

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, July 17, 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.	19-0552 AC	1308 N 21st Street Unit B	Peterson, Derrick #313 AC & 314 AC	BJ Gasparre
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B.	19-696 AC	423 N 24th St	Copeland, Frances #714AC & #715AC	BJ Gasparre
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C.	19-1273 AC	308 S 25th St	Singleary, Daniel #571AC & 573AC	Kenny Nelson
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	19-1527 CE	418 North 25th Street	Monds, Inez	Heather Debevec
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B.	19-1417 CE	North 25th Street 2409-603-0013-0006	Monds, Inez	Heather Debevec
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C.	19-1340 CE	2703 Avenue D	Bernice, Joyce	Heather Debevec
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D.	19-1456 CE	North 25th Street 2409-603-0013-0006	Monds, Inez	Heather Debevec
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E.	19-1415 CE	2302 Avenue C	Filmore Sr, Rufus	Heather Debevec
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F.	19-0774 CE	2203 Avenue E	Elite Groceries	Heather Debevec
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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

8. **OTHER CASES**

A.	14-0881 CE	1608 S 27th Street	Handzel, Mark	Peggy Arraiz
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9. **NEW BUSINESS**

10. **OLD BUSINESS**

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

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Code Enforcement Office at (772) 467-3149, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Special Magistrate Hearing

4.A.

Meeting Date: 07/17/2019

Re: Case #19-552 - 1308 N 21st St Unit B- Peterson

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

Information

SUBJECT:

19-0552 AC	1308 N 21st Street Unit B	Peterson, Derrick #313 AC & 314 AC	BJ Gasparre
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CASE INFORMATION:

Case Initiated: April 20, 2019	Type of Presentation:	Citation - Animal Control
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OWNER:

VIOLATOR: Derrick Peterson	ANIMAL CONTROL VIOLATION(S):
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	AC Surcharge	Total Due
313 AC	4-27 Rabies Registration Req.	2 @ \$ 50.00	\$100.00	\$10.00	\$5.00	\$115.00
314 AC	4-50 Registration Required	2 @ \$125.00	\$250.00	\$10.00	\$5.00	\$265.00
	TOTAL FINES DUE		\$350.00	\$20.00	\$10.00	\$380.00

CORRECTIVE ACTIONS:

To be determined.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above, payable within 30 days. Failure to pay such fine will result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Colleen Greer
Final Approval Date: 07/12/2019

Started On: 07/01/2019 01:18 PM

Special Magistrate Hearing

4.B.

Meeting Date: 07/17/2019

Re: Case # 19-696 - Copeland

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

Information

SUBJECT:

19-696 AC	423 N 24th St	Copeland, Frances #714AC & #715AC	BJ Gasparre
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CASE INFORMATION:

Case Initiated:	March 8, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: Frances Copeland	VIOLATION: Citations: #714AC & #715AC
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	AC Surcharge	Total Due
714 AC	4-27 Rabies Vaccination Required	3 @ \$100.00	\$300.00	\$0.00	\$5.00	\$305.00
715 AC	4-50 City Registration Required	3 @ \$205.00	\$750.00	\$0.00	\$5.00	\$755.00

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 will result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Cynthia Ricker
Final Approval Date: 07/01/2019

Started On: 06/06/2019 08:19 AM

Special Magistrate Hearing

4.C.

Meeting Date: 07/17/2019

Re: Case # 19-1273 - Singletary

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

Information

SUBJECT:

19-1273 AC	308 S 25th St	Singletary, Daniel #571AC & 573AC	Kenny Nelson
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CASE INFORMATION:

Case Initiated:	April 29, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: Daniel Singletary	VIOLATION: Citations: 571AC & 573AC
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	AC Surcharge	Total Due
571AC	4-27 Rabies Vaccination Required	2 @ \$100.00	\$200.00	\$0.00	\$5.00	\$205.00
573AC	4-50 City Registration Required	2 @ \$250.00	\$500.00	\$0.00	\$5.00	\$255.00

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 will result in the citation being forwarded to the County Court System.

Form Review

Form Started By: Cynthia Ricker
Final Approval Date: 07/01/2019

Started On: 06/06/2019 07:38 AM

Special Magistrate Hearing

5.A.

Meeting Date: 07/17/2019

Re: Case # 19-1527 - 418 North 25th Street

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

Information

SUBJECT:

19-1527 CE	418 North 25th Street	Monds, Inez	Heather Debevec
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CASE INFORMATION:

Case Initiated: June 19, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Inez Monds 665 Nw Fairhaven Ave Port. St. Lucie, FL 34983	TENANT: Wonderful Wheels 418 N 25th St Ft. Pierce, FL 34950
Wonderful Monds 665 NW Fairhaven Dr Pt St Lucie, FL 34983	

VIOLATIONS:

Section 16-46, 16-47, 16-48 (10)(D) - Non Operable Vehicles

CORRECTIVE ACTIONS:

1. Remove the vehicles.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$100.00 per day be assessed. If the violation is not corrected within the time given, the City is to take the necessary steps to remedy the violation(s), the cost of which is to be assessed as a special assessment lien against the property.

Form Review

Form Started By: Heather Debevec

Started On: 06/22/2019 02:40 PM

Final Approval Date: 07/12/2019

Special Magistrate Hearing

5.B.

Meeting Date: 07/17/2019

Re: Case # 19-1417 - North 25th Street

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

Information

SUBJECT:

19-1417 CE	North 25th Street 2409-603-0013-0006	Monds, Inez	Heather Debevec
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CASE INFORMATION:

Case Initiated: June 5, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Inez Monds 665 NW Fairhaven Dr Port. St. Lucie, FL 34984	
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VIOLATIONS:

Section 16-46, 16-47, 16-48 (10)(D) - Non Operable Vehicles

CORRECTIVE ACTIONS:

1. Remove the vehicles from the vacant lot.

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/12/2019

Started On: 06/15/2019 03:23 PM

Special Magistrate Hearing

5.C.

Meeting Date: 07/17/2019

Re: Case # 19-1340 - 2703 Avenue D

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

Information

SUBJECT:

19-1340 CE	2703 Avenue D	Bernice, Joyce	Heather Debevec
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CASE INFORMATION:

Case Initiated: May 30, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Bernice Joyce 711 Valencia Ct Winter Garden, FL 34787	TENANT: Melissa Mounts 2703 Avenue D Ft. Pierce, FL 34950
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VIOLATIONS:

Section 22-67 (B)(2), 22-53 - Clear Vision Area

CORRECTIVE ACTIONS:

1. The fence at the front of the property needs to be removed, or properly permitted with the proper height of 4 feet.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to obtain a permit and comply with all permit conditions or a fine of \$50.00 per day be assessed.

Form Review

Form Started By: Heather Debevec

Started On: 06/13/2019 03:46 PM

Final Approval Date: 07/03/2019

Special Magistrate Hearing

5.D.

Meeting Date: 07/17/2019

Re: Case # 19-1456 - North 25th Street

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

Information

SUBJECT:

19-1456 CE	North 25th Street 2409-603-0013-0006	Monds, Inez	Heather Debevec
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CASE INFORMATION:

Case Initiated: June 7, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Inez Monds 665 NW Fairhaven Dr Port. St. Lucie, FL 34984	
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VIOLATIONS:

Section 16-46, 16-47, 16-48 (10)(D) - Non Operable Vehicles

CORRECTIVE ACTIONS:

1. Remove all the vehicle from the vacant lot.

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/12/2019

Started On: 06/15/2019 04:38 PM

Special Magistrate Hearing

5.E.

Meeting Date: 07/17/2019

Re: Case # 19-1415 - 2302 Avenue C

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

Information

SUBJECT:

19-1415 CE	2302 Avenue C	Filmore Sr, Rufus	Heather Debevec
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CASE INFORMATION:

Case Initiated: June 5, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Rufus Filmore Sr 2302 Avenue C Ft. Pierce, FL 34950	
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VIOLATIONS:

Section 16-46, 16-47, 16-48 (10)(D) - Non Operable Vehicles

CORRECTIVE ACTIONS:

1. Remove the unregistered, non-operable vehicles from the property.

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec
Final Approval Date: 07/12/2019

Started On: 06/21/2019 11:46 AM

Special Magistrate Hearing**5.F.****Meeting Date:** 07/17/2019**Re:** Case # 19-0774 - 2203 Avenue E**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

19-0774 CE	2203 Avenue E	Elite Groceries	Heather Debevec
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CASE INFORMATION:

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

OWNER: Buteau Morestant 1897 Idaho Ln Port. St. Lucie, FL 34953	VIOLATOR: Elite Groceries 2203 Avenue E Ft. Pierce, FL 34950 EMAIL: mahmoud.farhoud88@gmail.com
TENANT LISTED: NED Trading Group Inc 2203 Avenue E Ft. Pierce, FL 349950	REGISTERED AGENT to TENANT: Nidal Farhoud 2203 Avenue E Ft. Pierce, FL 34950

VIOLATIONS:

Section 9-27(B) - Doing Business without a Tax

CORRECTIVE ACTIONS:

1. Obtain a Business Tax Receipt from the City Clerk's Office.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$100.00 per day be assessed and order all utilities to the premises be suspended while the violation continues.

Form Review

Form Started By: Heather Debevec
 Final Approval Date: 07/12/2019

Started On: 06/21/2019 12:30 PM

Special Magistrate Hearing**8.A.****Meeting Date:** 07/17/2019**Re:** Case #14-0881 - 1608 S 27th Street - Handzel**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

14-0881 CE	1608 S 27th Street	Handzel, Mark	Peggy Arraiz
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CASE INFORMATION:

Case Initiated:	April 28, 2014	Type of Presentation:	Old Business
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OWNER:

VIOLATOR: Previous Address Mark Handzel 1608 S 27th Street Ft. Pierce, FL 34947	Current Address: Mark Handzel 1709 S US Highway 129 Bell, FL 32619
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VIOLATIONS:

- Section(s): 5-368 (1) (3) Property Maintenance
- Section(s): 5-368 (6) Fence Maintenance
- Section(s): 16-46, 16-47, 16-48 (1) (5) Outside Storage
- Section(s): 22-187 (13) (b) Landscape Maintenance

CORRECTIVE ACTIONS:

- June 3, 2015: Special Magistrate Blandino ordered the violations to be corrected within 30 days or a fine of \$100.00 per day would be assessed.
- July 10, 2015: An inspection was made, the property was not in compliance, the fines began.
- November 3, 2017: The Order Assessing Fine and Imposing Lien was recorded.
- July 9, 2019: All violations except for the demolition / rehabilitation of the structure are in compliance. The lien is preventing the owner from obtaining the financing required to rehabilitate the structure.

Owner is requested the order be amended to delete that requirement so that the matter can be complied, the lien resolved and funding for the rehabilitation obtained so that the structure can be fully rehabilitated.

RECOMMENDATION:

The City is recommending the Special Magistrate amend the order.

Attachments

Order
Aff of Non Comp
Lien

Form Review

Form Started By: Colleen Greer
Final Approval Date: 07/15/2019

Started On: 07/11/2019 10:07 AM

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

SM CASE # 14-0881

RE: Violation of Section(s): 5-368 (1) (3) Property Maintenance, 5-368 (6) Fence Maintenance, 16-46, 16-47, 16-48 (1)(5) Outside Storage, 22-187 (13) (b) Landscape Maintenance

Violator: MARK HANDZEL
1608 S 27TH ST
FT PIERCE, FL 34947

Property Address: 1608 S 27TH ST Tax ID #: 2417-802-0003-000/9
Legal Description: GARDENVILLA LOTS 3, 4 AND 5 (OR 2805-98: 2810-1071)

ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on June 03, 2015, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that MARK HANDZEL failed to obtain permits and complete renovations to the house or complete demolition, make gazebo structure structurally sound and maintained in good condition, repair the fence where it is leaning or otherwise damaged, remove outside storage of lumber and all other miscellaneous items which is prohibited, and cut all grass and weeds as needed in violation of the Code of Ordinances as specified above, on property located at the above described location. In the event the violation is not remedied 30 days hereinafter, there shall be imposed a fine pursuant to Florida Statutes 162.09 at a daily, cumulative rate of \$100.00.

This Order may be recorded in the Public Records of the County and shall constitute notice to any subsequent purchasers, successors in interest or assigns wherein the violation concerns real property, and subsequent purchasers, successors in interest or assigns. If this Order is not complied with timely, then there shall be issued an Order pursuant to Florida Statutes 162.09 imposing the fine provided for herein.

The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3149 when the violation is corrected. The violator has 30 days in which to file an appeal of the Special Magistrate's decision in the Circuit Court of St. Lucie County.

DONE AND ORDERED this 4th day of June, 2015.



Frank Blandino, Special Magistrate

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

4th DAY OF June, 2015.

Colleen Greer
Colleen Greer, Secretary to the Special Magistrate

**JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY**

FILE # 4077862 06/04/2015 at 01:10 PM
OR BOOK 3753 PAGE 2692 - 2692 Doc Type: ORD
RECORDING: \$10.00

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

File Name: C0059587

**AFFIDAVIT OF NON-COMPLIANCE
SPECIAL MAGISTRATE
FORT PIERCE, FLORIDA**

Book: 3753

Page: 2692

Case No: 14-00000881

IN THE MATTER OF:

1608 S 27TH ST
PROPERTY ADDRESS

MARK HANDZEL
1608 S 27TH ST
FT PIERCE, FL 34947

I, Andy Avery, have personally examined the property described in the Special Magistrate's order dated June 03, 2015, in the above mentioned case, and find that said property is NOT in compliance with Section(s) 5-368 (1)(3)(6), 16-46, 16-47, 16-48, (1)(5), 22-187 (13)(b) of the Code of the City of Fort Pierce, Florida, as of the 10th day of July, 2015.

START FINE



Andy Avery, Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority, Andy Avery, (personally known) and acknowledged that (he)(she) did execute the foregoing affidavit.

SWORN TO AND SUBSCRIBED before me this 15th day of July, 2015.



NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES:



COLLEEN GREER
MY COMMISSION # EE 216024
EXPIRES: November 13, 2016
Bonded Thru Budget Notary Services

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4092513 07/17/2015 at 11:38 AM
OR BOOK 3768 PAGE 2915 - 2915 Doc Type: AFF
RECORDING: \$10.00

File Name: C0060012

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

Case #: 14-0881

RE: Violation of Section(s): 5-368 (1) (3) (6); 16-46, 16-47, 16-48 (1)(5); 22-187 (13)(b)

Violator: MARK HANDZEL
1608 S 27TH ST
FT PIERCE, FL 34947

Property Address: 1608 S 27TH ST

Tax ID #: 2417-802-0003-000/9

Legal Description: GARDENVILLA LOTS 3, 4 AND 5 (OR 2805-98: 2810-1071)

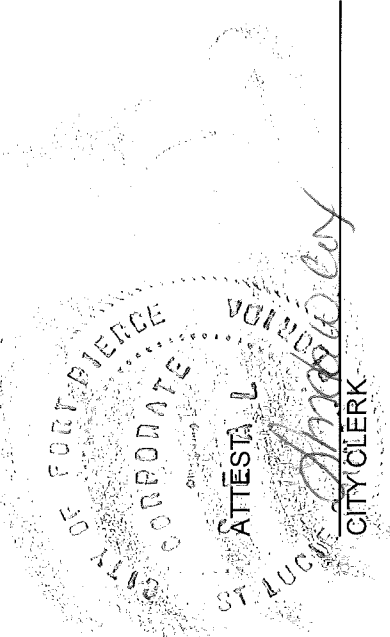
ORDER ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE having come before the Special Magistrate pursuant to Florida Statute 162.09 on June 03, 2015 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated June 03, 2015 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

ORDERED AND ADJUDGED that the violator shall pay a daily fine as provided in such order in the sum of \$100.00 from July 10, 2015 and a like sum thereafter for each day the violation continues. A certified copy of this Order may be recorded in the Public Records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

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

DONE AND ORDERED this 2nd day of November, 2017.



Fran Ross
Fran Ross
Special Magistrate

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

DATED: 11/2/17

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4367279 11/03/2017 10:48:36 AM
OR BOOK 4060 PAGE 2762 - 2762 Doc Type: ORD
RECORDING: \$10.00