer	Mike Morabito
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G.

16-1005	1007 Avenue F	Bembry, Linda D Smith, Anthony L	Terry Denmark
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H.

16-1240	1001 S Us Hwy 1	SC AND MS Smoke Shop LLc	Isaac Saucedo
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I.

16-1330	518 Means Court	Elbethel Community Development	Terry Denmark
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J.

16-1332	312 N 12th Street	Estima, Beracah	Terry Denmark
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K.	16-1359	1201 N 16th Street	Harris Property Solutions LLC	Terry Denmark
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L.	16-1360	1202 N 16th Street	Mereus, Marc E	Terry Denmark
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M.	16-1528	222 S Ocean Drive	Mosley (TR), Daniel S	Isaac Saucedo
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	16-0523	1889 N US Highway 1	Taylor Creek LLC	Isaac Saucedo
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B.	15-2136	1703 Frances Court	Lacknauth, David	Terry Denmark
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C.	15-1704	2010 Avenue D	Shreiteh, Nael	Shaun Coss
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6. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

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:** 08/17/2016**Re:** Case #16-0580 - 5203 Okeechobee Rd.**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

Information**SUBJECT:**

16-0580	5203 Okeechobee Rd.	Public Storage Inc.	Shaun Coss
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CASE INFORMATION:

Case Initiated:	April 8, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Public Storage Inc. Dept Pt FL 20216 PO Box 25025 Glendale, CA 91221	OCCUPIED BY: Tercie's House of Beauty 5203 Okeechobee Rd. Fort Pierce, FL 34947
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for the installation of the Tercie's House of Beauty wall sign.

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: 08/11/2016

Started On: 07/22/2016 03:08 PM

Special Magistrate Ross Hearing**4. B.****Meeting Date:** 08/17/2016**Re:** Case #16-0689 - 1610 N 25th St. #14**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

Information**SUBJECT:**

16-0689	1610 N 25th St. #14	26 Investment LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 23, 2016	Type of Presentation:	Repeat Violator
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OWNER:

OWNER: 26 Investment LLC 20 Maple Ave. Fair Lawn, NJ 07410	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****IPMC 108.1.3 Structure Unfit for Human Occupancy****Section(s): 8.5-47(2) Defects Constituting a Dwelling Unfit.****CORRECTIVE ACTIONS:**

1. It is prohibited to live in a structure without utilities. Immediately turn on utilities or vacate the unit.
2. Two windows have been installed without a permit, obtain a permit for the installation of windows.

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 \$500.00 per day be assessed.

Form Review

Form Started By: Shaun Coss
Final Approval Date: 08/11/2016

Started On: 07/22/2016 03:02 PM

Special Magistrate Ross Hearing**4. C.****Meeting Date:** 08/17/2016**Re:** Case #16-0690 - 1610 N 25th St. #12**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0690	1610 N 25th St. #12	26 Investment LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 23, 2016	Type of Presentation:	Repeat Violator
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OWNER:

OWNER: 26 Investment LLC 20 Maple Ave #30 B Fair Lawn, NJ 07410	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5-1.101.2.1 Unsafe Building
IPMC 304.13 Windows, Doors & Frames
IPMC 304.15 Exterior Doors
IPMC 304.18 Building Security
IPMC 305.2 Interior Surfaces
IPMC 504.1 Plumbing Fixtures
IPMC 506.2 Sanitary Drainage System Maintenance

CORRECTIVE ACTIONS:

1. Repair or replace the exterior door and/or frame and weather stripping so that the door easily opens and is properly sealed.
2. Repair or replace all interior doors.
3. Repair or replace all damaged window locks.
4. Repair all leaking piping under the sinks.
5. Seal the wall behind plumbing piping and fixtures to prevent the entry of rodents and insects.

RECOMMENDATION:

The city request that if the Special Magistrate finds the violation exists, the violator be given 30 days to comply or a fine of \$500.00 per day be assessed.

Form Review

Form Started By: Shaun Coss
 Final Approval Date: 08/11/2016

Started On: 07/22/2016 02:50 PM

Special Magistrate Ross Hearing**4. D.****Meeting Date:** 08/17/2016**Re:** Case #16-0691 - 1610 N 25th St. #6**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0691	1610 N 25th St. #6	26 Investment LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 23, 2016	Type of Presentation:	Repeat
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OWNER:

OWNER: 26 Investment LLC 20 Maple Ave #30B Fair Lawn, NJ 07410	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5-1.101.2.1 Unsafe Building
IPMC 304.13 Windows, Doors & Frames
IPMC 305.3 Interior Surfaces
IPMC 504.1 Plumbing Fixtures
IPMC 506.2 Sanitary Drainage System Maintenance
IPMC 605.1 Electrical Equipment

CORRECTIVE ACTIONS:

1. Repair or replace all broken windows.
2. Repair all leaking piping under the sinks.
3. Seal the wall behind the piping to prevent entry of rodents and insects.
4. Install a proper breaker panel cover.

RECOMMENDATION:

The city request that if the Special Magistrate finds the violation exists, the violator be given 30 days to comply or a fine of \$500.00 per day be assessed.

Form Review

Form Started By: Shaun Coss
 Final Approval Date: 08/11/2016

Started On: 07/20/2016 05:55 PM

Special Magistrate Ross Hearing**4. E.****Meeting Date:** 08/17/2016**Re:** Case #16-0758 - 505 Wisteria Ave.**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

Information**SUBJECT:**

16-0758	505 Wisteria Ave.	Gill, Alvaro	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 28, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Alvaro Gill 2631 95th St. East Elmhurst, NY 11369	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for the installation of the shed or removal of the shed.

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 ReviewForm Started By: Shaun Coss
Final Approval Date: 08/11/2016

Started On: 07/22/2016 03:12 PM

Special Magistrate Ross Hearing

4. F.

Meeting Date: 08/17/2016

Re: Case # 16-0878 - 1401 N 22nd Street

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

Information

SUBJECT:

16-0878	1401 N 22nd Street	Boston, Homer	Mike Morabito
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CASE INFORMATION:

Case Initiated:	April 20, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Homer Boston 1712 Avenue O Ft Pierce, Fl. 34950	OCCUPIED BY:
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VIOLATIONS:

Section(s): 5-73 House Numbers

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

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

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

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

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

CORRECTIVE ACTIONS:

1. Please place house numbers no smaller than 3" on house so that it is clearly visible from the street.
2. Please repair all damaged fascia board, pressure clean and paint the entire exterior of the house including all trim and doors.
3. Please make sure that all window air conditioners are properly secured.
4. Please replace all dead hedges and trees, replace all sod that is missing from the entire property. Mulch all landscaped areas. All landscaping must be maintained in a neat and healthy way.
5. Garbage cans and recycle containers must be kept in an area where they are not visible from the street.
6. Please remove from property washing machine, doors, bicycles, cabinets, trash and debris.
7. Please remove all indoor furniture that is located at the back of the property.
8. Please replace all fencing that is broken or missing. A permit is required. Contact the City of Ft Pierce Building Department at 772-467-3000 for permit information.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violations exists, the violator be given 30 days to comply or a fine of \$75.00 per day be assessed.

Form Review

Form Started By: Michael Morabito

Started On: 07/19/2016 08:18 AM

Final Approval Date: 08/11/2016

Special Magistrate Ross Hearing**4. G.****Meeting Date:** 08/17/2016**Re:** Case #16-1005 - 1007 Avenue F**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1005	1007 Avenue F	Bembry, Linda D Smith, Anthony L	Terry Denmark
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CASE INFORMATION:

Case Initiated:	April 19, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Linda D Bembry Anthony L Smith 1007 Avenue F Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.104.5 Unsafe Building (covered windows)****Section(s): 5-368 Property Maintenance****Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****CORRECTIVE ACTIONS:**

1. Please remove plywood from all windows to allow egress from structure in emergencies.
2. Please repair or replace all damaged or broken windows. This may require a building permit. You may contact the City of Fort Pierce Building Department at 772-467-3000.
3. Please remove all wood, crates, containers and all other non-outdoor items from yard. All non-outdoor items must be stored in an enclosed area.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 15 days to comply or a fine of \$50.00 per day be assessed.

Form Review

Form Started By: Terry Denmark
Final Approval Date: 08/11/2016

Started On: 07/20/2016 03:01 PM

Special Magistrate Ross Hearing

4. H.

Meeting Date: 08/17/2016

Re: Case #16-1240 - 1001 S US Hwy 1

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

Information

SUBJECT:

16-1240	1001 S Us Hwy 1	SC AND MS Smoke Shop LLc	Isaac Saucedo
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CASE INFORMATION:

Case Initiated:	May 13, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: SC And MS Smoke Shop LLC 914 Sw Gatlin Blvd Port Saint Lucie, FL 34952	OCCUPIED BY:
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VIOLATIONS:

Section: 15-5 Signs Prohibited

CORRECTIVE ACTIONS:

Please remove flashing smoke shop sign located at the front of the building.

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 \$50 per day be assessed.

Form Review

Form Started By: Isaac Saucedo
Final Approval Date: 08/11/2016

Started On: 07/05/2016 10:35 AM

Special Magistrate Ross Hearing

4. I.

Meeting Date: 08/17/2016

Re: Case # 16-1330 - 518 Means Court

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

Information

SUBJECT:

16-1330	518 Means Court	Elbethel Community Development	Terry Denmark
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CASE INFORMATION:

Case Initiated:	May 24, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Elbethel Community Development 2221 N 53rd St Ft Pierce, FL 34946	OCCUPIED BY: Tenant 518 1/2 Means Ct Ft Pierce, FL 34950
	Tenant 518 Means Ct Apt A Ft Pierce, FL 34950
	Tenant 518 Means Ct 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

CORRECTIVE ACTIONS:

1. Please remove all boards, buckets, coolers, garbage cans, tarps, trash, debris and all other miscellaneous non-outdoor items from carport and porch. All non-outdoor items must be stored in an enclosed area.
2. Please remove all indoor chairs, tables and all other indoor furniture from carport and porch. All indoor furniture must be kept indoors.

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: Terry Denmark
Final Approval Date: 08/11/2016

Started On: 07/18/2016 03:09 PM

Special Magistrate Ross Hearing**4. J.****Meeting Date:** 08/17/2016**Re:** Case # 16-1332 - 312 N 12th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1332	312 N 12th Street	Estima, Beracah	Terry Denmark
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CASE INFORMATION:

Case Initiated:	May 24, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Beracah Estima 312 N 12th Street Ft Pierece, FL 34950	OCCUPIED BY: Jean Mellon 312 North 12th Street Fort Pierce, FL 34950
OTHER PARTY: Greenspoon Marder, P.A. 100 West Cypress Creek Road, Suite 700 Fort Lauderdale, Florida 33309	OCCUPIED BY: Durand Estima 312 North 12th Street Fort Pierce, FL 34950

VIOLATIONS:**Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section(s): 22-187 (13) Landscape Maintenance****Section(s): 16-46, 16-47, 16-48 (10)(D) Non-Operable Vehicles****Section(s): 5-73 House Numbers****CORRECTIVE ACTIONS:**

1. Please remove all jugs, bottles, containers and all other miscellaneous non-outdoor items from carport. All non-outdoor items must be stored in an enclosed area.
2. Please mow yard, remove grass and weeds from along fence line and conduct other landscaping duties as required to maintain a neat and orderly appearance.
3. Please remove or repair all non-operable vehicles. If you wish to keep a non-operable vehicle it must be stored in an enclosed area.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 15 days to comply or a fine of \$50.00 per day be assessed.

Form Started By: Terry Denmark
Final Approval Date: 08/11/2016

Started On: 07/18/2016 03:29 PM

Special Magistrate Ross Hearing**4. K.****Meeting Date:** 08/17/2016**Re:** Case # 16-1359 - 1201 N 16th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1359	1201 N 16th Street	Harris Property Solutions LLC	Terry Denmark
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CASE INFORMATION:

Case Initiated:	May 25, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Harris Property Solutions LLC 3812 SW Crary St Port St Lucie, FL 34953	OCCUPIED BY: Tenant 1201 N 16th St Apt B Ft Pierce, FL 34950
	Itadieu Deravil 1201 N 16th St Apt A Ft Pierce, FL 34950

VIOLATIONS:**Section(s): 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section(s): 22-187 (13) Landscape Maintenance****CORRECTIVE ACTIONS:**

1. Please remove crates, boards, tires, rugs and all other non-outdoor items from porch and yard. All non-outdoor items must be stored in an enclosed area.
2. Please cut grass including along fence line and conduct other landscaping duties as required to maintain a neat and orderly appearance.

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: Terry Denmark

Started On: 07/18/2016 03:57 PM

Final Approval Date: 08/11/2016

Special Magistrate Ross Hearing**4. L.****Meeting Date:** 08/17/2016**Re:** Case # 16-1360 - 1202 N 16th Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1360	1202 N 16th Street	Mereus, Marc E	Terry Denmark
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CASE INFORMATION:

Case Initiated:	May 25, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Marc E Mereus 512 N 18th St Ft Pierce, FL 34950	OCCUPIED BY: Claurene Andre 1202 N 16th St Apt B Ft Pierce, FL 34950
	Alicindor Pierre 1202 N 16th St Apt A Ft Pierce, FL 34950

VIOLATIONS:**Section(s): 22-187 (13) Landscape Maintenance****CORRECTIVE ACTIONS:**

1. Please cut grass, including along fence line and conduct other landscaping duties as required to maintain a neat and orderly appearance.

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: Terry Denmark
Final Approval Date: 08/11/2016

Started On: 07/18/2016 04:12 PM

Special Magistrate Ross Hearing

4. M.

Meeting Date: 08/17/2016

Re: Case # 16-1528 - 222 S Ocean Dr.

Information

SUBJECT:

16-1528	222 S Ocean Drive	Mosley (TR), Daniel S	Isaac Saucedo
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CASE INFORMATION:

Case Initiated:	June 27, 2016	Type of Presentation:	Regular
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OWNER:

OWNER: Daniel S Mosley (TR) C/O Universal Land Title LLC 17511 Preserve Walk Ln Tampa, FL 33627	OCCUPIED BY:
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VIOLATIONS:

Section(s): 16-46, 16-47, 16-48 (1) (5) Nuisance as a Condition

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

CORRECTIVE ACTIONS:

1. Residing in tents on the property is not an allowable use and this practice should be stopped immediately.
2. Please trim all overgrown bushes, trees, shrubs and grass.

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 \$100.00 per day be assessed.

Form Review

Form Started By: Isaac Saucedo
Final Approval Date: 08/11/2016

Started On: 07/22/2016 11:03 AM

Special Magistrate Ross Hearing**5. A.****Meeting Date:** 08/17/2016

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:

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

1. May 5, 2016 an inspection was made, the violations were not corrected, the fines began.
2. May 19, 2016 an inspection was made, the violations were now corrected, the fines stopped.
3. June 10, 2016 received letter from Dr. Burak.
4. July 20, 2016 a Massey Hearing was scheduled, no one was present to represent the case, Special Magistrate continued the request for next scheduled date.

RECOMMENDATION:

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

Attachments

Letter
Tax Card
3 Criteria
Property map
Administration Costs

Form Review

Form Started By: Collen Greer
Final Approval Date: 08/11/2016

Started On: 07/27/2016 10:43 AM

TAYLOR CREEK, LLC

8000 Southwest 67th 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

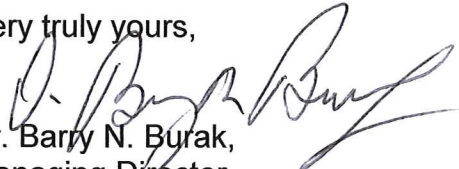
RE: 1889 N. US Hwy.
SM Case # 16-0523

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

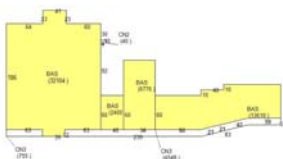
Finished Area of this building: 54,890 SF
Gross Area of this building: 60,233 SF

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?

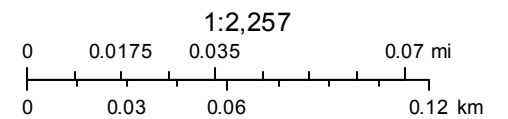
The property was cleaned and complied. The clothing and shoe container was removed.

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**

Ken Pruitt, Saint Lucie County Property Appraiser



August 11, 2016



Administrative Cost Estimator

8/11/2016

Property Address: 1889 N US Hwy 1 (16-0523)

Date case originated: 2/24/2016

Date case complied: 5/16/2016

Total time: 3 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 2

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.44	<u>6</u>	\$2.64
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>5</u>	\$2.50
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>3</u>	\$150.00
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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>3</u>	\$450.00
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Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$275.00	<u>0</u>	\$0.00
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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: **\$990.24**

Special Magistrate Ross Hearing**5. B.****Meeting Date:** 08/17/2016

Information**SUBJECT:**

15-2136	1703 Frances Court	Lacknauth, David	Terry Denmark
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CASE INFORMATION:

Case Initiated:	December 9, 2015	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: David Lacknauth 140 S Dixie Highway, Unit 621 Hollywood, FL 33020	OCCUPIED BY:
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VIOLATIONS:

Section(s): 22-22 (C) Allowed Uses

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

FINDINGS/ORDER:

March 9, 2016 the Special Magistrate found the violations to be in compliance at the time of hearing; however, issued an order to put the property owners on notice that if the property came out of compliance, they may be brought back in front of her as a repeat violator.

June 15, 2016 the Special Magistrate found David & Katy Lacknauth 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. The violation being irreversible and irrevocable in nature, a fine of \$5,000.00 was ordered to be paid to the City of Fort Pierce within 90 days of the date of the order. An immediate cease and desist order was imposed and all future rentals be terminated immediately.

ACTION DATES:

1. March 9, 2016 and Order of Review and Determination was issued.
2. June 15, 2016 the property owners were brought back before the Special Magistrate as a repeat violator.
3. Received letter from Mr. Lacknauth requesting a reduction of fine.

RECOMMENDATION:

The fine is \$5,000.00.

Recommendation to be determined.

Attachments

Request for Reduction

Tax Card

3 Criteria

Form Review

Form Started By: Collen Greer

Started On: 07/27/2016 10:55 AM

Final Approval Date: 08/11/2016



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 1703 Frances Court, Ft. Pierce Florida 34949

Property Owner: Dave Lacknauth

Mailing Address: 140 South Dixie Highway, Unit 621, Hollywood Fl. 33020

Telephone #: _____ Cell Phone #: 561 889 9515

E-Mail Address: dlacknauth@mhs.net

Is the property in compliance? Yes If no, please explain _____

I, Dave Lacknauth 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:



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

Since the violation I immediately put on the first line on the ad that 6 month minimal rental is required. Later I spoke to Mr. Denmark and the suggestion was made to remove my listing on the website. I immediately removed my listing from the site as I have no need; since most people are inquiring about short term rentals despite clear direction of the minimum stay requirement. The add has been disabled from the website. I have taken further actions by listing my house for sale. The price point that I have listed the house at has caused me to take a 40,000 total loss compared to cost of purchasing land actual build cost of this home. The sale of this home and the 40,000 loss has already put a big financial burden on myself and my family but I think it is the right thing to do. I do not want to be in any conflict with the City rules and regulations. I hope that you can see that I am doing everything that I can possibly do and making significant changes. The 5,000 dollar fine being sent to me by the city is a lot more than I can afford considering the above. Please consider a reduction in the fine and rest assured I will adhere to any request made by the city. Respectfully yours Dave Lacknauth



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

Margaret M. Arraiz, Code Compliance Manager

Date: 7/19/2016

Signed: _____

Print Name: DAVE LACKNAUTH

STATE OF FLORIDA

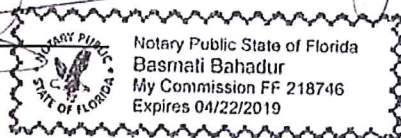
COUNTY OF ST. LUCIE Broward

PERSONALLY APPEARED before me, the undersigned authority DAVE A. LACKNAUTH who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced Florida Drivers Licenses as identification.

SWORN TO AND SUBSCRIBED before me this 19th day of July, 2016.

Basmati Bahadur

Notary Public, State of Florida



Property Identification

Site Address: 1703 Francis CT
 Map ID: 24/01B
 Parcel ID: 2401-506-0017-000-2
 Zoning: R2
 Account #: 154105
 Use Type: 0100
 Sec/Town/Range: 01/35S/40E
 Jurisdiction: Fort Pierce

Ownership

Dave A Lacknauth
 140 S Dixie HWY Apt 621
 Hollywood, FL 33020-7321

Legal Description

BEACH ESTATES (PB 43-25) LOT 16 (OR 2897-2385; 3878-1627)

Current Values

Just/Market: \$52,500
 Exemptions: \$0
 Assessed: \$52,500
 Taxable: \$52,500

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2015	\$52,500	\$52,500	\$0	\$52,500
2014	\$66,500	\$66,500	\$0	\$66,500
2013	\$66,500	\$66,500	\$0	\$66,500

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
03-18-2016	3878 / 1627	0111	QC	Lacknauth Dave	\$100
10-19-2007	2897 / 2385	XX00	WD	Boyce,Robert	\$130,000
05-20-2004	1980 / 1544	XX00	WD	S And Z Investments Of The T C,	\$152,000

Primary Building Information

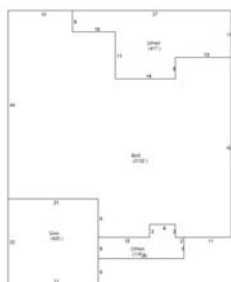
Finished Area of this building: 2,132 SF
 Gross Area of this building: 3,087 SF

Exterior Data

View:	Roof Cover: Metal	Roof Structure: Hip	Building Type: HB
Year Built: 2015	Frame:	Grade: B	Effective Year: 2015
Primary Wall: CB Stucco	Story Height: 1 Story	No. Units: 1	Secondary Wall:

Interior Data

Bedrooms: 3	A/C %: 100%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 2	Heated %: 100%	Heat Type: FredHotAir	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0%	Heat Fuel: ELEC	Primary Floors: Tile-Ceramic



Total Areas

Finished/Under Air (SF):	2,132
Gross Area (SF):	3,087
Land Size (acres):	0.24
Land Size (SF):	10,454
Total Building Count:	1

Special Features and Yard Items

Type	Qty	Units	Year Blt
Drive-BrkPav	1	740	2015

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 – August 17, 2016
Case #15-2136

CONTESTING OF FINE/NON-COMPLIANCE

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **moderate.**

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?

Violator removed advertisement from website after being found in violation by Special Magistrate.

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? **2 times including present circumstances.**

Special Magistrate Ross Hearing**5. C.****Meeting Date:** 08/17/2016

Information**SUBJECT:**

15-1704	2010 Avenue D	Shreiteh, Nael	Shaun Coss
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CASE INFORMATION:

Case Initiated:	October 8, 2015	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Nael Shreiteh 153 NW Dorchester Street Port St. Lucie, FL 34983	OCCUPIED BY:
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VIOLATIONS:**Section(s): 5-1.105.1 Permit Required****FINDINGS/ORDER:**

April 20, 2016 the Special Magistrate ordered the violator who was not present to obtain a permit within 60 days and comply with all conditions of the permit or a fine of \$100.00 per day would be imposed.

ACTION DATES:

June 20, 2016, the violations were not complied, the fines started.

July 12, 2016, the violation is now in compliance, the fines stopped.

August 5, 2016 received letter from Mr. Shreiteh requesting a reduction/rescindment of the fines.

RECOMMENDATION:

The total amount of fines is \$2,230.00 (\$30.00 recording fees).

To be determined.

Attachments

Order

Tax Card

Request

Administration Costs

Form Review

Form Started By: Collen Greer
Final Approval Date: 08/11/2016

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

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

SM CASE # 15-1704

RE: Violation of Section(s): 5-1.105.1 Permit Required

Violator: NAEL SHREITEH
153 NW DORCHESTER ST
PORT ST LUCIE, FL 34983

Property Address: 2010 AVENUE D Tax ID #: 2409-602-0214-000/2
Legal Description: ALAMANDA VISTA S/D BLK J LOTS 11 AND 12 AND W 5 FT OF VAC
ALLEY ADJ ON E (OR 1937-1447)

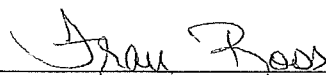
ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on April 20, 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 NAEL SHREITEH failed to obtain a permit prior to sealing and striping the parking lot 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 a permit and comply with all conditions of the permit 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 20th day of April, 2016.



Fran Ross, Special Magistrate

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

20th DAY OF April, 2016.



Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4183233 04/25/2016 at 09:23 AM
OR BOOK 3861 PAGE 197 - 197 Doc Type: ORD
RECORDING: \$10.00

THE ABOVE VIOLATOR FAILED TO APPEAR AND IS DEEMED TO HAVE ADMITTED GUILT TO THE VIOLATION.

RECEIVED

AUG 05 2016

CODE ENFORCEMENT
CITY OF FT. PIERCE

To whom it may concern

I Nael Shreiteh owner of property Avenue D in Fort Pierce, had a contractor working on my property, and i had sent him to pull out permits. I'm not sure why the permits where not pulled out on time. I tried on my end and kept calling the contractor and asking him about the permits. I put in money and time into these permits. The business is currently close and all I'm asking is if you could eliminate or reduce the fines. If you have any questions please feel free to contact me at (772)318-5373. Thank you

Sincerely

Neal Shreiteh

Administrative Cost Estimator

8/11/2016

Property Address: 2010 Avenue D (15-1704)

Date case originated: 10/8/2015

Date case complied: 7/12/2016

Total time: 9 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.44	<u>5</u>	\$2.20
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>3</u>	\$1.50
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>9</u>	\$450.00
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Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Code Enforcement Secretary

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
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Each additional Hearing	\$75.00	<u>0</u>	\$0.00
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Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	\$125.00	<u>1</u>	\$125.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	\$150.00	<u>2</u>	\$300.00
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Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$275.00	<u>0</u>	\$0.00
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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: \$1,138.80