

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Tuesday, April 16, 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. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**
  - B. APPROVAL OF MINUTES
4. **PUBLIC HEARINGS - CITATIONS**
5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	18-1273	705 Cedar Pl (503 N 7th St)	Longshoremen's St. Lucie Co. Inc.	Shaun Coss
B.	18-1274	710 Avenue D	Longshoremen's St. Lucie Co., Inc.	Shaun Coss
C.	18-2177	1601 Boston Avenue	Felder Investments LLC	Paul Julin
D.	18-2268	513 N 17th Street	Smith, Etta	Paul Julin
E.	18-2294	1731 Seaway Drive	Fortunato, Christina	Paul Julin
F.	18-2354	1907 Avenue E	Integrated Real Properties Inc.	Will Carbonell
G.	18-2421	901 S US Highway 1	Szabo, Alex S.	Paul Julin
H.	18-2444	621 S 17th Street	Insalaco, Raymond	Paul Julin

I.	18-2474	702 N 15th Street	B and B Business Mgmt Serv. Inc.	Will Carbonell
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J.	18-2942	702 N 15th St Unit 1 (Main Bldg)	B and B Business Mgmt Serv Inc.	Will Carbonell
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	18-1119	620 Texas Court	Kuczynski, Anthony	Shaun Coss
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B.	18-1925	2505 Wilkins Street	Saint Lucie Building Trust LLC	Paul Julin
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

8. **OTHER CASES**

A.	17-898 Ext. of Time	1450 Bell Avenue	Railside 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 Building Department Office at (772) 467-3187, 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.B.**

**Meeting Date:** 04/16/2019

**Re:** APPROVAL OF MINUTES

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**Information**

**SUBJECT:**

APPROVAL OF MINUTES

**CASE INFORMATION:**

**OWNER:**

**VIOLATIONS:**

**CORRECTIVE ACTIONS:**

**RECOMMENDATION:**

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**Attachments**

Minutes - Special Magistrate January 15, 2019

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**Form Review**

Form Started By: Shaun Coss

Final Approval Date: 04/11/2019

Started On: 04/11/2019 03:10 PM

MINUTES OF A REGULAR MEETING OF THE SPECIAL MAGISTRATE OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 9:00 A.M. ON WEDNESDAY, JANUARY 15,2019

Present: Shaun Coss, Building Department Coordinator; Paul Julin, Building Department Inspector/Investigator; Fran O. Ross, Special Magistrate

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ADMINISTRATIVE BUSINESS**

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

Shaun Coss  
Paul Julin

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

1.	18-1276	1610 Avenue M	Horton, Hettie M.	Shaun Coss
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Case Initiated:	April 19, 2018	Type of Presentation:	Complied
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OWNER: Hettie M. Horton 366 SW 32nd Avenue Deerfield, FL 33442	OCCUPIED BY:
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**IPMC 304.15 Exterior Doors, IPMC 305.3 Interior Surfaces, IPMC 305.2 Structural Members, IPMC 309.1 Infestation, IPMC 704.2.2 Smoke Alarms**

2.	18-1484	2801 Citrus Avenue	Hatfield, James E.	Paul Julin
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Case Initiated:	May 16, 2018	Type of Presentation:	Regular
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OWNER: James E Hatfield PO Box 1506 Ft Pierce, FL 34954	OCCUPIED BY:
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**IPMC 305.3 Interior Surfaces, IPMC 304.7 Roofs and Drainage**

3.	18-2060	621 S US Hwy 1 B	Ali, Zubair B.	Paul Julin
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Case Initiated:	August 3, 2018	Type of Presentation:	Regular
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OWNER: Zubair B & Nageen Z. Ali 233 SW Whitmore Dr Port St. Lucie, FL 34984	OCCUPIED BY:
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**Section 5-1.105.1 Permit Required**

4. **PUBLIC HEARINGS - CITATIONS**

5. **PUBLIC HEARINGS - VIOLATION CASES**

A.

17-2777	2210 N 17th Street	Sands, Desean D.	Shaun Coss
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Case Initiated:	June 18, 2018	Type of Presentation:	Regular
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OWNER: Desean D. Denaro Sands 2210 N 17th Street Ft Pierce, FL 34946	OCCUPIED BY:
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**Section 5-1.105.1 Permit Required**

Building Department Coordinator Shaun Coss read the findings of the case. He explains that the property owner purchased the property when the violation already existed. Since he has become owner and became aware of the violations, no action has been taken to remedy the violation which was to obtain permitting for repairs done before his ownership. The owner was under the impression that if the unit was used for storage and not for a residence that the violations would not have to be addressed. When the property was posted, Mr. Coss had the opportunity to explain to Mr. Sands that the violations would still have to be addressed.

Mr. Sands gets sworn in. He responds that when he received the property that he did pull some permits, and his uncle told him that he needed some "specs". He said that he didn't know how to get specs for stuff that's already in. Home Depot gives you specs for doors and windows when you purchase them, but if you already put them in, how do you explain how you put them in? He states that he wasn't there when the windows and doors were put in and that all repairs were made by his uncle. The Special Magistrate (SM) clarifies that the case came to him in June of 2018. He states that his uncle, Witney Darling, who gave the house to him, told him about the permits in June. Special Magistrate asks if he owned it in June. Mr. Sands states that he thinks he received the property in May. He explains that there are 2 houses on the property. He is living in one and the one in the back does not have power, or water. It is just a structure with windows, and doors, so he started using it to store things. He stated that when he spoke to Mr. Coss, he was told that he needed to get an engineer to get a change of use. One office that he contacted charges \$300 to do the inspection. He was trying to get the money together. He states that Mr. Coss told him he would need a blueprint to make it a storage structure, and perhaps it would be better to continue on with the repairs. Mr. Sands explains that since the wires have been pulled out, and there is no water connection, that repairs would require thousands of dollars that he does not have.

The Special Magistrate asked what his intended use of the structure is. He said that it's already being used for storage. It's a roof with windows, and a door that locks. There is no plan to have someone live there. She asks if he were to convert it to storage with the help of an engineer it would be \$300? Mr. Sands explains that the \$300 is just for the inspection.

SM asks who charges \$300? He states that it's some office here in Fort Pierce.

The SM asks Mr. Coss what the likelihood is of Mr. Sands being able to convert the structure into a storage unit. He states that it is likely, but probably more expensive than just completing the repairs that have already been started. It is not common in residential occupancies as it is in commercial occupancies. Mr. Coss explains the requirements of when change of occupancy occurs. A Change of Occupancy permit is required to insure that the requirements of the new occupancy is according to the Florida Building Code. It would be far more expensive to meet these requirements than to just continue on with the repairs that have been started with a proper permit. Either way, an engineer will have to be involved to certify that the windows and doors were installed properly. Alternatively, if a contractor became involved he could take these items out and start over to avoid an engineer. All items would have to be inspected before the final inspection stage.

SM asks if demolition is a possibility. Mr. Sands asks the cost of a demolition. SM states that she does not know, but states that Mr. Sands needs to decide whether he wants to bring in an engineer and see what could be done, and how much it would cost for it to be brought up to code, and to see what is feasible.

The SM asks if 60 days is enough time for him to decide what he will do with the property. Mr. Sands states that he will get an engineer to see what would be best for him. The SM explains that it does take time due to the amount of damage still existing in this area, and sometimes in getting an insurance company to agree. She explains that she is willing to give him 60 days, but when he comes back he should have a decision as to what he will be doing with the property. He agrees with that time period.

SM grants the extension and advises Mr. Sands to keep in touch with Mr. Coss

B.

18-1119	620 Texas Court	Kuczynski, Anthony	Shaun Coss
Case Initiated:	April 6, 2018	Type of Presentation:	Regular
OWNER: Anthony Kuczynski 620 Texas Court Ft Pierce, FL 34950	OCCUPIED BY:		

**Section 5-1.105.1 Permit Required**

The named violator has been provided notice of this hearing, but has failed to appear. After consideration of the evidence presented, a default judgment in this matter is hereby entered. In the event the violation is not remedied within 60days after the date of the Order Determining Violation, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily cumulative rate of \$100.00. The violator has 30 days in which to appeal the decision in the Circuit Court of St. Lucie County.

C.

18-1236	3731 Oleander Avenue	Maxiplex Investments LLC	Shaun Coss
Case Initiated:	April 16, 2018	Type of Presentation:	Regular

<b>OWNER:</b> Maxiplex Investments LLC 341 Charroux Drive Palm Beach Gardens, FL 33410	<b>OTHER:</b> Mark J Nowicki Reg. Agent for Maxiplex, LLC 480 Maplewood Dr. Suite 2 Jupiter, FL 33458
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**Section 5-1.105.1 Permit Required, IPMC 605.1 Electrical Equipment**

Shaun reads the facts of the case. Unit 103 is the location of the violation. A permit was issued for some electrical work. At the time of inspection, it was noted that some additional work was done that was outside of the scope of the permit issued. Walk-in coolers had been installed, and some of the electrical work did not meet code. The tenant installed the cooler without the permit. Also, the electrical service for Unit 103 was being provided from Unit 104, which does not meet the required codes, which is why it's before the SM. An owner's representative is present and Mr. Coss spoke to her prior to the hearing, and he thinks that she now understands what needs to be done. Metro Electric, the contractor holds the current electrical permit should finish their work, and the tenant or owner hiring an additional contractor (mechanical contractor) to obtain a permit for the installation of the cooler.

Theresa Lewis is sworn in. She agrees with Mr. Coss's summary of the situation at the property. She adds that the owner has given permission to the tenant to install the coolers. The same contractor should be in to get the permit for that. The SM asks for clarification of the type of property and if this case is just about permitting. Mr. Coss states that it is about permitting and that it's a strip plaza with several units. Ms. Lewis states that there are 12 units and she is the manager. The SM asks if 60 days is sufficient to get the permit. Ms. Lewis states that she feels sure that the tenant has already contacted the electrician to come out and that they are aware of the situation. The SM finds that violations exist and grants 60 days to get necessary permitting, or a fine of \$100 per day will begin to accrue, and 30 days to appeal.

E.

18-1459	601 N 18th Street	All Around Town LLC	Shaun Coss
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Case Initiated:	Shaun Coss	Type of Presentation:	Regular
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<b>OWNER:</b> All Around Town LLC Reg. Agent Mary McFadden 2225 NW 32nd Terrace Ft Lauderdale, FL 33311	<b>OCCUPIED BY:</b>
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**Section 5-1.101.2.1 Unsafe Building, Section 5-1.105.1 Permit Required, IPMC 108.1.2 Unsafe Equipment, IPMC 304.13 Window & Door Frames, IPMC 304.13.2 Openable Windows, IPMC 305.3 Interior Surfaces, IPMC 603.1 Mechanical Equipment, IPMC 605.1 Electrical Equipment, IPMC 605.2 Electrical Receptacles**

The named violator has been provided notice of this hearing, but has failed to appear. After consideration of the evidence presented, a default judgment in this matter is hereby entered. In the event the violation is not remedied within 60 days after the date of the Order Determining Violation, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily cumulative rate of \$100.00. The violator has 30 days in which to appeal the decision in the Circuit Court of St. Lucie County.

G.	18-1512	1201 Georgia Avenue	Ceren, Norma	Paul Julin
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Case Initiated:	May 24, 2018	Type of Presentation:	Regular
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OWNER: Norma Ceren 1201 Georgia Avenue Ft Pierce, FL 34950	OCCUPIED BY:
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**Section 5-1.105.1 Permit Required**

Paul Julin reads the facts of the case. The violation is that the garage is enclosed, windows installed without a permit. Ms. Ceren is sworn in. She states that she tried to put the windows in but the lady (in the Building Department) said no - so she is now going to just put in the garage door and no windows. She felt that she obtained the permit, but Mr. Coss clarified that she applied for the permit, but that it was rejected due to the fact that windows either need to be impact or shutters provided. Ms. Ceren explained that she is no longer getting the windows, just the garage door. Mr. Coss asks Mr. Julin to show the photos to Ms. Ceren. Ms. Ceren explains that she showed the windows to the lady, and the lady said it's not approved for hurricanes, so Ms. Ceren is just doing the garage door. SM tries to determine if Ms. Ceren has a permit for the garage door. SM asks who will be installing the garage door. Ms. Ceren says she is licensed and will be doing it herself. Mr. Coss shows that the permit she refers to is in "plan check" which means that it is not issued. The plan review shows that it's pending because it's rejected. She needs to submit a revision that included a revised window/door form which shows how many openings are being replaced, then it could be re-reviewed. The SM explains to Ms. Ceren that she has to back to the Building Department and submit a revision. SM asks if she can take care of this within 30 days. Ms. Ceren says she will take care of it right away. SM continues case for 30 days to allow Ms. Ceren to get the necessary revision.

H.	18-1524	1005 Ohio Avenue	Pacheco, Lisa M. C.	Shaun Coss
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Case Initiated:	May 24, 2018	Type of Presentation:	Regular
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OWNER: Lisa M. Chase Pacheco 37 Maple Avenue Highland, NY 12528	OCCUPIED BY:
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**Section 5-1.105.1 Permit Required**

The named violator has been provided notice of this hearing, but has failed to appear. After consideration of the evidence presented, a default judgment in this matter is hereby entered. In the event the violation is not remedied within 60days after the date of the Order Determining Violation, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily cumulative rate of \$100.00. The violator has 30 days in which to appeal the decision in the Circuit Court of St. Lucie County.

I.	18-1726	2105 Avenue Q	B and B Business Mgmt Service	Paul Julin
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Case Initiated:	June 26, 2018	Type of Presentation:	Regular
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OWNER: B and B Business Management Service 1216 York Avenue #B Ft Pierce, FL 34982	OCCUPIED BY:
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**IPMC 504.3 Plumbing System Hazards, IPMC 506.1 General Plumbing, IPMC 603.1 Mechanical Equipment**

Paul Julin reads the facts of the case. He explains that he reinspected and that the plumbing was satisfactory, and complied. He was not sure about the mechanical violation. Brenda Williams is sworn. The SM clarifies that the plumbing violations have been complied, and asks where they are with the AC. Ms. Williams states that they are just awaiting the delivery of the AC unit, which is expected within 72 hours. SM asks if it's a window unit or a freestanding unit. Ms. Williams states that the AC person states that it can be repaired, but she is thinking of replacing it. She further states that it is a central unit, but that they also have window units that heat and cool as well. All of hers have both, so that they heat or cool the rooms that they are in. The SM asks when the AC person is expected out. Ms. Williams responds that it should be this week. She states that she is trying to comply several cases simultaneously. The SM asks if there are tenants at this property? - Yes.

The SM finds that the 2 plumbing violations (IPMC 504.3 & IPMC 506.1) did exist but has been cured as of now. With regard to IPMC 603.1 Mechanical Equipment, the SM finds that the violation does exist, and grants 60 days to obtain a permit, and comply with all the permit conditions and cure the violation or the fine of \$100 per day.

Ms. Williams states that she will get it done. Mr. Coss asks her to update her address. It is 5648 Spanish River Road, Ft. Pierce, FL 34951. Mr. Coss asked if the ownership is still with the corporation? - Yes. Ms. Williams offers her PO box address privately.

J.	18-1806	707 N 23rd Street	Walker, Calvin	Shaun Coss
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Case Initiated:	July 5, 2018	Type of Presentation:	Regular
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OWNER: Calvin Walker 707 N 23rd Street Ft Pierce, FL 34950	OCCUPIED BY:
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**IPMC 603.1 Mechanical Equipment, IPMC 605.1 Electrical Equipment, IPMC 504.1 Plumbing Fixtures**

The named violator has been provided notice of this hearing, but has failed to appear. After consideration of the evidence presented, a default judgment in this matter is hereby entered. In the event the violation is not remedied within 60days after the date of the Order Determining Violation, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily cumulative rate of \$100.00. The violator has 30 days in which to appeal the decision in the Circuit Court of St. Lucie County.

K.

18-1891	1610 N 17th Street	Torres, Ignacio	Paul Julin
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Case Initiated:	July 10, 2018	Type of Presentation:	Regular
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OWNER: Ignacio Torres 30-A Cove Overlook Drive Hendersonville, NC 28739	OCCUPIED BY:
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**IPMC 305.3 Interior Surfaces, IPMC 704.6.1.1 Smoke Alarms, IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 602.3 Heat Supply**

Paul Julin reads the facts of the case. Mr. Torres is sworn in and states that he is in agreement of Mr. Julin's statement of violations. He adds that he just found out about this case a week prior to the hearing because the notices were sent to North Carolina and he lives in Ft. Pierce. He asks to meet with Mr. Julin so that he can see what needs to be done at the property. He states that he intends to comply. The SM explains that it was sent to NC because that's the address on the Property Appraiser's website. He realizes that it needs to be changed. He tells the SM that Mr. Julin told him that he would need to hire a contractor and that he is willing to do so. Sm asks if he lives on the property? - No he does not. She asks if someone lives there? - Yes. Mr. Coss asks that Mr. Torres provide us with the correct address. He states that is address is 514 N 17th Street, Fort Pierce, FL 34950.

The SM finds that the violations do exist and that Mr. Torres is responsible. She grants 60 days to obtain a permit, get necessary inspections.

L.

18-1922	2510 Avenue K	Saint Lucie Building Trust LLC	Paul Julin
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Case Initiated:	July 13, 2018	Type of Presentation:	Regular
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OWNER: Saint Lucie Building Trust LLC 710 NE 126th Street Miami, FL 33161	OCCUPIED BY:
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**IPMC 504.1 Plumbing Fixtures, IPMC 305.3 Interior Surfaces**

Paul Julin reads the facts of the case. He states that the violations still exist. Rosemary Spaetz representing the owner, and gets sworn in. She states that all the repairs have been made. The tenant broke the faucet, so they replaced the whole thing. She states that the mold has been taken care of by a professional company. She states that these are concrete block buildings and if they take a shower and there is no air flow, so they'll have to work out something like doing an inspection every 3 months. They're instructed to do a quick wipe down with a light bleach solution after a shower because concrete holds moisture. Since they don't do it, management will have to do an inspection every 3 months. All the issues were addressed months ago, and she was remiss in getting back in touch with Mr. Julin. The SM asks if Paul was able to inspect for compliance? - No. Ms. Spaetz states that she spoke to Paul and she is making arrangements to have him inspect the property.

The SM agrees to continue the case to allow Paul to inspect to see that all violations have been addressed. She states that if all the violations have been cured the case will be closed. If they are still present, the case will be re-scheduled for next month.

Ms. Spaetz is the property manager.

M.	18-1923	2512 Avenue K	Saint Lucie Building Trust LLC	Paul Julin
Case Initiated:		July 13, 2018	Type of Presentation:	Regular
OWNER: Saint Lucie Building Trust LLC 710 NE 126th Street Miami, FL 33161			OCCUPIED BY:	

**IPMC 605.1 Electrical Equipment, IPMC 506.2 Sanitary Drainage System Maintenance**

Paul Julin reads the facts of the case. Ms. Spaetz states that what they found was with the toilet and the bathroom sink. The management could not find the electrical problem. Mr. Julin explains that he tested an outlet with a polarity tester and it was unsafe. He explains that if the breaker is tripping, there is something wrong. Ms. Spaetz asked where the outlet is located. Paul shows her the picture, and she says she will check into it. The SM confirms that the sink was repaired.

The SM finds that the violation IPMC 605.1 Electrical Equipment still exists. She will do an R & D (Review & Determination) regarding IPMC 506.2 Sanitary Drainage Systems. SM grants 30 days to cure the electrical violation, or be fined \$50.00 per day until the violation is corrected. 30 days to appeal.

N.	18-1924	2514 Avenue K	Saint Lucie Building Trust LLC	Paul Julin
Case Initiated:		July 13, 2018	Type of Presentation:	Regular

OWNER: SAINT LUCIE BUILDING TRUST LLC 710 NE 126th Street Miami, FL 33161	OCCUPIED BY:
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**IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 504.1 Plumbing Fixtures, IPMC 305.3 Interior Surfaces, IPMC 304.14 Insect Screens**

Paul Julin reads the facts of the case. Rosemary Spaetz is present for this case and has already been sworn. She states that there are screens on all of their units, the sewer cap was put back on, the kitchen faucet was replaced, and a company come in and got rid of the mildew. She reiterates that the management company has decided to do a 3 month inspections because the tenants do not keep up with the mildew. The SM asks if Mr. Julin has had a chance to re-inspect these units? - No. SM asks if they will be meeting next week. Ms. Spaetz replies yes, and that she will notify the tenants of an inspection even if they are not available.

The SM decides to do a Review and Determination for all violations, based on Ms. Spaetz' testimony. Mr. Julin will have to go out to the property to make sure that all the violations have been cured. If they have not, these cases will be called back before the SM.

O.

18-1925	2505 Wilkins Street	Saint Lucie Building Trust LLC	Paul Julin
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Case Initiated:	July 13, 2018	Type of Presentation:	Regular
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OWNER: Saint Lucie Building Trust LLC 710 NE 126th Street Miami, FL 33161	OCCUPIED BY:
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**IPMC 304.13.2 Openable Windows**

Paul Julin reads the facts of the case. Ms. Spaetz states they went in several times to repair the windows, and all the windows were replaced, and that they are jalousy windows. The window on the NW side, they continue to have problems with. It's difficult to get parts for it. The tenant was notified that they wanted to get in to replace the window, and they've had problems with the tenant. The unit is now vacant and they would like to do many repairs to it. That one window needs to be replaced because they cannot get parts for the old window. She realizes that a permit is required for this work.

The SM found that a violation exists and 30 days was given to cure the violation or a fine of \$50 would be assessed. 30 days for appeal is provided.

Ms. Spaetz asks for 60 days in order to complete all the work needed at the property including the window. The SM reminds her that once you get a permit, you have 180 days to complete the work, and to keep in touch with Mr. Julin. Ms. Spaetz agrees.

P.

18-1933	2311 Delaware Avenue	Campos, Samuel C.	Paul Julin
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Case Initiated:	July 17, 2018	Type of Presentation:	Regular
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OWNER: Samuel C. & Maria G Campos 15840 W Telegraph Rd Santa Paula, CA 93060	OCCUPIED BY:
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### Section 5-1.105.1 Permit Required

The SM asks if the parties speak English. The parties identify themselves as Gabriella Campos, Jose Campos, and Luis Bonilla respond affirmatively. Then Ms. Campos states that she is there to interpret. The SM asks City Attorney and Mr. Coss if that is ok, or if a City staff member needs to be the interpreter. Mr. Coss explains that it's ok if she interprets, and that she is required to say things word for word on both sides. She states that she understands that.

Paul Julin reads the facts of the case while the translator Ms. Campos interprets. Mr. Julin explains that the work appeared to be in order when he did an inspection, however he then found out that the person who did the work was not the owner, which means he is not able to pull the permit for the work that was done. That's where we stand with this case. The SM asks who the permit was issued to. Mr. Coss states that there was no permit issued. He tried to apply for the permit as an owner/builder, but since he's not the owner of the property. He supplied our office with a Power of Attorney, but that is not sufficient to pull a permit. The SM asks if the work has been approved. Mr. Coss states that the work was done without a permit. SM asks who did the work. Mr. Campos explains that he works for a construction company, who is a licensed contractor, so I did the work. Mr. Coss says that the contractor that he works for can pull the permit. Mr. Campos explains through the interpreter that he came in last Thursday and tried to pull the permit and was told that an engineer had to pull the permit, just for a small closet and 2 - 4 x 4 pieces of wood that I added to the wall, they're telling me that an engineer needs to pull the permit, that my contractor couldn't do it. Mr. Coss states that there is some miscommunication, an engineer cannot pull a permit, but anytime framing has been done, an engineer has to provide signed and sealed drawings, which would be submitted with the permit application. Mr. Campos asks who does he need to deal with - an engineer or a contractor, or both? Mr. Coss explains that his primary contact should be a contractor, and it's the contractor's responsibility to deal with the engineer. SM acknowledges that there has been a miscommunication.

The SM states that she will continue this case for 30 days, so that it can be determined if they need a contractor or engineer, since the work is already completed. Mr. Campos states that when the contractor came to the Building Department that he was told that he couldn't do anything, he needed an engineer. Mr. Coss states that an engineer is needed to do the signed and sealed drawings. He explains that anytime framing is involved - it has to be designed. He further states that 2 x 4's whether they are load bearing or not... it's required to be designed by an engineer. Any type of framing, according to the Florida Building Code, is a level of alteration. Mr. Campos states that he doesn't understand why that is necessary. The SM tries to determine if the 2 x 4's were new or replacements of existing 2 x 4's. Mr. Coss states that these are additional 2 x 4's, but Mr. Campos states that there was some damage to some of the wood, so he replaced it. The SM asks if anyone from staff has gone out there to see what's been done other than the pictures in the file? The response was - only Mr. Julin came out. SM asks Mr. Julin if this was replacement work or new work. He responds that the work was done before he inspected. He explains that when he took the photos, the house was locked and he took them from outside looking in through the windows. Mr. Campos asks who

gave Mr. Julin permission to access the home because some of the photos could have only been taken inside the home.

The SM grants 60 days, Mr. Julin will have time to inspect, and if things are not resolved by then, you will be back before the SM. Mr. Campos asks what he needs to do get an engineer or both. The SM explains that, that's why she is providing 60 days, so that they can get with Mr. Julin and decide what needs to be done. Mr. Coss explains to the tenants that when they visited the Building Department, the Plan's Examiner determined that an engineer was needed. He adds that it would be helpful if, while they are here, they speak with the Plan's Examiner. The SM states that she would like a visual inspection to determine the extent of the work.

R.	15-1123 Recall	603 N 8th St.	Gilbert, Roland	Shaun Coss
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Case Initiated:	February 15, 2018	Type of Presentation:	Regular
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OWNER: Ronald & Lynrose Gilbert 605 N 8th St. Fort Pierce, FL 34950	OCCUPIED BY:
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- Section: 5-1.105.1 Permit Required**  
**IPMC 108.1.3 Structure Unfit for Human Occupancy**  
**IPMC 304.6 Exterior Walls**  
**IPMC 304.7 Roofs and Drainage**  
**IPMC 304.13 Windows, Doors & Frames**  
**IPMC 304.13.1 Glazing**  
**IPMC 304.14 Insect Screens**  
**IPMC 403.2 Bathrooms and Toilet Rooms Ventilation**  
**IPMC 504.1 Plumbing Fixtures**  
**IPMC 602.2 Residential Heat Supply**  
**IPMC 607.1 Duct Systems**  
**IPMC 704.2.2 Smoke Alarms**

Mr. Coss reads the facts of the case and explains that this case was recalled from the last hearing. He explains that all violations except for 2, Section 5-1.105.1 Permit Required (for the water heater), and IPMC 304.7 Roofs and Drainage. SM continued this case from the last meeting to allow the owner to speak with a contractor or engineer to determine if the roof damage is structural or cosmetic. The owner, although notified, is not present and has made no contact regarding this case. Staff requests that the 2 remaining violations be found to exist at this property.

The SM found that the violations do exist and the violator, who was not present was deemed to have admitted guilt. It was further ordered that they be given 60 to come into compliance or the fine of \$50 per day would begin to accrue until violations come into compliance.

S.	17-1402 Recall	223 Avenue A	Hatfield, James	Shaun Coss
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Case Initiated:	June 27, 2017	Type of Presentation:	Regular
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OWNER: James Hatfield PO Box 1506 Ft Pierce, FL 34954	OCCUPIED BY:
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**Section(s): 5-1.105.1 Permit Required**

The named violator has been provided notice of this hearing, but has failed to appear. After consideration of the evidence presented, a default judgment in this matter is hereby entered. In the event the violation is not remedied within 60days after the date of the Order Determining Violation, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily cumulative rate of \$100.00. The violator has 30 days in which to appeal the decision in the Circuit Court of St. Lucie County.

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

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

**8. OTHER CASES**

A.	08-2629 Massey (Recall)	1222 Avenue B	Delva, Marking	Shaun Coss
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Case Initiated:	July 31, 2008	Type of Presentation:	Massey Hearing
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OWNER: Marking Delva 1222 Avenue B Ft. Pierce, FL 34950	OCCUPIED BY:
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- Section(s): 5-1.101.2.1 Unsafe Building**
- IPMC 108.1.1 Unsafe Structure**
- IPMC 302.3 Sidewalks & Driveways**
- IPMC 304.1 Exterior Structure**
- IPMC 304.5 Foundation Walls**
- IPMC 304.7 Roofs & Drainage**
- IPMC 304.13 Windows, Doors & Frames**
- IPMC 305.2 Structural Members**
- IPMC 305.5 Handrails & Guards**
- IPMC 504.1 Plumbing Fixtures**
- IPMC 603.1 Mechanical Equipment**
- IPMC 605.1 Electrical Equipment**
- IPMC 605.4 Wiring**

**9. NEW BUSINESS**

**10. OLD BUSINESS**

Respectfully submitted:

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**Special Magistrate Hearing - Building**

**5.A.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-1273 - 705 Cedar Place

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

**Information**

**SUBJECT:**

18-1273	705 Cedar Pl (503 N 7th St)	Longshoremen's St. Lucie Co. 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 County Inc. 503 N 7th Street Ft 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 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 04:52 PM

**Special Magistrate Hearing - Building**

**5.B.**

**Meeting Date:** 04/16/2019

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

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

**Information**

**SUBJECT:**

18-1274	710 Avenue D	Longshoremen's St. Lucie Co., 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 of St. Lucie Co., Inc. 503 N 7th Street Ft 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 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 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: Elizabeth Beck  
 Final Approval Date: 04/10/2019

Started On: 04/09/2019 05:12 PM

**Special Magistrate Hearing - Building**

**5.C.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2177 - 1601 Boston Avenue

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

**Information**

**SUBJECT:**

18-2177	1601 Boston Avenue	Felder Investments LLC	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	18-2177	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Felder Investments LLC 221 Saint Ann Dr #1 Mandeville, LA 70471	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for installation of a roof. Permit must be obtained by a licensed roofing contractor.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 11:03 AM

**Special Magistrate Hearing - Building**

**5.D.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2268 - 513 N 17th Street

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

**Information**

**SUBJECT:**

18-2268	513 N 17th Street	Smith, Etta	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	September 5, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Etta Smith Reatha B Holmes PO Box 1594 Ft Pierce FL 34954	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 504.1 Plumbing Fixtures, IPMC 304.7 Roofs and Drainage, IPMC 704.6.1.2 Smoke Alarms, IPMC 305.1.1(#6) Unsafe Conditions, IPMC 605.1 Electrical Equipment, IPMC 605.2 Electrical Receptacles, IPMC 304.13 Windows, Doors & Frames**

**CORRECTIVE ACTIONS:**

1. Repair/replace disconnected sewer line, causing sewage on the ground.
2. Repair/replace leaking kitchen sink.
3. Repair/replace missing bath tub handle.
4. Repair/replace roof and flashing defects that are allowing water intrusion.
5. Install smoke detectors.
6. Repair foundation systems where wood floorboards are soft.
7. Repair/replace light in front room.
8. Replace damaged electric outlet face plates.
9. Doors shall be weather tight. Repair/replace doors so that they are in sound condition and weather tight.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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.

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### **Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 11:11 AM

**Special Magistrate Hearing - Building**

**5.E.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2294 - 1731 Seaway Drive

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

**Information**

**SUBJECT:**

18-2294	1731 Seaway Drive	Fortunato, Christina	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	September 7, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Christina Fortunato 1731 Seaway Drive Apt A Ft. Pierce, FL 34949	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the installed storage shed.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 11:35 AM

**Special Magistrate Hearing - Building**

**5.F.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2354 - 1907 Avenue E

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

**Information**

**SUBJECT:**

18-2354	1907 Avenue E	Integrated Real Properties Inc.	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	September 20, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Integrated Real Properties Inc. 9638 Shepard Place West Palm Beach FL 33414	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**IPMC 603.1 Mechanical Equipment, IPMC 504.1 Plumbing Fixtures, IPMC Exterior Doors, IPMC 305.3 Interior Surfaces**

**CORRECTIVE ACTIONS:**

1. Repair/replace non-working AC unit.
2. Repair/replace leaking kitchen sink and attached plumbing.
3. Properly anchor toilet.
4. Repair front door, making it weathertight.
5. Repair all holes in walls.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 11:43 AM

**Special Magistrate Hearing - Building**

**5.G.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2421 - 901 S US Highway 1

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

**Information**

**SUBJECT:**

18-2421	901 S US Highway 1	Szabo, Alex S.	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	September 27, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Alex S Szabo Judit B Sirk 4218 Robin Circle Ft Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the installed roll up garage door.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 12:01 PM

**Special Magistrate Hearing - Building**

**5.H.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2444 - 621 S 17th Street

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

**Information**

**SUBJECT:**

18-2444	621 S 17th Street	Insalaco, Raymond	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	September 28, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Raymond L Insalaco 1002 Tortugas Avenue Ft Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**CORRECTIVE ACTIONS:**

1. Obtain a permit for installation of a fence.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 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: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 01:05 PM

**Special Magistrate Hearing - Building**

**5.I.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2474 - 702 N 15th Street Unit A

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

**Information**

**SUBJECT:**

18-2474	702 N 15th Street	B and B Business Mgmt Serv. Inc.	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	October 2, 2018	Type of Presentation:	Repeat
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**OWNER:**

OWNER: B and B Business Management Services Inc. 1216 York Avenue #B Ft Pierce, FL 34982	OCCUPIED BY:
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**VIOLATIONS:**

**IPMC 305.3 Interior Surfaces, IPMC 603.1 Mechanical Equipment, IPMC 604.3 Electrical System Hazards, IPMC 504.3 Plumbing System Hazards**

**CORRECTIVE ACTIONS:**

1. Repair/replace all soft and loose ceiling drywall in various areas (bedroom, kitchen, etc.)
2. Repair/replace non-working AC unit. Correct unsafe wiring for AC at condensing unit.
3. Repair unsafe open space on circuit breaker panel, making it safe.
4. Water heater does not have proper access.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to comply or a fine of \$250.00 per day be assessed and order all utilities to the premises be suspended while the violation continues.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 02:50 PM

**Special Magistrate Hearing - Building**

**5.J.**

**Meeting Date:** 04/16/2019

**Re:** Case #18-2942 - 702 N 15th Street

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

**Information**

**SUBJECT:**

18-2942	702 N 15th St Unit 1 (Main Bldg)	B and B Business Mgmt Serv Inc.	Will Carbonell
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**CASE INFORMATION:**

Case Initiated:	December 11, 2018	Type of Presentation:	Repeat
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**OWNER:**

<b>OWNER:</b> B and B Business Management Services Inc. 1216 York Avenue #B Ft Pierce, FL 34982	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

**IPMC 304.1 Exterior Structure, IPMC 304.6 Exterior Walls, IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 605.1 Electrical Equipment, IPMC 605.2 Electrical Receptacles**

**CORRECTIVE ACTIONS:**

1. Repair or replace the roof where it is leaking.
2. Replace all damaged soffit, fascia and overhangs.
3. All exterior walls must be sealed to prevent entry of water and rodents.
4. Replace all water damaged drywall.
5. Properly cover all exposed wiring. Replace all missing outlet faceplates.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to comply or a fine of \$250.00 per day be assessed and order all utilities to the premises be suspended while the violation continues.

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/09/2019 04:04 PM

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**Information**

**SUBJECT:**

18-1119	620 Texas Court	Kuczynski, Anthony	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 6, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: Anthony Kuczynski 620 Texas Court Ft Pierce, FL 34950	OCCUPIED BY:
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**VIOLATIONS:**

**Section 5-1.105.1 Permit Required**

**FINDINGS/ORDER:**

Order Determining Violation - January 16, 2019  
Affidavit of Non-Compliance - March 18,2019

**ACTION DATES:**

1. Special Magistrate Hearing - January 15, 2019, owner was not present. An Order Determining Violation was sent on January 16, 2019. The order provides 60 days to remedy violation(s), or a fine begins accruing at \$100.00 per day.
2. An Affidavit of Non-Compliance was issued on March 18, 2019. Fines began accruing on that date. A Massey letter was sent on March 20, 2019.
3. A letter from the owner's son was received on March 26, 2019. It explained that his father, the owner of the property, became ill and unable to care for himself in this home. Another son living out of state, came and took him home. He is living out of state, and is under medical care there. He will not be able to return to the home. It further explained that, before leaving, his father signed a "Power of Attorney" to a Ricky Duffield, in order to get the necessary repairs done to the house.

**RECOMMENDATION:**

To Be Determined.

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**Form Review**

Final Approval Date: 04/10/2019

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**Information**

**SUBJECT:**

18-1925	2505 Wilkins Street	Saint Lucie Building Trust LLC	Paul Julin
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**CASE INFORMATION:**

Case Initiated:	July 13, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: Saint Lucie Building Trust LLC 710 NE 126 Street Miami, FL 33161	OCCUPIED BY:
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**VIOLATIONS:**

**IPMC 304.13. Openable Windows**

**FINDINGS/ORDER:**

Order Determining Violation - January 16, 2019  
Affidavit of Non-Compliance & Massey Letter - February 27, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - January 15, 2019. Owner's representative was present. An Order Determining Violation was issued providing 30 days to remedy the violation, or a daily fee of \$50.00 per day would begin to accrue.
2. An Affidavit of Non-Compliance was sent along with a Massey Letter on February 27, 2019.
3. A letter from the owner was received on March 7, 2019. It explained that they had great difficulty finding a contractor who was available to do the necessary work, but finally found one. They expressed that they had been working diligently to resolve the violation.
3. On March 8, 2019 a permit to replace 2 windows was issued. A final inspection on the windows was approved on April 4, 2019.

**RECOMMENDATION:**

To Be Determined.

Contesting of Fines-Non Compliance  
Admin Cost Estimator

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**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 04/11/2019

Started On: 04/10/2019 02:14 PM

**MASSEY HEARING**

**April 16, 2019**

**Case #18-1925**

**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? **The owner hired a contractor to obtain a permit to cure the violations. The permit has been inspected and properly closed.**
  
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**

# Administrative Cost Estimator

4/9/2019

Property Address: 2505 Wilkins Street

Date case originated: 7/13/2018

Date case complied: 4/4/2019

Total time: 8 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:           

## Mailing Expense

Regular 1st Class:	\$0.44	<u>4</u>	\$1.76
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>3</u>	\$1.50
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Filing Fees	\$10.00	<u>2</u>	\$20.00
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Months Open	\$50.00	<u>8</u>	\$400.00
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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 Department Secretary

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

Building Department 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>0</u>	\$0.00
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Fee set by the City Commission

**Total Estimated Cost: \$1,078.36**

**Special Magistrate Hearing - Building****8.A.****Meeting Date:** 04/16/2019**Re:** Case #17-898 - 1450 Bell Avenue**Submitted For:** Shaun Coss, Building Dept. Coordinator, Building**Information****SUBJECT:**

17-898 Ext. of Time	1450 Bell Avenue	Railside LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	April 5, 2017	Type of Presentation:	Extension of Time - cont.
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**OWNER:**

OWNER: Railside LLC Norman Zlinkoff 44-47 Realty LLC 4510 SW Thistle Terrace Palm City, FL 34490	REG. AGENT: John Katsock, Jr. Reg. Agent for Railside LLC 4521 SW Bimini Circle N Palm City, FL 34990
LEGAL COUNSEL: Alexander Gonano Gonano & Harrell TD Bank Building 1600 S Federal Highway - Suite 200 Ft Pierce, FL 34950	

**VIOLATIONS:****Section(s) 5-1.101.2.1 Unsafe Building****Section(s) 5-1.105.1 Permit Required****Sections(s) 5-1.105.4.1.2 Expired Permit****Section(s) 22-79 Compliance with Conditions Approval****CORRECTIVE ACTIONS:****Order Determining Violation August 3, 2017, nunc pro tunc August 2, 2017:**

1. Obtain a permit and approved final inspection for the irrigation system.
2. Renew permit 15-3025 for re-roofing the office and loading dock area and supply an original signed and sealed inspection certification from John Foster.
3. Renew permit 16-1785 for the site work permit. To obtain approval for the final inspection you must comply with all outstanding issues from the Engineering and Planning

Departments including all conditions specified in the Conditional Use approval dated 10/5/15. This includes providing a certified as-built drawing; providing a Contractor's or Engineer's final certification; removing the southern row of spaces and installing the 10 foot landscaping buffer to plan, or, the submittal of a revision to make the spaces compliant, detail of where the 10 foot landscape buffer is located and approval or revocable license agreement from St. Lucie County for the landscape buffer if it is located on the right of way; rehabilitation/replacement of the palm trees installed at the south east corner of the "planning area" that are dead or dying; installing a stop bar and stop sign at the west driveway apron as required; painting directional arrows; removing the driveway apron at the west side of the property where a landscape buffer was planned; installing the vegetative hedge within the western landscape buffer as required by City Code Section 22-187(4); and, providing access to the property to allow Planning Staff to perform an inspection of the installation of trees and parking spaces striped internally on the site.

4. Submit a revised, detailed scope of electrical work for permit 17-425 for electrical work intended to take place in the condemned structure, or include this work in the phase-two comprehensive plan described below.
5. Submit a comprehensive plan for phase-two, which may include a 2000 s.f +/- addition to the facility as well as planning for a 1500 s.f. future restaurant including landscaping and site modifications; The phase-two comprehensive plan must address all other outstanding violations including, having an Engineer complete an evaluation of all structures on the property; building numbering; construction, rehabilitation and demolition of structures to address the change of use and to cure all deficiencies constituting condemnation; and, the removal of millings.

#### **Status as of April 10, 2019:**

Item 1- Has been completed.

Item 2- Has been completed.

Item 3- The permit for the site work was renewed and closed. However, the right of way dedication and payment in lieu of sidewalk connection was not completed according to Kori Benton, now with St. Lucie County Planning Department. It's my understanding that there was a verbal agreement, that the County may not have been aware of, to defer this to phase 2.

Item 4- A revised scope was not submitted. A permit for phase 2 has not been submitted including this work. Therefore, this item is still outstanding.

Item 5- The Building Department has not received any site plan or comprehensive plan submittals. The millings are still present and need to be removed.

#### **RECOMMENDATION:**

1. August 2, 2017 Special Magistrate Ross found Railside LLC responsible for the violations referenced above and gave them 30 days to obtain a permit and approved final inspection for the irrigation system, renew permit 15-3028 and 16-1785. Also 90 days to submit a revised scope of electrical work for permit 17-425 and submit a comprehensive plan for phase two of development. Failure to comply to this order in the time allotted will result in assessing a fine of \$250.00 per day for each order until all violations are corrected.

2. November 7, 2017 Shaun Coss, Building Department Investigator, exercised his authorization to grant an extension of 90 days and issued a warning that if the property doesn't come into compliance by the end of the extension, the owner will have to go before the Special Magistrate to request another extension.

3. January 18, 2018 received request for another extension of time from Alexander Gonano, legal counsel.

4. March 21, 2018 Special Magistrate issued a 90 day extension to apply for the application and an additional 90 day to obtain a permit and comply to permit conditions. Failure to come into compliance within this time period will result in being assessed \$250.00 per day until the property comes into compliance.
  5. September 19, 2018 Special Magistrate extended the case for 90 days and rescheduled for January 16, 2019.
  6. January 15, 2019 An exploratory demolition permit was issued for the purposes of further identifying areas needing repairs. The permit has since expired.
  7. January 16, 2019 Special Magistrate extended the case for 90 days and rescheduled for April 16, 2019.
  8. March 20, 2019 Roof permits were issued for Buildings A & B.
  9. March 26, 2019 A permit was applied for to remove and replace 6 windows and 2 doors.
  7. March 27, 2019 Advised by Alexander Gonano, legal counsel, that Mr. Katsock has hired/appointed Darren Ofsink to assist with the management of this property and that Mr. Ofsink will be present for the upcoming hearing.
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### **Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 04/10/2019

Started On: 04/10/2019 03:01 PM