

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Tuesday, March 19, 2019 - 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. **APPROVAL OF MINUTES**
  - B. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**
  - C. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**
4. **PUBLIC HEARINGS - CITATIONS**
5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	18-2335	914 S 15th Street	Gonzalez, Efrain S.	Will Carbonell
B.	18-2405	508 Palm Avenue	Martin County Properties LLC	Will Carbonell
C.	18-2622	602 N 22nd Street	CJBR N 22ND ST LLC	Will Carbonell
D.	18-2655	2504 Avenue P	Luxama, Odette	Will Carbonell
E.	17-2777	2210 N 17th Street	Sands, Desean D.	Shaun Coss
F.	17-2318	6780 Samba Street	Konrath, Ty	Shaun Coss
G.	18-1273	705 Cedar Pl (503 N 7th St)	Longshoremen of SLC Inc.	Shaun Coss
H.	18-1274	710 Avenue D	Longshoremen of SLC Inc.	Shaun Coss
I.	18-1933	2311 Delaware Avenue	Campos, Samuel C.	Paul Julin

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

A. 

16-1217	2512 Avenue E	Tremayne, Martin	Shaun Coss
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B. 

17-896	1904 S 30th Street	Viramontes, Luis S. M.	Shaun Coss
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A. 

15-1088	2801 Oleander Avenue	Charleston, LeMaire	Shaun Coss
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8. **OTHER CASES**

A. 

17-2272	4935 Oleander Ave	Midway Road Plaza LLC	Shaun Coss
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9. **NEW BUSINESS**

10. **OLD BUSINESS**

Any person seeking to appeal any decision by the Special Magistrate with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

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 Hearing - Building**

**3.A.**

**Meeting Date:** 03/19/2019

**Re:**

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**Information**

**SUBJECT:**

**APPROVAL OF MINUTES**

**CASE INFORMATION:**

**OWNER:**

**VIOLATIONS:**

**CORRECTIVE ACTIONS:**

**RECOMMENDATION:**

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**Form Review**

Form Started By: Elizabeth Beck

Started On: 03/11/2019 03:49 PM

Final Approval Date: 03/11/2019

**Special Magistrate Hearing - Building**

**4.**

**Meeting Date:** 03/19/2019

**Re:**

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**Information**

**SUBJECT:**

**PUBLIC HEARINGS - CITATIONS**

**CASE INFORMATION:**

**OWNER:**

**VIOLATIONS:**

**CORRECTIVE ACTIONS:**

**RECOMMENDATION:**

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**Form Review**

Form Started By: Elizabeth Beck

Started On: 03/11/2019 03:57 PM

Final Approval Date: 03/11/2019

**Special Magistrate Hearing - Building**

**5.A.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-2335 - 914 S 15th Street

**Submitted For:** Will Carbonell, Building Inspector/Investigator, Building

**Information**

**SUBJECT:**

18-2335	914 S 15th Street	Gonzalez, Efrain S.	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	September 14, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: EFRAIN S GONZALEZ LETICIA NOYOLA 914 S 15TH STREET FT PIERCE FL 34950	OCCUPIED BY:
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

Obtain a permit for the installation of the sliding glass door and the porch.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 03/04/2019

Started On: 02/28/2019 12:14 PM

**Special Magistrate Hearing - Building**

**5.B.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-2405 - 508 Palm Avenue

**Submitted For:** Will Carbonell, Building Inspector/Investigator, Building

**Information**

**SUBJECT:**

18-2405	508 Palm Avenue	Martin County Properties LLC	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	September 25, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> MARTIN COUNTY PROPERTIES LLC 265 BERMUDA BEACH DR FT PIERCE, FL 34949	<b>OTHER:</b> CARIANN D MARTIN, REG. AGENT 515 E PARK AVENUE TALLAHASSEE, FL 32301
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**VIOLATIONS:**

**IPMC 304.13 Windows, Doors & Frames, IPMC 504.1 Plumbing Fixtures, IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 305.3 Interior Surfaces**

**CORRECTIVE ACTIONS:**

1. Repair/replace windows so that they are weathertight.
2. Repair/replace non-working plumbing fixtures. Repair sewer line so that it functions properly.
3. Repair/replace drywall that is missing behind the stove in the kitchen, and the molded drywall 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; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 03/04/2019

Started On: 02/28/2019 12:27 PM

**Special Magistrate Hearing - Building**

**5.C.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-2622 - 602 N 22nd Street

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

**Information**

**SUBJECT:**

18-2622	602 N 22nd Street	CJBR N 22ND ST LLC	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	October 19, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> CJBR N 22ND ST LLC 4977 N STATE ROAD 7 LAUDERHILL FL 33319	<b>OTHER:</b> ANDRE BARRETT, REG. AGENT 4977 N STATE ROAD 7 LAUDERHILL FL 33319
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

Obtain a permit for building, electric, plumbing, and other work being done without a permit.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 03/08/2019

Started On: 03/05/2019 10:39 AM

**Special Magistrate Hearing - Building**

**5.D.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-2655 - 2504 Avenue P

**Submitted For:** Will Carbonell, Building Inspector/Investigator, Building

**Information**

**SUBJECT:**

18-2655	2504 Avenue P	Luxama, Odette	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	October 22, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: ODETTE LUXAMA 5136 NW NEWARK LN PORT ST LUCIE FL 34983	OCCUPIED BY:
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

Obtain a permit for the installation of electric meter and AC unit.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 03/04/2019

Started On: 02/28/2019 02:54 PM

**Special Magistrate Hearing - Building**

**5.E.**

**Meeting Date:** 03/19/2019

**Re:** Case #17-2777 - 2210 N 17th Street

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

**Information**

**SUBJECT:**

17-2777	2210 N 17th Street	Sands, Desean D.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	June 18, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Desean D. Denaro Sands 2210 N 17th Street Ft Pierce, FL 34946	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the residential repairs including but not limited to the new electrical service panel and riser, electrical alterations, window, entry door, stucco repairs, drywall, durock, bathtub enclosure, and plumbing alterations.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 02/28/2019

Started On: 01/08/2019 04:23 PM

**Special Magistrate Hearing - Building**

**5.F.**

**Meeting Date:** 03/19/2019

**Re:** Case #17-2318 - 6780 Samba Street

**Information**

**SUBJECT:**

17-2318	6780 Samba Street	Konrath, Ty	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	November 29,2017	Type of Presentation:	Regular
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**OWNER:**

OWNER: Ty & Shari Konrath 6780 Samba Street Fort Pierce, FL 34945	OCCUPIED BY:
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**VIOLATIONS:**

IPMC 305.3 Interior Surfaces

**CORRECTIVE ACTIONS:**

1. It has come to our attention that during Hurricane Irma the house was flooded. Obtain permits for replacement of the drywall and any other damage. If repairs have already been made, a permit must still be obtained for these repairs.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck

Started On: 02/05/2019 02:53 PM

Final Approval Date: 02/28/2019

**Special Magistrate Hearing - Building**

**5.G.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-1273 - 705 Cedar Place (503 N 7th Street)

**Information**

**SUBJECT:**

18-1273	705 Cedar Pl (503 N 7th St)	Longshoremen of SLC Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 19, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Longshoremen's St Lucie Co Inc. 503 N 7th Street Fort Pierce, FL 34950	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**CORRECTIVE ACTIONS:**

1. Obtain a permit for resealing and striping the parking lot to the north of the building.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
 Final Approval Date: 02/28/2019

Started On: 02/05/2019 02:53 PM

**Special Magistrate Hearing - Building**

**5.H.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-1274 - 710 Avenue D

**Information**

**SUBJECT:**

18-1274	710 Avenue D	Longshoremen of SLC Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 19, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: Longshoremen of SLC Inc. 503 N 7th Street Fort Pierce, FL 34950	OCCUPIED BY:
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**VIOLATIONS:**

Section 5-1.105.1 - Permit Required

**CORRECTIVE ACTIONS:**

1. Obtain a permit for paving a new parking lot to the south of the building.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
 Final Approval Date: 02/28/2019

Started On: 02/05/2019 02:53 PM

**Special Magistrate Hearing - Building**

**5.I.**

**Meeting Date:** 03/19/2019

**Re:** Case #18-1933 - 2311 Delaware Avenue

**Submitted For:** Paul Julin, Building Inspector/Investigator, Building

**Information**

**SUBJECT:**

18-1933	2311 Delaware Avenue	Campos, Samuel C.	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	July 17, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Samuel C. & Maria G Campos 15840 W Telegraph Rd Santa Paula, CA 93060	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the framing and drywall work that is being done and for any other residential renovations that are taking place that require a permit.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100 per day be assessed.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 02/28/2019

Started On: 01/08/2019 10:06 AM

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**Information**

**SUBJECT:**

16-1217	2512 Avenue E	Tremayne, Martin	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	May 10, 2016	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Tremayne Martin 2512 Avenue E Fort Pierce, FL 34947	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.101.2.1 Unsafe Building, IPMC 108.1.1 Unsafe Structure, IPMC 108.1.2 Unsafe Equipment, IPMC 108.1.3 Structure unfit for Human Occupancy, IPMC 304.7 Roofs & Drainage, IPMC 304.13 Windows, Doors & Frames, IPMC 305.3 Interior Surfaces, IPMC 305.4 Walking Surfaces, IPMC 309.1 Infestation, IPMC 504.1 Plumbing Fixtures, IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 602.2 Residential Heat Supply, IPMC 603.1 Mechanical Equipment, IPMC 605.1 Electrical Equipment, IPMC 605.4 Wiring, IPMC 704.1 Fire Protection Systems**

**FINDINGS/ORDER:**

Order Determining Violation - November 4, 2016  
Order Determining Violation - July 20, 2018  
Extension of Time (90 days) - October 23, 2018  
Affidavit of Non-Compliance - January 28, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - November 2, 2016, owner, Kristy Hardick was given 90 days to obtain a permit, or a fine of \$100.00 per day would be assessed. Order Determining Violation was issued and sent November 4, 2016.
2. The property was sold, and a violation letter was sent to the new owner (Smith) on May 11, 2017.
3. The property was sold, and a violation letter was sent to the new owner (Martin) on November 27, 2017.
4. An Order Determining Violation was issued and sent July 20, 2018.
5. An Extension of Time - 90 days, was granted - October 23, 2018.
6. Affidavit of Non-Compliance was issued January 28, 2019.

7. As of this date, March 4, 2019, permits have been obtained for a roof (no final inspection), a fence (no inspections). A permit for general residential repairs was also applied for on this date. Fines began on January 28, 2019. Fines as of this date, March 4, 2019, total \$3,540.00 (including \$40.00 in recording fees).

**RECOMMENDATION:**

To Be Determined.

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**Attachments**

Orders, Affidavits & Extensions  
Contesting Fine/Non-Compliance

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**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 03/05/2019

Started On: 03/04/2019 02:40 PM



**AFFIDAVIT OF NON-COMPLIANCE**

RE: **2512 AVENUE E**  
CASE NO: 16-00001217

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4525183 01/28/2019 03:49:53 PM  
OR BOOK 4227 PAGE 209 - 209 Doc Type: AFF  
RECORDING: \$10.00

IN THE MATTER OF: TREMAYNE L MARTIN  
2512 AVENUE E  
FT PIERCE, FL 34947

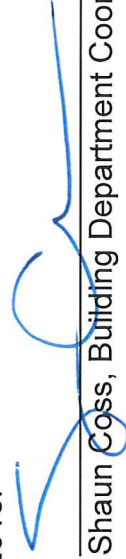
BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Building Department Coordinator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have personally examined the property described in the Special Magistrate's order dated July 20, 2018, in the above mentioned case and find that said property is not in compliance with Section(s) 5-1.101.2.1 Unsafe Building, IPCM 108.1.1 Unsafe Structure, IPCM 108.1.2 Unsafe Equipment, IPCM 108.1.3 Structure Unfit for Human Occupancy, IPCM 304.7 Roofs & Drainage, IPCM 304.13 Windows, Doors & Frames, IPCM 305.3 Interior Surfaces, IPCM 305.4 Walking Surfaces, IPCM 309.1 Infestation, IPCM 504.1 Plumbing Fixtures, IPCM 506.2 Sanitary Drainage, IPCM 602.2 Residential Heat Supply, IPCM 603.1 Mechanical Equipment, IPCM 605.1 Electrical Equipment, IPCM 605.4 Wiring, IPCM 704.1 Fire Protection Systems of the Code of the City of Fort Pierce, Florida, as of this date: January 28, 2019.

In accordance with the Order of Violation recorded in Book 4159 Page 2661, fines in the amount of \$100.00 shall commence on this date.

FURTHER AFFIANT SAYETH NOT.

DATED this 28<sup>th</sup> day of January, 2018.

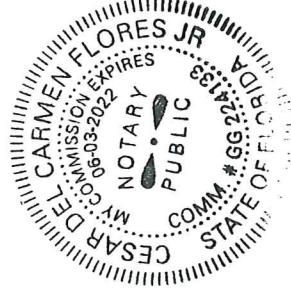
  
Shaun Coss, Building Department Coordinator

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 28<sup>th</sup> day of January, 2018.

  
NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES:





NOTICE OF EXTENSION OF TIME

RE: 2512 AVENUE E  
CASE NO: 16-00001217

IN THE MATTER OF: TREMAYNE L MARTIN  
2512 AVENUE E  
FT PIERCE, FL 34947

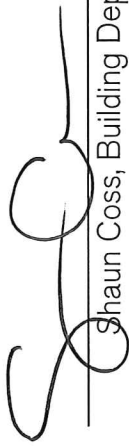
BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Building Department Coordinator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have found there is cause to grant an administrative extension as provided for in Rule 15 of the Rules of Procedure for the Code Enforcement Board and Special Magistrate to correct the violations described in the Order of Violation dated October 05, 2016, in the above mentioned case.

The time to comply the violations as specified in the Order of Violation recorded in Book 4159 Page 2661 is granted an extension of 90 days.

FURTHER AFFIANT SAYETH NOT.

DATED this 23<sup>rd</sup> day of October, 2018.

  
Shaun Coss, Building Department Coordinator

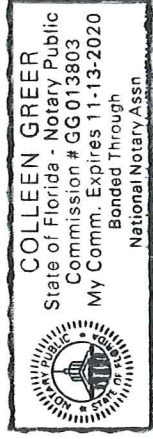
JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4494430 10/24/2018 02:30:33 PM  
OR BOOK 4195 PAGE 1409 - 1409 Doc Type: NOT  
RECORDING: \$10.00

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 23<sup>rd</sup> day of October, 2018

  
NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:





THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

Legal Description: RE-S/D OF TRACTS 113, 114, 127 AND 128 GARDEN CITY FARMS 05 35 40 E45.5 FT OF S  
112 FT OF LOT 4 OF TRACT 128 (OR 3309-257)

Violator: TREMAYNE L MARTIN  
2512 AVENUE E  
FT PIERCE, FL 34947

**CASE #: 16-1217**  
Property Address: 2512 AVENUE E  
Tax ID #: 2405-817-0038-000/2

RE: Violation of Section(s): 5-1.101.2.1 Unsafe Building, IPCM 108.1.1 Unsafe Structure, IPCM 108.1.2 Unsafe Equipment, IPCM 108.1.3 Structure Unfit for Human Occupancy, IPCM 304.7 Roofs & Drainage, IPCM 304.13 Windows, Doors & Frames, IPCM 305.3 Interior Surfaces, IPCM 305.4 Walking Surfaces, IPCM 309.1 Infestation, IPCM 504.1 Plumbing Fixtures, IPCM 506.2 Sanitary Drainage, IPCM 602.2 Residential Heat Supply, IPCM 603.1 Mechanical Equipment, IPCM 605.1 Electrical Equipment, IPCM 605.4 Wiring, IPCM 704.1 Fire Protection Systems

**ORDER DETERMINING VIOLATION**

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on July 19, 2018 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 TREMAYNE L MARTIN failed to install smoke detectors, hire a properly licensed plumber to repair or replace all exterior pipes that are cracked or damaged, repair or replace the leaking and defective piping under the kitchen sink (provide documentation from the plumber that this has been done), hire a properly licensed roofer to repair or replace the roof where it is leaking (provide documentation from the roofer that this has been done), hire a properly licensed contractor to replace the water damaged ceilings and interior walls (provide documentation from the contractor that this has been done), hire a properly licensed contractor to repair or replace the damaged fascia and soffit, have the property treated for insects, rodents, and pest (provide documentation that this has been done), hire a properly licensed contractor to repair or replace the rear exterior door and door frame (provide documentation from the contractor that this has been done), install a door sweep or threshold at the front door so that the door is weather tight and to prevent entry of insects and rodents, hire a properly licensed mechanical contractor to repair or replace the air conditioner/heater (provide documentation from the mechanical contractor to show this has been done), hire a properly licensed electrician to remove the flexible wiring running through walls and above the ceiling (provide documentation from the electrician that this has been done), hire a properly licensed electrician to provide proper electric for the refrigerator (provide documentation from the electrician once this has been done), hire a properly licensed contractor to repair or replace the sub-floor where it is rotten in the kitchen and the bathroom, and mount the ceiling fan securely to the wall in violation of the Code of Ordinances as specified above, on property located at the above described location. **Accordingly it is ORDERED** as follows:

1. Obtain a permit for the work performed and adhere to all conditions of the permit. A licensed contractor may be required to apply for and obtain the permit from the Building Department.
2. In the event the violation is not remedied within 90 days after the date of this Order, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily, cumulative rate of \$100.00.
3. 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. If this Order is not complied with timely, then there shall be issued an Order pursuant to Section 162.09, Fla. Stat., and Rule 16, Rules of Procedure of the Code Enforcement Board of the City of Fort Pierce, Florida, imposing lien in the manner provided for by law.
4. The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3720, when the violation is corrected.
5. The violator has 30 days in which to file an appeal of the Special Magistrate's decision to the Circuit Court of St. Lucie County.

**DONE AND ORDERED this 20th day of July, 2018, Nunc Pro Tunc July 18, 2018.**

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

20th DAY OF July, 2018.

Colleen Greer  
Colleen Greer, Code Enforcement Clerk

Fran Ross  
Fran Ross, Esq., Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4461236 07/23/2018 11:52:32 AM  
OR BOOK 4159 PAGE 2661 - 2661 Doc Type: ORD  
RECORDING: \$10.00



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

CASE #: 16-00001217

Violator: KRISTY HARDICK  
2807 AVE J  
FT PIERCE, FL 34947

Property Address: 2512 AVENUE E

Tax ID #: 2405-817-0038-000/2

Legal Description: RE-S/D OF TRACTS 113, 114, 127 AND 128 GARDEN CITY FARMS 05 35 40 E45.5 FT OF S 112 FT OF LOT 4 OF TRACT 128 (OR 3309-257)

RE: Violation of Section(s): 5-1.101.2.1 Unsafe Building, IPCM 108.1.1 Unsafe Structure, IPCM 108.1.2 Unsafe Equipment, IPCM 108.1.3 Structure Unfit for Human Occupancy, IPCM 304.7 Roofs & Drainage, IPCM 304.13 Windows, Doors & Frames, IPCM 305.3 Interior Surfaces, IPCM 305.4 Walking Surfaces, IPCM 309.1 Infestation, IPCM 504.1 Plumbing Fixtures, IPCM 506.2 Sanitary Drainage, IPCM 602.2 Residential Heat Supply, IPCM 603.1 Mechanical Equipment, IPCM 605.1 Electrical Equipment, IPCM 605.4 Wiring, IPCM 704.1 Fire Protection Systems

**ORDER DETERMINING VIOLATION**

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on November 2, 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 KRISTY HARDICK failed to install smoke detectors; hire a properly licensed plumber to repair or replace all exterior pipes that are cracked or damaged (pouring of concrete and wrapping pipes with a rubberized material is not sufficient); repair or replace the leaking and defective piping un the kitchen sink; hire a properly licensed roofer to repair or replace the roof where it is leaking; hire a properly licensed contractor to replace the water damaged ceilings and interior walls; hire a properly licensed contractor to repair or replace the damaged fascia and soffit; have the property treated for insects, rodents and pests; hire a properly licensed contractor to repair or replace the rear exterior door and door frame; install a door sweep or threshold at the front door so that the door is weather tight and to prevent entry of insects and rodents; hire a properly licensed mechanical contractor to repair or replace the air conditioner/heater; hire a properly licensed electrician to remove the flexible wiring running through walls and above the ceiling, to provide proper electric for the refrigerator (a light duty extension cord with two adapters shall not be used to supply power to the refrigerator); hire a properly licensed contractor to repair or replace the sub-floor where it is rotten in the kitchen and the bathroom; and properly install the ceiling fan in violation of the Code of Ordinances as specified above, on property located at the above described location. **Accordingly it is ORDERED** as follows:

1. The above named violator failed to appear and is deemed to have admitted guilt.
2. Obtain a permit for the work performed and adhere to all conditions of the permit. A licensed contractor may be required to apply for and obtain the permit from the Building Department.
3. In the event the violation is not remedied within 90 days after the date of this Order, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily, cumulative rate of \$100.00.
4. 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. If this Order is not complied with timely, then there shall be issued an Order pursuant to Section 162.09, Fla. Stat., and Rule 16, Rules of Procedure of the Code Enforcement Board of the City of Fort Pierce, Florida, imposing lien in the manner provided for by law.
5. The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3000, when the violation is corrected.
6. The violator has 30 days in which to file an appeal of the Special Magistrate's decision to the Circuit Court of St. Lucie County.

**DONE AND ORDERED this 4th day of November, 2016.**

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

4th DAY OF November 2016.

*Colleen Greer*  
Colleen Greer, Code Enforcement Clerk

Frank Blandino, Esq., Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4245862 11/04/2016 10:09:22 AM  
OR BOOK 3929 PAGE 2368 - 2368 Doc Type: ORD  
RECORDING: \$10.00

**MASSEY HEARING**

**March 19, 2019**

**Case #16-1217**

**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 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? **Owner obtained a permit for some of the work. The owner just applied for a permit to correct the remaining issues on 3/4/19.**
  
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? **None**

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**Information**

**SUBJECT:**

17-896	1904 S 30th Street	Viramontes, Luis S. M.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 28, 2017	Type of Presentation:	Regular
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**OWNER:**

OWNER: LUIS S M VIRAMONTES NANCY MEDINA 1904 S 30TH STREET FT PIERCE FL 34947	OCCUPIED BY:
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**FINDINGS/ORDER:**

Order Determining Violation - September 21, 2017  
Extension of Time (90 days) granted - November 27, 2017  
Affidavit of Non-compliance, Massey Letter sent and Fines begin - August 2, 2018  
Order Assessing Fine and Imposing Lien - February 20, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - September 20, 2017, owners Luis Viramontes, and Nancy Medina were given 60 days to obtain a permit or a fine of \$100.00 per day would be assessed.
2. November 27, 2017, the Building Department granted a 90 day extension.
3. On January 26, 2018 a permit was issued for the cited violation.
4. On July 25, 2018 the permit expired with no inspections performed.
5. August 2, 2018 Massey notice sent to owner, and fines begin.
6. February 26, 2019 the permit was renewed and a letter received from the owner requesting a Massey Hearing.
7. As of this date, March 1, 2019, no inspections have been performed at this property for the cited work.
8. Fines began on August 2, 2018. The fines as of this date, March 1, 2019, are \$21,130.00 (including \$30.00 in recording fees).

**RECOMMENDATION:**

To Be Determined

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## Attachments

Orders & Extension  
Contesting Fine/Non-Compliance

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### Form Review

Form Started By: Elizabeth Beck  
Final Approval Date: 03/04/2019

Started On: 03/01/2019 08:58 AM



**SPECIAL MAGISTRATE  
ORDER ASSESSING FINE AND IMPOSING LIEN**

Case # 17-00000896

Property Address: 1904 S 30TH ST  
Tax ID #: 2417-431-0003-000/1

Legal Description: 17 35 40 S 50 FT OF N 130 FT OF W 1/2 OF E 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4  
(122) (OR 1866-1039)

Violator: LUIS S M VIRAMONTES  
1904 S 30TH ST  
FT PIERCE, FL 34947

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

**THIS CAUSE** having come before the Special Magistrate pursuant to Florida Statute 162.09 on September 20, 2017 upon notification by the Building Department Investigator that the Special Magistrate's Order herein dated September 20, 2017 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

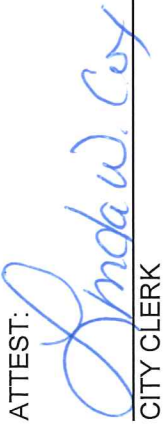
**ORDERED AND ADJUDGED** that the violator shall pay a daily fine as provided in such order in the sum of \$100.00 from August 2, 2018 and a like sum thereafter for each day the violation continues. This Order may be recorded in the public records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

**DONE AND ORDERED** this 20<sup>th</sup> day of February, 2019.



Fran O. Ross, Esq., Special Magistrate

ATTEST:  
  
CITY CLERK

DATED: 2/20/19

Mail to:  
City of Fort Pierce  
Building Department  
P.O. Box 1480  
Ft. Pierce, FL 34954

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4532604 02/20/2019 04:39:37 PM  
OR BOOK 4234 PAGE 872 - 872 Doc Type: ORD  
RECORDING: \$10.00



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4351801 09/22/2017 01:55:49 PM  
OR BOOK 4043 PAGE 1532 - 1532 Doc Type: ORD  
RECORDING: \$10.00

CASE #: 17-0896

Property Address: 1904 S 30TH ST

Tax ID #: 2417-431-0003-000/1

Legal Description: 17 35 40 S 50 FT OF N 130 FT OF W 1/2 OF E 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4  
(122) (OR 1866-1039)

Violator: LUIS S M VIRAMONTES  
1904 S 30TH ST  
FT PIERCE, FL 34947

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

ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on September 20, 2017, 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 LUIS S M VIRAMONTES failed to obtain a permit for constructing the patio/porch area on the back of the house and for roof repairs in violation of the Code of Ordinances as specified above, on property located at the above described location. Accordingly it is ORDERED as follows:

1. Obtain a permit for the work performed and adhere to all conditions of the permit. A licensed contractor may be required to apply for and obtain the permit from the Building Department.
2. In the event the violation is not remedied within 60 days after the date of this Order, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily, cumulative rate of \$100.00.
3. 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. If this Order is not complied with timely, then there shall be issued an Order pursuant to Section 162.09, Fla. Stat., and Rule 16, Rules of Procedure of the Code Enforcement Board of the City of Fort Pierce, Florida, imposing lien in the manner provided for by law.
4. The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3720, when the violation is corrected.
5. The violator has 30 days in which to file an appeal of the Special Magistrate's decision to the Circuit Court of St. Lucie County.

DONE AND ORDERED this 21st day of September, 2017, nunc pro tunc  
September 20, 2017.

Fran Ross  
Fran Ross, Special Magistrate

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

21st DAY OF September, 2017.  
Colleen Greer  
Colleen Greer, Code Enforcement Clerk



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

NOTICE OF EXTENSION OF TIME

RE: 1904 S 30TH ST  
CASE NO: 17-00000896

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4377136 12/05/2017 01:57:31 PM  
OR BOOK 4071 PAGE 2304 - 2304 Doc Type: NC  
RECORDING: \$10.00

IN THE MATTER OF: LUIS M VIRAMONTES  
1904 S 30TH ST  
FT PIERCE, FL 34947


BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Building Department Coordinator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have found there is cause to grant an administrative extension as provided for in Rule 15 of the Rules of Procedure for the Code Enforcement Board and Special Magistrate to correct the violations described in the Order of Violation dated September 20, 2017, in the above mentioned case.

The time to comply the violations as specified in the Order of Violation recorded in Book 4043 Page 1532 is granted an extension of 90 days.

FURTHER AFFIANT SAYETH NOT.

DATED this 22<sup>nd</sup> day of November, 2017.

  
Shaun Coss, Building Department Coordinator

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 27th day of November, 20 17.

  
NOTARY PUBLIC – STATE OF FLORIDA



MY COMMISSION EXPIRES:

C0075101

**MASSEY HEARING**

**March 19, 2019**

**Case #17-896**

**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 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? **Owner obtained a permit for the work. The permit expired, but has since been renewed on 2/26/19.**
  
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? **None**

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**Information**

**SUBJECT:**

15-1088	2801 Oleander Avenue	Charleston, LeMaire	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	July 10, 2015	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Lemaire & Rosemarie Charleston 2801 Oleander Avenue Ft. Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**FINDINGS/ORDER:**

Order Determining Violation - February 19, 2016  
Affidavit of Non-compliance, Massey Letter sent - November 22, 2016  
2nd Notice Massey Letter sent - August 18, 2017  
Order Assessing Fine and Imposing Lien - June 6, 2018  
Affidavit of Compliance - January 9, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - February 17, 2016 , owners Lemaire, and Rosemarie Charleston were given 60 days to obtain a permit or a fine of \$100.00 per day would be assessed.
2. A permit was issued on May 16, 2016. It expired in November, 2016 with no approved inspections.
3. Fines began on November 22, 2016.
4. The permit was renewed on July 5, 2018. It received a final approved inspection on July 11, 2018. Fine accrual stopped on July 11, 2018.
5. Fines accrued from November 22, 2016 until July 11, 2018, total \$59,620.00

**RECOMMENDATION:**

To Be Determined.

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### **Attachments**

Orders

Lien Reduction (7)

Administrative Costs

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### **Form Review**

Form Started By: Elizabeth Beck

Final Approval Date: 03/05/2019

Started On: 03/04/2019 04:21 PM



THE SUNRISE CITY  
**FORT PIERCE**  
BUILDING DEPARTMENT  
*Florida*

## CORRECTION

January 9, 2019

LEMAIRE & ROSEMARI CHARLESTIN  
E 2801 OLEANDER AVE  
FT PIERCE, FL 34982

Property address: 2801 OLEANDER AVE

Dear property owner(s):

This correspondence is to inform you that the property referenced above is in compliance with the Special Magistrate's Order. However, since the property did not come into compliance in a timely manner a fine did accrue and a lien was placed on the property. The amount of the lien on the property is \$ 59,620.00.

Enclosed is our Request for a Reduction or Rescindment form. If you are interested in resolving the fines and/or lien recorded against the property, please complete the form in full and return to our office. Upon receipt, staff will schedule a hearing date for you to present your request to the Special Magistrate.

If you should have any questions, please contact our office at (772) 467-3718.

Sincerely,

Elizabeth Beck  
Building Department Administrative Assistant

**THIS IS NOT A RELEASE OF LIEN**



**AFFIDAVIT OF COMPLIANCE**

RE: **2801 OLEANDER AVE**  
CASE NO: 15-00001088

IN THE MATTER OF: **LEMAIRE & ROSEMARI CHARLESTINE**  
**2801 OLEANDER AVE**  
**FT PIERCE, FL 34982**


BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Building Department Coordinator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have personally examined the property described in the Special Magistrate's order dated February 17, 2016, in the above mentioned case and find that said property is now in compliance with Section(s) 5-1.105.1 of the Code of the City of Fort Pierce, Florida, as of this date: July 11, 2018.

X Stop the accumulation of fines as imposed by an Affidavit of Non-Compliance recorded in Book 3936 Page 1375. This is not a release of lien.

FURTHER AFFIANT SAYETH NOT.

DATED this 8<sup>th</sup> day of January, 2019.

  
Shaun Coss, Building Department Coordinator

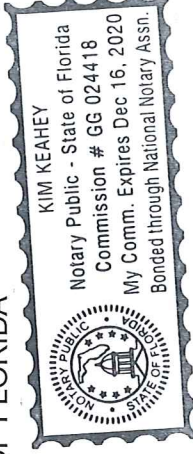
STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 8<sup>th</sup> day of January, 2019.



NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES:



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4518393 01/09/2019 12:05:32 PM  
OR BOOK 4221 PAGE 416 - 416 Doc Type: AFF  
RECORDING: \$10.00



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

**SPECIAL MAGISTRATE  
ORDER ASSESSING FINE AND IMPOSING LIEN**

Case # 15-1088

Property Address: 2801 Oleander Blvd  
Tax ID #: 2421-506-0079-000/6  
Legal Description: MARAVILLA ESTATES BLK F LOT 1 (OR 1322-1269)

Violator: LEMAIRE & ROSEMARIE CHARLESTIN  
2801 OLEANDER BLVD  
FT PIERCE, FL 34982

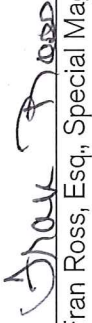
Violation of Section(s): 5-1.105.1 Permit Required

**THIS CAUSE** having come before the Special Magistrate pursuant to Florida Statute 162.09 on February 17, 2016 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated February 17, 2016 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

**ORDERED AND ADJUDGED** that the violator shall pay a daily fine as provided in such order in the sum of \$100.00 from November 22, 2016 and a like sum thereafter for each day the violation continues. This Order may be recorded in the public records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

DONE AND ORDERED this 6th day of June, 2018.

  
\_\_\_\_\_  
Fran Ross, Esq., Special Magistrate

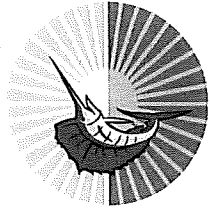
ATTEST:

  
\_\_\_\_\_  
CITY CLERK

DATED: 6/6/18

Mail to:  
City of Fort Pierce  
Code Enforcement Division  
P.O. Box 1480  
Ft. Pierce, FL 34954

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 444202 06/07/2018 09:54:07 AM  
OR BOOK 4141 PAGE 1874 - 1874 Doc Type: ORD  
RECORDING: \$ 10 00



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

June 7, 2018

Property address: 2801 OLEANDER AVE  
Tax ID #: 2421-506-0079-000/6  
Legal description: MARAVILLA ESTATES BLK F LOT 1 (OR 1322-1269)

LEMAIRE & ROSEMARIE CHARLESTIN  
E 2801 OLEANDER AVE  
FT PIERCE, FL 34982

Re: Case # 15-1088

Code section(s) in violation: 5-1.105.1 Permit Required

Dear property owner(s):

Attached please find a copy of the Order Assessing Fine and Imposing Lien on the above referenced property which has been recorded in the public records of St. Lucie County, Florida. Since you have not complied with the Special Magistrate's Order in a timely manner, the penalty of \$55,320.00 has accrued and continues to accrue at \$100.00 per day until the property comes into compliance.

If there is no compliance and/or the outstanding penalty is not paid within three (3) months of the date of recording, this lien may be subject to foreclosure proceedings and the property sold to enforce the penalty.

If you have any questions regarding what needs to be done to bring the property into compliance, please contact officer Shaun Coss at (772) 467-3149.

Sincerely,

Colleen Greer  
Code Enforcement Clerk

C0078774



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT

*Florida*



August 18, 2017

LEMAIRE & ROSEMARIE CHARLESTIN  
2801 OLEANDER AVE  
FT PIERCE, FL 34982

Property address: 2801 OLEANDER AVE      Tax ID #2421-506-0079-000-6  
Case #15-1088

Dear Property Owner(s):

This is a second notice to inform you that the property referenced above continues to be in violation of the Special Magistrate Order (copy attached) and the City Code of Ordinance, and the fine of \$100.00 per day continues to accrue until the property is in compliance. The balance to date is \$26,920.00 (\$20.00 is recording fees).

If you would like to contest this fine or disagree with the findings of the noncompliance, then **you must respond in writing, stating a detailed reason as to why you disagree.** This correspondence must be mailed to our office within **twenty (20) days** from the date of this letter. If we should receive a response from you, then your case will be scheduled before the Special Magistrate for a hearing. **If we do not hear from you within the twenty (20) days, a lien will be entered on the property.**

If you should have any questions, please contact our office at (772) 467-3149.

Sincerely,

Colleen Greer  
Code Enforcement Clerk



THE SUNRISE CITY  
**FORT PIERCE**  
 CODE ENFORCEMENT  
*Florida*

AFFIDAVIT OF NON-COMPLIANCE

RE: 2801 OLEANDER AVE CASE NO: 15-00001088

IN THE MATTER OF: LEMAIRE & ROSEMARIE CHARLESTIN  
 2801 OLEANDER AVE  
 FT PIERCE, FL 34982

BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Code Enforcement Officer for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have personally examined the property described in the Special Magistrate's order dated February 19, 2016, in the above mentioned case and find that said property is not in compliance with Section(s) 5-1.105.1 of the Code of the City of Fort Pierce, Florida, as of this date: November 22, 2016.

In accordance with the Order of Violation recorded in Book 3838 Page 1680, fines in the amount of \$100.00 shall commence on this date.

FURTHER AFFIANT SAYETH NOT.

DATED this 22<sup>nd</sup> day of November, 2016.

  
 \_\_\_\_\_  
 Shaun Coss, Code Enforcement Officer

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4252222 11/29/2016 09:46:50 AM  
 OR BOOK 3936 PAGE 1375 - 1375 Doc Type: AFF  
 RECORDING: \$10.00

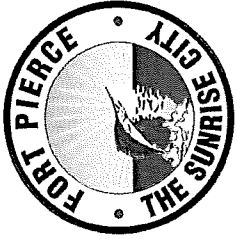
STATE OF FLORIDA  
 COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
 this 22nd day of November, 2016.

  
 NOTARY PUBLIC - STATE OF FLORIDA  
 MY COMMISSION EXPIRES



C0069332



City of Fort Pierce  
Code Enforcement Division  
P.O. Box 1480  
Fort Pierce, Florida 34954  
TEL #: (772) 467-3000  
FAX #: (772) 468-0457

November 22, 2016

LEMAIRE & ROSEMARI CHARLESTIN  
E 2801 OLEANDER AVE  
FT PIERCE, FL 34982

Property address: 2801 OLEANDER AVE

Dear Property Owner(s):

This correspondence is to inform you that the property referenced above continues to be in violation of the Special Magistrate Order (copy attached) and the City Code of Ordinance, Section(s) 5-1.105.1 Permit Required and the fine of \$100.00 a day continues to accrue.

If you would like to contest this fine or disagree with the findings of the noncompliance, then **you must respond in writing, stating a detailed reason as to why you disagree.** This correspondence must be mailed to our office within **twenty (20) days** from the date of this letter. If we should receive a response from you, then your case will be scheduled before the Special Magistrate for a hearing. **If we should not hear from you within the twenty (20) days, a lien will be entered on the property.**

If you should have any questions, please contact our office at (772) 467-3149.

Sincerely,

Colleen Greer  
Code Enforcement Clerk

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

SM CASE # 15-1088

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

Violator: LEMAIRE & ROSEMARIE CHARLESTIN  
E 2801 OLEANDER AVE  
FT PIERCE, FL 34982

Property Address: 2801 OLEANDER AVE Tax ID #: 2421-506-0079-000/6  
Legal Description: MARAVILLA ESTATES BLK F LOT 1 (OR 1322-1269)

ORDER DETERMINING VIOLATION

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on February 17, 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 LEMAIRE & ROSEMARIE CHARLESTIN failed to obtain a permit prior to replacing the fence 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 permit conditions; 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 19th day of February, 2016, Nunc pro tunc  
February 17, 2016.

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

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

19th DAY OF February 2016.

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

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4161796 02/22/2016 at 09:35 AM  
OR BOOK 3838 PAGE 1680 - 1680 Doc Type: ORD  
RECORDING: \$10.00

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

File Name: C0063840

**LIEN REDUCTION HEARING  
CONTESTING OF FINE/NON-COMPLIANCE**

**Case No: 15-1088**

**Date: March 19, 2019**

1.) The gravity or seriousness of the violation:	Minor
2a.) Any and all actions taken by the violator to correct the violations; OR	The owner obtained a permit, however it expired after failing an inspection. The owner has since renewed the permit, had an approved inspection and the permit is now closed.
2b.) If the violations were not corrected by the original violator, what action was taken by any other owner or interested party to bring the violation into compliance:	
3.) The length of time necessary to bring the property into compliance:	3 years, 1 day
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	1
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	2
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Owner allegedly contacted a third party inspector directly instead of scheduling the inspection through our system. The inspection was never resulted. As a result the owner thought she resolved the issue, but did not.
7.) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the city owned by the respondent:	None

# Administrative Cost Estimator

3/11/2019

Property Address: 2801 Oleander Ave

Date case originated: 7/10/2015

Date case complied: 7/11/2018

Total time: 36 months

## Number of Hearings

Violation Hearings: 1  
 Massey Hearings: 0  
 Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>7</u>	\$3.08
Certified Mail:	\$5.10	<u>1</u>	\$5.10

Photographs (per page)	\$0.50	<u>1</u>	\$0.50
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>36</u>	\$1,800.00
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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.

## Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u>          </u>	\$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Building Dept. Coordinator	\$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	\$250.00	<u>1</u>	\$250.00
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Fee set by the City Commission

**Total Estimated Cost: \$2,748.68**

**Special Magistrate Hearing - Building**

**8.A.**

**Meeting Date:** 03/19/2019

**Re:** Case #17-2272 - 4935 Oleander Avenue

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

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**Information**

**SUBJECT:**

17-2272	4935 Oleander Ave	Midway Road Plaza LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	November 29, 2017	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Midway Road Plaza LLC 630 SW Palmetto Cove Port St. Lucie, FL 34986	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**IPMC 305.3 Interior Surfaces, IPMC 304.7 Roofs & Drainage, IPMC 304.6 Exterior Walls, IPMC 304.1 Exterior Structure, IPMC 605.1 Electrical Equipment**

**CORRECTIVE ACTIONS:**

1. Obtain permits to make all necessary corrections to the roof, ceiling and any other damage.
2. Obtain a permit to repair all structural cracks on the exterior walls. Seal all non-structural cracks to prevent water intrusion.
3. Hire a properly licensed electrician to obtain a permit and repair or replace the lighting in unit 4929.

**RECOMMENDATION:**

1. Special Magistrate Hearing - August 1, 2018, owner, Midway Road Plaza LLC, was given 120 days to obtain a permit or a fine of \$100.00 per day would be assessed.
  2. On December 3, 2018, a 90 day administrative extension of time was granted in order for permitting to be obtained.
  3. On February 26, 2019, a letter from a contractor was received requesting an extension of time to bring the property up to code.
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## Form Review

Form Started By: Elizabeth Beck  
Final Approval Date: 03/05/2019

Started On: 03/05/2019 09:49 AM