

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, June 6, 2019 - 9:00 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ADMINISTRATIVE BUSINESS**
  - A. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**
  - B. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**
4. **PUBLIC HEARINGS - CITATIONS**
5. **PUBLIC HEARINGS - VIOLATION CASES**
  0. 

19-0930 ST	2005 Mimosa Avenue	Kublitsky, Igor	Chad Dawson
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**
7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**
8. **OTHER CASES**
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**

**5.0.**

**Meeting Date:** 06/06/2019

**Re:** Case # 19-0930 - 2005 Mimosa Avenue

**Information**

**SUBJECT:**

19-0930 ST	2005 Mimosa Avenue	Kublitsky, Igor	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:  April 11, 2019	Type of Presentation:	Regular - Short Term Rental
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**OWNER:**

OWNER: Igor Kublitsky 3333 Routt Street Wheat Ridge, CO 80033	
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**VIOLATIONS:**

Section 9-25 - Proof of Business activity; burden of proof on applicant  
 Section 9-27(B) - Doing Business without a Tax  
 Section 9-16 (A) - Imposed

**CORRECTIVE ACTIONS:**

1. Immediately cease, desist, and cancel all rentals of less then six months.

**RECOMMENDATION:**

The City requests that a fine of \$5000, the maximum allowed for violations that are irreparable and irreversible, be assessed for each violation or a total of \$10,000.00. The City also requests an immediate cease and desist order be imposed and future rentals be terminated immediately, with proof of termination bein gprovided. If rentals continue without a business tax receipt, that all utilities to the property be suspended.

**Attachments**

Info

**Form Review**

Form Started By: Peggy Arraiz  
 Final Approval Date: 06/03/2019

Started On: 06/03/2019 10:36 AM

**Fw: 2005 Mimosa Ave Vacation Rental Again**

2 messages

**Peggy Arraiz** <PArraiz@city-ftpierce.com>  
To: cbadair4884@gmail.com

Mon, Apr 8, 2019 at 3:58 PM

Perhaps you can reach out to this gentleman. He is repeatedly opening these cases.

**Margaret M. (Peggy) Arraiz | Code Compliance Manager | City of Fort Pierce**

Community Response Divisions

Code Enforcement & Animal Control

Phone: 772.467.3148 Fax: 772.468.0457 100 North U.S. 1 Fort Pierce, FL 34950

[Website](#) | [Facebook](#) | [Survey](#)



----- Forwarded by Peggy Arraiz/cfp on 04/08/2019 03:57 PM -----

From: "michael antoniak" <michael\_j\_antoniak@yahoo.com>  
To: "Nicholas Mimms" <NMimms@City-FtPierce.Com>, "Peggy Arraiz" <PArraiz@city-ftpierce.com>  
Cc: "Linda Hudson" <lHUDSON@city-ftpierce.com>  
Date: 04/08/2019 03:56 PM  
Subject: 2005 Mimosa Ave Vacation Rental Again

Good Afternoon City of Fort Pierce Management

2005 Mimosa Ave continues to be illegally rented as a short term vacation rental.

I have opened Code Enforcement incidents 5670927 and 5594466.

Please help, this is affecting public safety!

Thank you

Michael Antoniak

On Tuesday, March 26, 2019, 1:40:20 PM EDT, Linda Hudson <LHUDSON@City-FtPierce.Com> wrote:

Thank you. Sharing with management.

Linda Hudson  
Mayor  
City of Fort Pierce  
772-467-3065  
Sent from IBM Verse

michael antoniak --- 2005 Mimosa Ave Vacation Rental ---

From:	"michael antoniak" <michael_j_antoniak@yahoo.com>
To:	lhudson@city-ftpierce.com, tperona@city-ftpierce.com, jjohnson@city-ftpierce.com, ralexander@city-ftpierce.com, rsessions@city-ftpierce.com

Date: Tue, Mar 26, 2019 12:41  
Subject: 2005 Mimosa Ave Vacation Rental

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Hello Fort Pierce City Commission

As of 3/26/2019, 2005 Mimosa Ave is currently being rented as a vacation rental.

On 3/18/2019 the City Commission voted to deny the Condition Use Dwelling Rental request for this property.

However, the owner continues to rent short term.

I have reported this to Code Enforcement for a second time.

Would you please put a stop to this illegal activity.

Thank you

Michael Antoniak

Please Note: Florida has very broad public records laws. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Your e-mail communications will be subject to public disclosure unless an exemption applies to the communication. If you received this email in error, please immediately notify the sender by reply e-mail and delete the e-mail and any associated materials from all devices.

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mimosacleaning.jpg  
24K

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Charlene Adair <cbadair4884@gmail.com>  
To: Peggy Arraiz <PArraiz@city-ftpierce.com>

Mon, Apr 8, 2019 at 5:29 PM

Peggy,

I did write to him and explained the requirements for opening a case. I did inform him that the last renters were cooperative. Hopefully, this will do the trick.

Thank you,  
Charlene

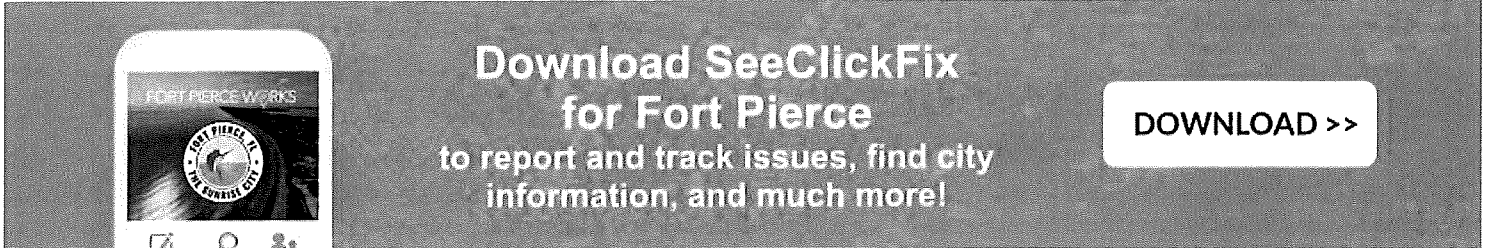
[Quoted text hidden]

--  
Charlene Adair  
772-285-3757

# Fort Pierce, FL

[Change location]

Follow this Place



**Download SeeClickFix for Fort Pierce**  
to report and track issues, find city information, and much more!

**DOWNLOAD >>**

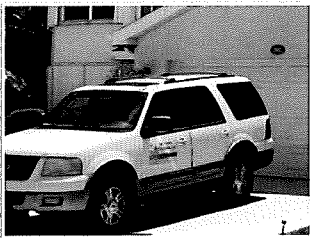
HOME > ISSUES > CODE ENFORCEMENT - GENERAL

## Code Enforcement - General > Open

2005 Mimosa Ave Fort Pierce, FL, 34949, USA • Show on Map

2 TOTAL VOTES

Vote to Fix



**Issue ID:** 5670927  
**Submitted To:** City of Fort Pierce  
**Category:** Code Enforcement - General  
**Viewed:** 3 times  
**Neighborhood:** Fort Pierce  
**Reported:** about 1 hour ago

**REPORTER**  
 An anonymous SeeClickFix user  
 Civic Points: 0



### Main

- Photos and Videos 1
- Notified 0
- Follow
- Flag Issue

### DESCRIPTION

2005 Mimosa Ave was once again illegally rented as a short term vacation rental from 4/3/19 - 4/8/19. The renters are not family members and do NOT know who the owner is. Cleaning services arrived shortly after the renters checked out.

Share  Tweet

### NEARBY ISSUES

- Street Lights not working
- Terrific response to issue
- Street Light not working
- Street Light

### 1 COMMENT

**Fort Pierce Works Action Center** (Verified Official)  
 Fort Pierce Works Action Center assigned this issue to Code Compliance Department  
 about 1 hour ago • Flag


### NEW COMMENT

Write a comment...

I want to...

Here's who's watching this area. Want to set up a FREE watcher account for yourself or your organization?

**FREE SETUP!**

 +1 239-910-8930

Thank you for checking - I was asking my husband if we had a security deposit and he thinks we do but wasn't sure how it was handled. We won't get back h

ome til late tonight. Can I let you know tomorrow morning. We left it all in good order so there would be no reason to keep any deposits.

3:19 PM

3:27 PM

Thank you so much! I'll look forward to hearing from you. Safe travels!

Today



We checked the Airbnb listing & we have a 500 security deposit but it's held by Airbnb. The host has 14 days to make a claim & we would be notified if h

e did & we could appeal it. So I don't think there is anyway he could keep it. Thank you for considering this.

2:30 PM

2:36 PM

Rosemary, thank you for checking on this. Are you saying that you are ok with Code proceeding? Thank you, Charlene



Yes - we can deal with the security deposit & the code violation doesn't involve us so proceed as you need to.

2:45 PM

Great. Thank you so much. Charlene|



Send

