

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, August 16, 2017 - 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 - CITATIONS**

A.

17-1262 PK	1401 S Ocean Drive	Frisk, James	Officer E. Louis
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B.

17-1363 PK	S/S 200 Blk Atlantic Avenue	Alvarez, Ileana	Vincent Alesi
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.

17-0751	709 Easter Avenue	Mathews, Thomas L & Kathleen E	Isaac Saucedo
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B.

17-1030	401 S US Hwy 1	FQSR RE 11 LLC	Isaac Saucedo
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C.

17-1465	2400 S Ocean Drive 7645	Breslin, Sheila	Heather Debevec
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D.

17-1466	1631 Seaway Dr	Dunstan, Ivy	Heather Debevec
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E.

17-1468	2014 Jacaranda Drive	Palm Property LLC	Heather Debevec
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F.

17-1467	421 N 2nd Street	AABAA International Inc	Heather Debevec
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G.

17-0849	411 Cedar Place	Cruickshank, Cephus	Heather Debevec
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H.

17-0848	409 Cedar Place	Cruickshank, Cephus	Heather Debevec
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I.	17-0774	1859 N US Highway 1	Taylor Creek LLC	Heather Debevec
J.	17-0818	661 Hernando Street	Pearly Sands II LLC	Heather Debevec
K.	17-0843	703 N 9th Street	Sherffield, Arthur Ferguson, Cheryl	Heather Debevec
L.	17-1147	1905 Sunrise Boulevard	McKuhlen (Est), Donna J	Andy Avery

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

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

8. **OTHER CASES**

9. **NEW BUSINESS**

10. **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: 08/16/2017

Re: Case # 17-1262 - Citation 33199 - Frisk

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

Information

SUBJECT:

17-1262 PK	1401 S Ocean Drive	Frisk, James	Officer E. Louis
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CASE INFORMATION:

Case Initiated:	June 11, 2017	Type of Presentation:	Citation
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OWNER:

VIOLATOR: James Frisk	
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	Late Fee	Total Due
17-1262	10-23 Parking Regulations	\$30.00 X1	\$30.00	\$10.00	\$18.00	\$58.00

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the fine as indicated on the citation \$30.00 plus the administration charges of \$10.00 and the last fee of \$18.00. Totaling \$58.00.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/14/2017 09:12 AM

Special Magistrate Ross Hearing

4.B.

Meeting Date: 08/16/2017

Re: Case #17-1363 - PK 0152 - Alvarez

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

Information

SUBJECT:

17-1363 PK	S/S 200 Blk Atlantic Avenue	Alvarez, Ileana	Vincent Alesi
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CASE INFORMATION:

Case Initiated:	June 21, 2017	Type of Presentation:	Citation
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OWNER:

OWNER: Ileana De Los Angeles Alvarez	PARKING VIOLATION: Citation #0152 PK
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	Late Fee	Total Due
0152 PK	10-23 Parking Regulations	1 @ \$50.00	\$50.00	\$10.00	\$18.00	\$78.00

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violations(s) exist, the violator be assessed the fine as indicated on the citation referenced above.

Form Review

Form Started By: Colleen Greer

Started On: 08/01/2017 10:41 AM

Final Approval Date: 08/07/2017

Special Magistrate Ross Hearing

5.A.

Meeting Date: 08/16/2017

Re: Case # 17- 0751 - 709 Easter Avenue

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

Information

SUBJECT:

17-0751	709 Easter Avenue	Mathews, Thomas L & Kathleen E	Isaac Saucedo
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CASE INFORMATION:

Case Initiated:	April 10, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Thomas L Mathews Kathleen Mathews 709 Easter Avenue Ft. Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

- Section(s): 16-46, 16-47, 16-48 (1)(5) – Outside Storage
- Section(s): 16-46, 16-47, 16-48 (10)(D) – Non-Operable Vehicles
- Section(s): 16-25 (C) – Responsibility for Containers
- Section(s): 22-187 (13) – Landscape Maintenance

CORRECTIVE ACTIONS:

1. Please remove all rims, wood, gas cans, buckets, storage bins and all other miscellaneous items located underneath the carport.
2. Please register or remove boat and all other non-operable vehicles located on the property.
3. Please move all trash containers to the side of back of the house.
4. Please trim all overgrown bushes, scrubs 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 \$150 per day be assessed.

Form Review

Form Started By: Isaac Saucedo
Final Approval Date: 07/27/2017

Started On: 07/06/2017 04:11 PM

Special Magistrate Ross Hearing

5.B.

Meeting Date: 08/16/2017

Re: Case # 17-1030 - 401 S US Hwy 1

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

Information

SUBJECT:

17-1030	401 S US Hwy 1	FQSR RE 11 LLC	Isaac Saucedo
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CASE INFORMATION:

Case Initiated:	May 12, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: FQSR RE II LLC 8900 Indian Creek Pkwy Overland Park, KS 66210	OCCUPIED BY: KFC 401 S US Hwy 1 Ft. Pierce, FL 34950
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VIOLATIONS:

Section(s): 5-368 (6) – Fence Maintenance

CORRECTIVE ACTIONS:

1. Please remove or repair wooden fence. A permit may be required. Please contact the building department at (772) 467-3000.

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 \$ 150 per day be assessed.

Form Review

Form Started By: Isaac Saucedo
Final Approval Date: 07/27/2017

Started On: 07/06/2017 04:33 PM

Special Magistrate Ross Hearing

5.C.

Meeting Date: 08/16/2017

Re: Case # 17-1465 - 2400 S Ocean Drive 7645

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

Information

SUBJECT:

17-1465	2400 S Ocean Drive 7645	Breslin, Sheila	Heather Debevec
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CASE INFORMATION:

Case Initiated:	July 1, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Sheila Breslin 2400 S Ocean Drive 7645 Ft Pierce, FL 34949	
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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. Obtain a conditional use permit.
2. Obtain a business tax receipt.

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 and order all utilities to the premises be suspended while the violation continues.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/08/2017 08:38 AM

Special Magistrate Ross Hearing

5.D.

Meeting Date: 08/16/2017

Re: Case # 17-1466 - 1631 Seaway Drive

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

Information

SUBJECT:

17-1466	1631 Seaway Dr	Dunstan, Ivy	Heather Debevec
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CASE INFORMATION:

Case Initiated:	July 1, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Ivy Dunstan 2820 Selwyn Ave Ste 720 Charlotte, NC 28209	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. Obtain a conditional use permit.
2. Obtain a Business Tax Receipt.

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 and order all utilities to the premises be suspended while the violation continues.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/08/2017 09:04 AM

Special Magistrate Ross Hearing

5.E.

Meeting Date: 08/16/2017

Re: Case # 17-1468 - 2014 Jacaranda Drive

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

Information

SUBJECT:

17-1468	2014 Jacaranda Drive	Palm Property LLC	Heather Debevec
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CASE INFORMATION:

Case Initiated:	July 1, 2017	Type of Presentation:	Regular
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OWNER:

<p>OWNER: Palm Property LLC 1424 SE McArthur Blvd. Stuart, FL 34996</p>	<p>REGISTERED AGENT: Neal Poller 550 Biltmore Way, Suit 700 Coral Gables, FL 33134</p>
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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. Obtain a conditional use permit.
2. Obtain a Business Tax Receipt.

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 and order all utilities to the premises be suspended while the violation continues.

Form Review

Form Started By: Heather Debevec

Started On: 07/08/2017 09:10 AM

Final Approval Date: 07/27/2017

Special Magistrate Ross Hearing**5.F.****Meeting Date:** 08/16/2017**Re:** Case # 17-1467 - 421 N 2nd Street**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

17-1467	421 N 2nd Street	AABAA International Inc	Heather Debevec
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CASE INFORMATION:

Case Initiated:	July 1, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: AABAA International Inc PO Box 812079 Boca Raton, FL 33481	REGISTERED AGENT: Cormac Conahan Esq. 170 SW 11th Court Boca Raton, FL 33486
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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. Obtain a conditional use permit.
2. Obtain a business tax receipt.

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 and order all utilities to the premises be suspended while the violation continues.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/08/2017 09:18 AM

Special Magistrate Ross Hearing

5.G.

Meeting Date: 08/16/2017

Re: Case # 17-0849 - 411 Cedar Place

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

Information

SUBJECT:

17-0849	411 Cedar Place	Cruickshank, Cephus	Heather Debevec
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CASE INFORMATION:

Case Initiated:	May 24, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Cephus Cruickshank 2312 N 44th Street Ft. Pierce, FL 34946	OCCUPIED BY: Tenant 411 Cedar Place Ft. Pierce, FL 34950
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VIOLATIONS:

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

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

CORRECTIVE ACTIONS:

1. Remove the indoor furniture from the yard.
2. Place the trash, yard debris, and recycle containers to the side or rear of the residence.

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: Heather Debevec

Started On: 07/08/2017 01:04 PM

Final Approval Date: 07/27/2017

Special Magistrate Ross Hearing

5.H.

Meeting Date: 08/16/2017

Re: Case # 17-0848 - 409 Cedar Place

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

Information

SUBJECT:

17-0848	409 Cedar Place	Cruickshank, Cephus	Heather Debevec
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CASE INFORMATION:

Case Initiated:	April 20, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Cephus Cruickshank 2312 N 44th Street Ft. Pierce, FL 34946	OCCUPIED BY: Tenant 409 Cedar Place Ft. Pierce, FL 34950
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VIOLATIONS:

Section(s): 16-46, 16-47, 16-48(11) - Outside Storage of Indoor Furniture
Section(s): 16-25(C): Responsibility for Containers

CORRECTIVE ACTIONS:

1. Remove the indoor furniture from the yard.
2. Store the trash, yard debris, and recycle containers on the side or rear of the residence.

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: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/08/2017 01:15 PM

Special Magistrate Ross Hearing

5.I.

Meeting Date: 08/16/2017

Re: Case # 17-0774 - 1859 N U S Highway 1

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

Information

SUBJECT:

17-0774	1859 N US Highway 1	Taylor Creek LLC	Heather Debevec
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CASE INFORMATION:

Case Initiated:	April 12, 2017	Type of Presentation:	Regular
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OWNER:

<p>OWNER: Taylor Creek LLC 8000 SW 67th Avenue Miami, FL 33143</p> <p>REGISTERED AGENT: Family Dollar Store 8351 Dollar Tree Licensing 500 Volvo Parkway Chesapeake, VA 23320</p>	<p>OCCUPIED BY: Family Dollar Store 8351 1859 N US Highway 1 Ft. Pierce, FL 34950</p>
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VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Keep the dumpster lids closed and the area around them tidy.

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: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/11/2017 03:05 PM

Special Magistrate Ross Hearing

5.J.

Meeting Date: 08/16/2017

Re: Case # 17-0818 - 661 Hernando Street

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

Information

SUBJECT:

17-0818	661 Hernando Street	Pearly Sands II LLC	Heather Debevec
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CASE INFORMATION:

Case Initiated:	April 18, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Pearly Sands II LLC 7 Lagomar Rd Palm Beach, FL 33480	REGISTERED AGENT: Adam Seligman Esq 4420 Beacon Circle West Palm Beach, FL 33407
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VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Trim the foliage.

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: Heather Debevec

Started On: 07/13/2017 03:13 PM

Final Approval Date: 07/27/2017

Special Magistrate Ross Hearing

5.K.

Meeting Date: 08/16/2017

Re: 17-0843 - 703 N 9th Street

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

Information

SUBJECT:

17-0843	703 N 9th Street	Sherffield, Arthur Ferguson, Cheryl	Heather Debevec
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CASE INFORMATION:

Case Initiated:	April 20, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: Arthur Sherffield Cheryl Ferguson 703 N 9th St Ft. Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

- Section(s): 5-1.104.5 - Unsafe Building (covered windows)
- 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 of Indoor Furniture
- Section(s): 5-368 - Property Maintenance
- Section(s): 16-46, 16-48 - Hanging Clothes on the Fence
- Section(s): 16-25(C) - Responsibility for Containers

CORRECTIVE ACTIONS:

1. Remove the shutters from the windows.
2. Remove the refrigerator from the driveway.
3. Remove or place in a shed the debris from the rear of the residence and around the outside of the residence.
4. Place indoor furniture inside or remove it from the property.
5. Obtain the proper permits and repair or replace the roof. Paint the home.
6. Trim the weeds from around the fence and trees. Trim the bush at the front of the home.
7. Trash and recycle bins must be stored at the side or rear of the residence.

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: Heather Debevec
Final Approval Date: 07/27/2017

Started On: 07/26/2017 08:14 AM

Special Magistrate Ross Hearing

5.L.

Meeting Date: 08/16/2017

Re: Case #17-1147 - 1905 Sunrise Boulevard

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

Information

SUBJECT:

17-1147	1905 Sunrise Boulevard	McKuhen (Est), Donna J	Andy Avery
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CASE INFORMATION:

Case Initiated:	June 8, 2017	Type of Presentation:	Repeat
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OWNER:

OWNER: Donna J McKuhen (Est) 1703 Rio Vista Drive Ft. Pierce, FL 34949	OCCUPIED BY: Elizabeth N Birmingham 1905 Sunrise Boulevard Ft. Pierce, FL 34950
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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): 16-46, 16-47, 16-48 Nuisance as a Condition

CORRECTIVE ACTIONS:

1. Please remove all outside storage of trash, trash bags, boxes, wood panels, shopping cart, and any other miscellaneous items from the yard and porch.
2. Please remove the stool, inside stroller, toy bed, and any other inside furniture from the yard and driveway.
3. The current condition of the property is not esthetically pleasing for the neighborhood.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator(s) be given 10 days to comply or a find of \$50.00 per day be assessed.

Form Review

Form Started By: Colleen Greer
Final Approval Date: 08/07/2017

Started On: 08/07/2017 01:23 PM