

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, September 21, 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. 

16-0142	Amos Simpson	Simpson, Amos	Shaun Coss
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B. 

16-0849	1609 Paseo Ave	De La Luz Moreno, Geronimo	Shaun Coss
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C. 

16-0955	501 Holly Avenue	Crouch, Linda L	Janey Vanderhorst
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D. 

16-0994	1707 N 13th St.	McNair, Jaime	Shaun Coss
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E. 

16-0995	415 N 26th St	Briggs, Gertrude	Shaun Coss
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F. 

16-1031	1129 Fernandina St	Wheeley, Leonard	Shaun Coss
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G. 

16-1173	606 Emil Avenue	Cardenas, Manuel & Esther	Janey Vanderhorst
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H. 

16-1182	707 Emil Dr	San Juan, Ariel Osorio, Jacinto	Janey Vanderhorst
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I. 

16-1183	708 Emil Drive	Etheridge, Mary (EST)	Janey Vanderhorst
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J. 

16-1188	807 Emil Drive	Venegas, Juan	Janey Vanderhorst
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K.	16-1257	2809 Serenity Cir South	Murca, Carla	Shaun Coss
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L.	16-1482	1605 Wyoming Avenue	Noelke, Daniel E	Janey Vanderhorst
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M.	16-1528	222 S Ocean Drive	Mosley (TR), Daniel S	Isaac Saucedo
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N.	16-2118	1107 Granada Street	Smith, Kevin	Isaac Saucedo
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	15-0105	2909 Sunrise Boulevard	Shotto, Patricia	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:** 09/21/2016**Re:** Case #16-0142 - Amos Simpson**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-0142	Amos Simpson	Simpson, Amos	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 12, 2016	Type of Presentation:	Regular - RECALL
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**OWNER:**

VIOLATOR: AMOS SIMPSON 809 N 13TH STREET, UNIT A FORT PIERCE, FL 34950
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**VIOLATIONS:****Section(s): 5-53(A) (6) Unlicensed Contractors; Prohibitions;****CORRECTIVE ACTIONS:**

1. A contractor's license is required for carpentry. Make application and obtain a state contractor's license or a local certificate of competency for your business; or, immediately cease operations and inactivate the business tax receipt for Amos Simpson.
2. April 13, 2016 the Special Magistrate ordered the case be referred to the Board of Examiners of Contractors on May 10, 2016.
3. Mr. Simpson failed to submit an application to appear in front of the Board of Examiners of Contractors on May 10 nor any date after.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator be provided 30 days to apply for a contractor's license or competency card and obtain such license or competency card within an additional 90 days; or, be provided 30 days to cease operations and inactivate the business tax receipt for this business. The City requests that if the violator fails to come into compliance within the aforementioned timeframe that the violator be assessed a fine, in personam, of \$250.00 per day until the violation has been cured.

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**Attachments**

Order

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**Form Review**

Form Started By: Collen Greer

Started On: 08/04/2016 04:36 PM

Final Approval Date: 09/14/2016

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

SM CASE # 16-0142

RE: Violation of Section(s): 5-53 (A) (6) Unlicensed Contractors; Prohibitions

Violator: AMOS SIMPSON  
809 N 13TH ST, UNIT A  
FT PIERCE, FL 34950

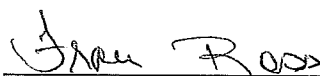
ORDER OF REFERRAL

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on April 13, 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 AMOS SIMPSON failed to obtain a contractor's license for a specialty occupation; i.e. carpentry as required by the Code of Ordinances as specified above and therefore finds cause for this case to be referred to The Board of Examiners of Contractors on May 10, 2016 at 9:00 am.

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 14th day of April, 2016.

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

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

14th DAY OF April, 2016.

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

**Special Magistrate Ross Hearing****4. B.****Meeting Date:** 09/21/2016**Re:** Case #16-0849 - 1609 Paseo Ave**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-0849	1609 Paseo Ave	De La Luz Moreno, Geronimo	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 7, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Geronimo De La Luz Moreno 1609 Paseo Ave Fort Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for installation of a screen enclosure on the front of the house.

**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: 09/14/2016

Started On: 08/18/2016 02:33 PM

**Special Magistrate Ross Hearing**

**4. C.**

**Meeting Date:** 09/21/2016

**Re:** Case #16-0955 - 501 Holly Avenue

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

**Information**

**SUBJECT:**

16-0955	501 Holly Avenue	Crouch, Linda L	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	April 18, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Linda Crouch 1709 S Indian River Dr FT. Pierce, FL 34950	<b>OCCUPIED BY:</b> Tenant 501 Holly Ave Ft. Pierce, FL 34982
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**VIOLATIONS:**

**Section: 5-368 Property Maintenance**

**CORRECTIVE ACTIONS:**

1. Please remove blue tarp and repair roof. A permit might be required, please contact the Building Department at 467-3000.

**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: Collen Greer  
Final Approval Date: 08/17/2016

Started On: 08/17/2016 03:11 PM

**Special Magistrate Ross Hearing****4. D.****Meeting Date:** 09/21/2016**Re:** Case #16-0994 - 1707 N 13th St.**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0994	1707 N 13th St.	McNair, Jaime	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 18, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Jaime & Yolanda McNair 5259 Lovette Cir Ft Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section(s): 5-1.101.2.1 Unsafe Building**  
**5-1.105.1 Permit Required**  
**IPMC 108.1.3 Structure Unfit for Human Occupancy**  
**IPMC 304.1 Exterior Structure**  
**IPMC 304.7 Roofs & Drainage**  
**IPMC 304.13 Windows, Doors & Frames**  
**IPMC 305.3 Interior Surfaces**  
**IPMC 309.1 Infestation**  
**IPMC 504.1 Plumbing Fixtures**  
**IPMC 605.3 Luminaries**

**CORRECTIVE ACTIONS:**

1. Repair or replace the roof where it is leaking.
2. Seal all holes in the exterior of the structure allowing entry of rodents and pest.
3. Seal all holes in the interior of the structure allowing entry of rodents and pest.
4. Once all holes are sealed have the property treated for the pest and rodent infestation.
5. The air conditioner was replaced without a permit. Obtain a permit for work that was done.
6. Repair or replace the broken window in the bathroom.
7. Repair or replace all damaged sink faucet and faucet hardware.
8. Repair or replace the light in the bathroom.

**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: 09/14/2016

Started On: 08/18/2016 02:49 PM

**Special Magistrate Ross Hearing****4. E.****Meeting Date:** 09/21/2016**Re:** Case #16-0995 - 415 N 26th St.**Submitted For:** Shaun Coss, Building Dept. Investigator, Building**Information****SUBJECT:**

16-0995	415 N 26th St	Briggs, Gertrude	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 18, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Gertrude D Briggs C/O Alfred Davis PO Box 11097 Rochester, NY 14611	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

Section(s): 5-1.101.2.1 Unsafe Building  
IPMC 108.1.1 Unsafe Structure  
IPMC 108.1.2 Unsafe Equipment  
IPMC 304.1 Exterior Structure  
IPMC 304.10 Stairways, Decks, Porches & Balconies  
IPMC 304.13 Windows, Doors & Frames  
IPMC 304.18 Building Security  
IPMC 305.3 Interior Surfaces  
IPMC 305.2 Structural Members  
IPMC 506.2 Sanitary Drainage System Maintenance  
IPMC 603.1 Mechanical Equipment  
IPMC 605.1 Electrical Equipment  
IPMC 704.2 Smoke Alarms

**CORRECTIVE ACTIONS:**

1. Install smoke detectors as required.
2. Replace the missing stair handrails.
3. Repair or replace all broken windows and window hardware. Windows must be able to be locked and sealed in a manner to prevent the entry of rodents and insects.
4. There is evidence of termites. Have the property treated for termites.
5. Repair or replace all rotten wood.
6. Repair or replace the sub-floor or obtain documentation from a design professional that the sub-floor is safe and structurally sound.
7. Repair all holes in the interior walls. Seal all holes around piping to prevent the entry of rodents and insects.

8. Replace the wiring on the water heater to make it code compliant.
9. Properly abandon or bring up to code the light fixture hanging by its cord at the rear of the house.
10. Repair or replace all damaged vent piping.

**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: 09/14/2016

Started On: 08/18/2016 02:42 PM

**Special Magistrate Ross Hearing****4. F.****Meeting Date:** 09/21/2016**Re:** Case #16-1031 - 1129 Fernandina St**Submitted For:** Shaun Coss, Building Dept. Investigator, Building

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**Information****SUBJECT:**

16-1031	1129 Fernandina St	Wheeley, Leonard	Shaun Coss
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**CASE INFORMATION:**

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

<b>OWNER:</b> Leonard & Martha Wheeley 1129 Fernandina St. Fort Pierce, FL 34949	<b>OCCUPIED BY:</b>
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****CORRECTIVE ACTIONS:**

1. Obtain a permit for the exterior siding repair.

**RECOMMENDATION:**

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

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**Form Review**Form Started By: Shaun Coss  
Final Approval Date: 09/14/2016

Started On: 08/18/2016 02:37 PM

**Special Magistrate Ross Hearing**

**4. G.**

**Meeting Date:** 09/21/2016

**Re:** Case # 16-1173 - 606 Emil Ave

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

**Information**

**SUBJECT:**

16-1173	606 Emil Avenue	Cardenas, Manuel & Esther	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	May 11, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Manuel & Esther Cardenas 606 Emil Avenue Fort Pierce, FL 34982	OCCUPIED BY:
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**VIOLATIONS:**

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

**Section: 16-46, 16-47, 16-48 (4) Parking on Other Than Pavement**

**Section: 5-368 Property Maintenance**

**CORRECTIVE ACTIONS:**

1. Please remove all miscellaneous items that are being stored throughout yard and carport. They need to be stored in a shed or enclosed garage.
2. Please refrain from parking vehicles on grass.
3. Exterior door needs to be painted.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Collen Greer  
Final Approval Date: 08/17/2016

Started On: 08/17/2016 03:11 PM

**Special Magistrate Ross Hearing****4. H.****Meeting Date:** 09/21/2016**Re:** Case # 16-1182 - 707 Emil Dr**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-1182	707 Emil Dr	San Juan, Ariel Osorio, Jacinto	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	May 11, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER</b> Ariel San Juan Jacinto Osorio 704 Ixoria Ave Fort Pierce, FL 34982	<b>OCCUPIED BY:</b> Jacinto Osorio 707 Emil Dr Fort Pierce, FL 34982
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**VIOLATIONS:****Section: 16-46, 16-47, 16-48 (1)(5) Outside Storage****Section: 5-368 (6) Fence Maintenance****CORRECTIVE ACTIONS:**

1. Please remove all miscellaneous items that are being stored throughout yard. They need to be stored in a shed or enclosed garage.
2. Fence needs to be repaired or replaced. A permit might be required, if you have any questions, please contact the Building Department at 467-3000.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **25** days to comply or a fine of **\$50.00** per day be assessed.

**Form Review**

Form Started By: Collen Greer  
Final Approval Date: 08/17/2016

Started On: 08/17/2016 03:11 PM

**Special Magistrate Ross Hearing**

**4. I.**

**Meeting Date:** 09/21/2016

**Re:** Case # 16-1183 - 708 Emil Drive

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

**Information**

**SUBJECT:**

16-1183	708 Emil Drive	Etheridge, Mary (EST)	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	May 11, 2016	Type of Presentation:	Repeat
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**OWNER:**

<b>OWNER:</b> Mary Etheridge (EST) 708 Emil Drive Fort Pierce, FL 34982	<b>OCCUPIED BY:</b> William C Etheridge 708 Emil Drive Fort Pierce, FL 34982
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**VIOLATIONS:**

**Section: 16-46, 16-47, 16-48 (4) Parking on Other Than Pavement**

**CORRECTIVE ACTIONS:**

1. Please refrain from parking vehicles on grass.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 1? day to comply or a fine of \$250.00 per day be assessed.

**Form Review**

Form Started By: Janey Vanderhorst

Started On: 08/09/2016 09:26 AM

Final Approval Date: 08/31/2016

**Special Magistrate Ross Hearing**

**4. J.**

**Meeting Date:** 09/21/2016

**Re:** Case # 16-1188 - 807 Emil Drive

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

**Information**

**SUBJECT:**

16-1188	807 Emil Drive	Venegas, Juan	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	May 11, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Juan Venegas 3023 Dame Rd Fort Pierce, FL 34981	<b>OCCUPIED BY:</b> Tenant 807 Emil Drive Fort Pierce, FL 34982
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**VIOLATIONS:**

**Section: 5-368 Property Maintenance**

**CORRECTIVE ACTIONS:**

1. Structure needs to be painted.

**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: Collen Greer  
Final Approval Date: 08/17/2016

Started On: 08/17/2016 03:11 PM

**Special Magistrate Ross Hearing**

**4. K.**

**Meeting Date:** 09/21/2016

**Re:** Case #16-1257 - 2809 Serenity Cir South

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

**Information**

**SUBJECT:**

16-1257	2809 Serenity Cir South	Murca, Carla	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	May 17, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Carla Murca & Ednilson Santos 1103 SW 49th Terr Margate, FL 33068	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the fire pit/outdoor grill or remove the fire pit/outdoor grill.

**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: 09/14/2016

Started On: 08/18/2016 02:23 PM

**Special Magistrate Ross Hearing**

**4. L.**

**Meeting Date:** 09/21/2016

**Re:** Case # 16-1482 - 1605 Wyoming Avenue

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

**Information**

**SUBJECT:**

16-1482	1605 Wyoming Avenue	Noelke, Daniel E	Janey Vanderhorst
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**CASE INFORMATION:**

Case Initiated:	June 17, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Daniel E Noelke 1840 Trowbridge Rd Fort Pierce, FL 34945	<b>OCCUPIED BY:</b> Tenants 1605 Wyoming Avenue Fort Pierce, FL 34982
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

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

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given **5** days to comply or a fine of **\$50.00** per day be assessed.

**Form Review**

Form Started By: Janey Vanderhorst  
Final Approval Date: 09/14/2016

Started On: 08/29/2016 08:12 AM

**Special Magistrate Ross Hearing**

**4. M.**

**Meeting Date:** 09/21/2016

**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 - Rescheduled
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**OWNER:**

<b>OWNER:</b> Daniel S Mosley (TR) C/O Universal Land Title LLC 17511 Preserve Walk Ln Tampa, FL 33627	<b>OCCUPIED BY:</b>
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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: Collen Greer  
Final Approval Date: 08/18/2016

Started On: 08/18/2016 08:51 AM

**Special Magistrate Ross Hearing****4. N.****Meeting Date:** 09/21/2016**Re:** Case # 16-2118 - 1107 Granada Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

16-2118	1107 Granada Street	Smith, Kevin	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	August 31, 2016	Type of Presentation:	Review & Determination
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**OWNER:**

OWNER: Kevin Smith 3738 N Lakewood Ave Chicago, IL 60613	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 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 has conducted short term rentals and if he continues to do so; the rentals that have already commenced are considered irreversible and irrevocable in nature, that a fine equal to one months rental or \$2000.00 be assessed. The city also requests an immediate cease and desist order be imposed and all future rentals be terminated.

**Form Review**

Form Started By: Terry Denmark  
Final Approval Date: 09/14/2016

Started On: 08/31/2016 03:29 PM

**Special Magistrate Ross Hearing****5. A.****Meeting Date:** 09/21/2016**Information****SUBJECT:**

15-0105	2909 Sunrise Boulevard	Shotto, Patricia	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	January 14, 2015	Type of Presentation:	Massey Hearing - RECALL
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**OWNER:**

OWNER: Patricia Shotto 709 Emil Avenue Ft. Pierce, FL 34950	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required.****FINDINGS/ORDER:**

May 20, 2015 Special Magistrate Ross found the owner in violation and gave her 60 days to revise and apply for permit or a fine of \$100.00 per day would be assessed.

**ACTION DATES:**

1. May 22, 2015 an inspection was made, violation(s) were not in compliance, fines began.
2. August 4, 2015 received letter from Patricia Shotto requesting a Massey hearing.
3. September 16, 2015, Special Magistrate stopped the fines from accruing to allow time for compliance. There was no time limit issued.

**RECOMMENDATION:**

Balance as of 7/28/15 to date \$2,120.00 accumulating daily at \$100.00.  
To be determined.

**Attachments**

Tax Card  
Minutes

**Form Review**

Form Started By: Collen Greer  
Final Approval Date: 09/14/2016

Started On: 08/15/2016 09:59 AM





Prior to the presentation of the case Special Magistrate Ross disclosed that she knows Patricia Shotto and her family; however, this will not affect her decision regarding the case.

Shaun Coss read the facts of the case. An inspection was made on May 20, 2015, the violations were not in compliance and the fines began. On August 4, 2015 Staff received a letter contesting the fines. He stated that Ms. Shotto has submitted the revisions for the permit and it's ready to be picked up. Staff would be willing to stop the fines at this time to allow her time to comply.

Patricia Shotto was sworn in for testimony. She stated that she is waiting to hear if the windows that were installed will pass the inspection because if she has to put in different ones to comply with the new energy requirements, it's going to be expensive. She was told by the building department that she has until October 1st to get the windows permitted. This was confirmed by Margaret Arraiz. Because she has been working to get this done and the permit has been issued Ms. Arraiz suggested that the Special Magistrate stop the fines from accruing and continue the case to allow Ms. Shotto the time she needs to comply the permit. This was agreed to by all parties.

Motion was made by Fran O. Ross that the fines be stopped from accruing as of the date of hearing and continue this request until further notice to allow respondent time to obtain the permit and comply with the conditions of the permit. When the violations are complied, you can request another hearing and request a reduction/rescindment of the fines. Failure to obtain the permit or if you allow the permit to expire, results in the matter being brought back for further consideration.

6. PUBLIC HEARINGS - LIEN REDUCTION REQUESTS
7. REQUEST FOR EXTENSION OF TIME
8. NEW BUSINESS
9. OLD BUSINESS

Meeting adjourned at 10:00 AM.  
Respectfully submitted:  
Colleen Greer