

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, June 18, 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. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**

4. **PUBLIC HEARINGS - CITATIONS**

A.	19-499 CT	346 Hernando Street	McCauley, Peter J.	Paul Julin
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B.	19-498 CT	346 Hernando Street	Reeder, Daniel	Paul Julin
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C.	19-580 CT	2400 S Ocean Dr 2348	Miret, Jeff	Will Carbonell
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	18-2294	1731 Seaway Drive	Fortunato, Christina	Paul Julin
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B.	18-2624	707 N 19th Street	George, Portia	Will Carbonell
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C.	18-2935	325 S 13th Street	Dantilus, Jean M	Will Carbonell
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D.	18-2937	1516 Thumb Point Drive	Kaye, Edward J & Linda S	Shaun Coss
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E.	18-2940	3217 Orange Avenue	Manuel Esquivel Concrete Contractor, Inc.	Will Carbonell
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F.	18-2975	1008 Avenue L	O'Connor, Claire	Will Carbonell
G.	18-2976	4935 Oleander Avenue	Midway Road Plaza LLC	Will Carbonell
H.	19-89	2911 Okeechobee Road	ID 2911 LLC	Will Carbonell
I.	19-195	2802 Okeechobee Road	Candyland Properties of St Lucie	Will Carbonell
J.	19-337	511 Texas Court	Sosa, Melissa I	Paul Julin

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

A.	15-2219	104 Roselyn Avenue	Johnston, Barbara	Shaun Coss
B.	18-491	1209 N 16th Court	Unlimited US Services Corp	Shaun Coss

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 - Building**4.A.****Meeting Date:** 06/18/2019**Re:** Case #19-499 - Peter J McCauley**Submitted For:** Paul Julin, Building Inspector/Investigator, Building**Information****SUBJECT:**

19-499 CT	346 Hernando Street	McCauley, Peter J.	Paul Julin
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CASE INFORMATION:

Case Initiated:	February 20,2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: PETER J. MCCAULEY	UNLICENSED CONTRACTOR:
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Due
330	5-53(a)(6) Unlicensed contractor	\$500.00/1	\$500.00

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above. Failure to pay such fine may result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2019

Started On: 06/11/2019 05:18 PM

Special Magistrate Hearing - Building

4.B.

Meeting Date: 06/18/2019

Re: Case #19-498 - Daniel Reeder

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

Information

SUBJECT:

19-498 CT	346 Hernando Street	Reeder, Daniel	Paul Julin
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CASE INFORMATION:

Case Initiated:	February 20, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: DANIEL REEDER	UNLICENSED CONTRACTOR
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Due
329	5-53(a)(6) Unlicensed contractor	1@\$500.00	\$500.00

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above. Failure to pay such fine may result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2019

Started On: 06/12/2019 08:47 AM

Special Magistrate Hearing - Building**4.C.****Meeting Date:** 06/18/2019**Re:** Case #19-580 - Jeff Miret**Submitted For:** Will Carbonell, Building Inspector/Investigator, Building**Information****SUBJECT:**

19-580 CT	2400 S Ocean Dr 2348	Miret, Jeff	Will Carbonell
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CASE INFORMATION:

Case Initiated:	March 4, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: JEFF MIRET	UNLICENSED CONTRACTOR:
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Due
327	5-53(a)(6) Unlicensed contractor 5-53(a)(8) Doing work without a permit	1@\$500.00	\$500.00

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above. Failure to pay such fine may result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2019

Started On: 06/12/2019 09:40 AM

Special Magistrate Hearing - Building

5.A.

Meeting Date: 06/18/2019

Re: Case #18-2294 - 1731 Seaway Drive

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:

OWNER: Christina Fortunato 1731 Seaway Drive Apt A Ft. Pierce, FL 34949	OCCUPIED BY:
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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 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: 06/12/2019

Started On: 06/12/2019 10:21 AM

Special Magistrate Hearing - Building

5.B.

Meeting Date: 06/18/2019

Re: Case #18-2624 - 707 N 19th Street

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

Information

SUBJECT:

18-2624	707 N 19th Street	George, Portia	Will Carbonell
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CASE INFORMATION:

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

OWNER: Portia George Donella Crenshaw 707 N 19th 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 shed in the backyard.

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: 06/12/2019

Started On: 05/15/2019 02:43 PM

Special Magistrate Hearing - Building

5.C.

Meeting Date: 06/18/2019

Re: Case #18-2935 - 325 S 13th Street

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

Information

SUBJECT:

18-2935	325 S 13th Street	Dantilus, Jean M	Will Carbonell
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CASE INFORMATION:

Case Initiated:	December 11, 2018	Type of Presentation:	Regular
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OWNER:

OWNER: JEAN M DANTILUS 325 S 13TH STREET FT PIERCE FL 34950	OCCUPIED BY:
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VIOLATIONS:

Section(s) 5-1.105.1 Permit Required, 5-1.105.4.1.2 Expired Permit

CORRECTIVE ACTIONS:

1. Obtain a permit for the structural and decorative work being done to the front of the house that is not within the scope of permit 13-2204.
2. Permits 13-2204 and 18-1358 have expired, renew both permits.
3. Permits must be revised and renewed and/or additional permits must be obtained before any construction work may continue.

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: 06/12/2019

Started On: 06/11/2019 04:04 PM

Special Magistrate Hearing - Building

5.D.

Meeting Date: 06/18/2019

Re: Case #18-2937 - 1516 Thumb Point Drive

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

Information

SUBJECT:

18-2937	1516 Thumb Point Drive	Kaye, Edward J & Linda S	Shaun Coss
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CASE INFORMATION:

Case Initiated:	December 11, 2018	Type of Presentation:	Regular
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OWNER:

OWNER: EDWARD J. & LINDA S KAYE 1615 THUMB POINT DR FORT PIERCE, FL 34949	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the repair/replacement of the dock and pilings.

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: 06/12/2019

Started On: 06/11/2019 04:54 PM

Special Magistrate Hearing - Building**5.E.****Meeting Date:** 06/18/2019**Re:** Case #18-2940 - 3217 Orange Avenue**Submitted For:** Will Carbonell, Building Inspector/Investigator, Building**Information****SUBJECT:**

18-2940	3217 Orange Avenue	Manuel Esquivel Concrete Contractor, Inc.	Will Carbonell
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CASE INFORMATION:

Case Initiated:	18-2940	Type of Presentation:	Regular
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OWNER:

OWNER: MANUEL ESQUIVEL CONCRETE CONTRACTOR INC. 5548 NW CORDREY ST PORT ST LUCIE, FL 34986	REG. AGENT: MANUEL ESQUIVEL SAME ADDRESS
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the paving of the lot adjacent to 3211 Orange Avenue.

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

Started On: 06/11/2019 04:14 PM

Final Approval Date: 06/12/2019

Special Magistrate Hearing - Building

5.F.

Meeting Date: 06/18/2019

Re: Case #18-2975 - 1008 Avenue L

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

Information

SUBJECT:

18-2975	1008 Avenue L	O'Connor, Claire	Will Carbonell
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CASE INFORMATION:

Case Initiated:	December 20, 2018	Type of Presentation:	Regular
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OWNER:

OWNER: CLAIRE O'CONNOR THOMAS O'CONNOR 332 HOLLY AVENUE PORT ST LUCIE, FL 34952	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required, IPMC 304.13.2 Openable Windows, IPMC 605.1 Electrical Equipment, IPMC 309.1 Infestation, IPMC 304.13 Windows, Doors & Frames, IPMC 304.7 Roofs and Drainage

CORRECTIVE ACTIONS:

1. Repair/replace non-openable windows.
2. Obtain a permit for the window that drywall has been placed over.
3. Treat property for pest infestation.
4. Repair/replace non-working electrical outlets on the porch, and make safe the electrical circuit load.
5. Repair the cause of water intrusion at the front door to make the door/door frame weather tight.
6. Repair/replace the roof leakage that has caused ceiling cracks in the living room.

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: 06/12/2019

Started On: 06/11/2019 04:46 PM

Special Magistrate Hearing - Building

5.G.

Meeting Date: 06/18/2019

Re: Case 18-2976 - 4935 Oleander Avenue

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

Information

SUBJECT:

18-2976	4935 Oleander Avenue	Midway Road Plaza LLC	Will Carbonell
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CASE INFORMATION:

Case Initiated:	December 20, 2018	Type of Presentation:	Regular
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OWNER:

OWNER: MIDWAY ROAD PLAZA LLC 630 SW PALMETTO COVE PORT ST LUCIE, FL 34986	REG. AGENT: ROHIT PATEL SAME ADDRESS
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VIOLATIONS:

IPMC 603.1 Mechanical Equipment

CORRECTIVE ACTIONS:

1. Replace rusted water heater.

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: 06/12/2019

Started On: 06/11/2019 03:49 PM

Special Magistrate Hearing - Building

5.H.

Meeting Date: 06/18/2019

Re: Case #19-89 - 2911 Okeechobee Road

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

Information

SUBJECT:

19-89	2911 Okeechobee Road	ID 2911 LLC	Will Carbonell
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CASE INFORMATION:

Case Initiated:	January 14, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: ID 2911 LLC 18651 SW 39TH STREET PEMBROKE PINES, FL 33029	REG. AGENT: JUAN Y DIAZ 3326 JUNIPER LANE DAVIE, FL 33330
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for electrical, mechanical, and paving work 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: 06/12/2019

Started On: 06/11/2019 03:42 PM

Special Magistrate Hearing - Building

5.I.

Meeting Date: 06/18/2019

Re: Case #19-195 - 2802 Okeechobee Road

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

Information

SUBJECT:

19-195	2802 Okeechobee Road	Candyland Properties of St Lucie	Will Carbonell
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CASE INFORMATION:

Case Initiated:	January 23, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: CANDYLAND PROPERTIES OF ST LUCIE LLC 442 SE STARFLOWER AVE PORT ST LUCIE, FL 34983	REG. AGENT: DOMINIC HARRISON 5432 CRISTA STREET PORT ST LUCIE, FL 34986
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the fire alarm.

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

Started On: 06/11/2019 03:31 PM

Final Approval Date: 06/12/2019

Special Magistrate Hearing - Building

5.J.

Meeting Date: 06/18/2019

Re: Case #19-337 - 511 Texas Court

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

Information

SUBJECT:

19-337	511 Texas Court	Sosa, Melissa I	Paul Julin
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CASE INFORMATION:

Case Initiated:	February 4, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: MELISSA I SOSA 495 N FEDERAL HWY APT 1603 FT LAUDERDALE, FL 33301	OCCUPIED BY:
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VIOLATIONS:

IPMC 604.3 Electrical System Hazards, IPMC 108.1.3 Structure Unfit for Human Occupancy, Section: 8.5-47 Defects Constituting Dwelling Unfit

CORRECTIVE ACTIONS:

1. Make necessary repairs to the electric panel to make it safe.
2. Obtain proper utilities in the dwelling that is being supplied water by separate unit, or vacate the property.

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: 06/12/2019

Started On: 06/11/2019 04:22 PM

Information

SUBJECT:

15-2219	104 Roselyn Avenue	Johnston, Barbara	Shaun Coss
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CASE INFORMATION:

Case Initiated:	December 29,2015	Type of Presentation:	Regular
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OWNER:

OWNER: Barbara L Johnston 3190 SW Armucher Street Port St. Lucie, FL 34953	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

FINDINGS/ORDER:

Order Determining Violation - June 16, 2016

Affidavit of Non-Compliance - September 19, 2017

Fines accrued from 9/19/2017 to 9/28/2017. Fines total \$940.00.

Order Approving Extension of Time - November 2, 2017. Permit applied for - allowing time for conditions of permit to be met.

Permit Renewed - Final Inspections completed on March 25, 2019.

Affidavit of Compliance recorded on May 6, 2019.

ACTION DATES:

1. Special Magistrate Hearing - June 8, 2016. The owner was present and provided testimony. They had started work that required a permit when there was a plumbing leak at the property.

An Order Determining Violation was issued providing 60 days to obtain a permit or a daily fee of \$100.00 would begin to accrue.

2. A letter from the owner was received on October 6, 2017, requesting that the fine be reconsidered.

3. A Massey Letter was sent on October 9, 2017.

4. An Affidavit of Compliance was recorded on May 6, 2019. Fines total \$940.00.

5. Request for Fine Reduction or Rescindment was received on May 15, 2019.

RECOMMENDATION:

To Be Determined.

Attachments

Fine Reduction/Rescindment Form
Admin Costs
3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2019

Started On: 06/12/2019 10:31 AM



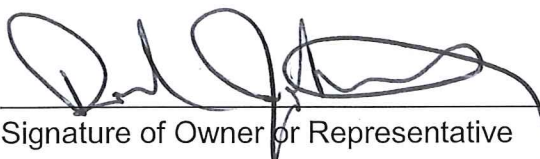
REQUEST FOR A REDUCTION OR RESCINDMENT OF
BUILDING VIOLATION FINES

Date:	5/15/19		
Property address:	104 Roselyn Ave Fort Pierce FL 34982		
Owner(s) of record:	Barbara Johnston		
Mailing address:	3190 SW Armucher St Port St Lucie 34953		
Property tax ID #:	2422-504-0042-000/5		
Original purchase date:	9/8/14	Original purchase price:	\$100.00
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Barbara Johnston Paul Johnston	Relationship to owner(s):	Husband
Telephone #:	772-882-0667	Mobile phone #:	
E-mail:	barbjohnston75@live.com	Preferred contact method:	mail / email
What are owner(s) intentions for property:	owner's children live in home		
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice)	
Is property listed for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is listing price?	
Is property under contract for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the sale price?	

AMOUNT OF FINE / LIEN \$ 940.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 940.00

DOLLAR AMOUNT I AGREE TO PAY \$ 0


Signature of Owner or Representative

5/15/19
Date

REQUEST FOR REDUCTION OF PENALTY FOR BUILDING VIOLATIONS

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete the appropriate application for lien reduction / rescindment.
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. For building violation liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Elizabeth Beck (772-467-3718) for cost / fees breakdown.
8. If you do not have access to a Notary Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
9. Return this form, the application and any other pertinent documentation to the Building Department.
10. Requests for Reduction / Rescindment of building violation liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 104 Roselyn Ave Fort Pierce 34982
Property Owner: Barbara Johnston
Mailing Address: 3190 SW Armucher St Port St Lucie 34953
Telephone #: 772-882-0000 Cell Phone #: _____
E-Mail Address: barbjohnston75@live.com

Is the property in compliance? yes If not, please explain in the narrative of your request.

I, Paul Johnston, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

We were under the impression that if we renewed our permits and completed all work on the house, there would be no fines. All work is complete. We spent approximately \$60,000 remodeling this home. It was a financial struggle to do this, but we finally reached the finish line. The improvement in this home cannot be expressed in words. The neighborhood has gone downhill in recent years as far as the condition of the homes. This home is easily ~~the~~ among the top 3 best looking in this neighborhood. We should be receiving The Golden Hammer for what we've done... not a fine.

Signed: _____ Date: 5/29/19

Print Name: Paul M. Johnston

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority _____ who acknowledged before me that the information contained herein is true and correct. He or She is / is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

Notary Public, State of Florida

Administrative Cost Estimator

6/12/2019

Property Address: 104 Roselyn Avenue

Date case originated: 12/29/2015

Date case complied: 5/6/2019

Total time: 40 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 2

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.44	<u>6</u>	\$2.64
Certified Mail:	\$5.10	<u>1</u>	\$5.10

Photographs (per page)	\$0.50	<u>7</u>	\$3.50
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>40</u>	\$2,000.00
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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>0</u>	\$0.00
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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>3</u>	\$450.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Commission Meeting	\$250.00	<u>0</u>	\$0.00
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Fee set by the City Commission

Total Estimated Cost: \$2,736.24

MASSEY HEARING

June 18, 2019

Case #15-2219

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 VIOLATIONS(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 made all necessary repairs and brought the property into compliance.**

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? **0 (Zero) .**

Information

SUBJECT:

18-491	1209 N 16th Court	Unlimited US Services Corp	Shaun Coss
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CASE INFORMATION:

Case Initiated:	February 14, 2018	Type of Presentation:	Regular
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OWNER:

OWNER: UNLIMITED US SERVICES CORP 3158 SW ESPERANTO ST PORT ST LUCIE FL 34953	REG. AGENT: ANTHONY ESPINOZA
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VIOLATIONS:

Section 5-1.105.1 Permit Required

FINDINGS/ORDER:

Order Determining Violation - September 21, 2018
Notice of Extension of Time (90 days) - November 19, 2018
Affidavit of Non-Compliance - May 15, 2019
Affidavit of Compliance - June 4, 2019
Fines accrued from 5/15/2019 to 6/4/2019. Total: \$2,000.00

ACTION DATES:

1. Special Magistrate Hearing - September 19, 2018. An Order Determining Violation was issued providing the owner 60 days to remedy the violation or a daily fee of \$100.00 per day would begin to accrue.
2. A Notice of Extension of Time dated November 19, 2018, giving the owner an extension of 90 days.
3. An Affidavit of Non-Compliance was recorded on May 15, 2019.
4. A Letter from the owner contesting the fine was received on May 28, 2019.
5. Violation complied on June 4, 2019. An Affidavit of Compliance was recorded June 12, 2019. Fines total: \$2,000.00

RECOMMENDATION:

To Be Determined.

Attachments

3 Criteria

Admin Costs

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2019

Started On: 06/12/2019 01:43 PM

MASSEY HEARING

June 18, 2019

Case #18-491

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 VIOLATIONS(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 made all necessary repairs and brought the property into compliance.**

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? **1 (one) .**

Administrative Cost Estimator

6/4/2019

Property Address: 1209 N 16th Street

Date case originated: 2/14/2018

Date case complied: 6/4/2019

Total time: 15 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.44	<u>5</u>	\$2.20
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>7</u>	\$3.50
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>15</u>	\$750.00
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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
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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 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>0</u>	\$0.00
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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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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Commission Meeting	\$250.00	<u>0</u>	\$0.00
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Fee set by the City Commission

Total Estimated Cost: \$1,335.80