

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, October 15, 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.	19-2493 CT	1815 S 28th Street	Brizuela, Elizabeth - JJBM	Paul Julin
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	19-988	711 S Ocean Drive	Fond De Blanc Inc.	Will Carbonell
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B.	19-1137	1214 Avenue K	Sfilio, Sandra	Will Carbonell
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C.	19-1283	1411 Havana Ave (Front)	Yas Holdings LLC	Paul Julin
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D.	19-1408	2107 Sunrise Blvd.	Jules Toussaint LLC	Will Carbonell
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E.	19-1451	205 N 18th Street	JRG Holdings, Inc.	Tim Little
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F.	19-1470	428 N 20th Street	Randolph, Curtis	Will Carbonell
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G.	19-1472	313 N 17th Street	Brown, Ricky D & Linda B	Will Carbonell
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H.	19-1474	1209 Avenue J	Williams, Samson (II) & Marion	Will Carbonell
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I.	19-1726	708 N 14th Street	S2SH4U LLC	Kevin Grant
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J.	19-2111	1005 Texas Court	Selkin, Martin H	Paul Julin
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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 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:** 10/15/2019**Re:** Case # 19-2493 - Elizabeth Brizuela**Submitted For:** Paul Julin, Building Inspector/Investigator, Building**Information****SUBJECT:**

19-2493 CT	1815 S 28th Street	Brizuela, Elizabeth - JJBM	Paul Julin
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CASE INFORMATION:

Case Initiated:	September 12, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: Elizabeth Brizuella - JJBM 2802 Placid Ave Ft. Pierce, FL 34982	UNLICENSED CONTRACTOR
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Due
335	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: 10/10/2019

Started On: 10/08/2019 10:18 AM

Special Magistrate Hearing - Building

5. A.

Meeting Date: 10/15/2019

Re: Case #19-988 - 711 S Ocean Drive

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

Information

SUBJECT:

19-988	711 S Ocean Drive	Fond De Blanc Inc.	Will Carbonell
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CASE INFORMATION:

Case Initiated:	April 18, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Fond De Blanc Inc. 275 SW Lost River Road Stuart, FL 34997	REG. AGENT: Jermaine LeClerc
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VIOLATIONS:

Section 5-1.1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the remodel, and interior 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: 10/10/2019

Started On: 10/08/2019 11:45 AM

Special Magistrate Hearing - Building

5. B.

Meeting Date: 10/15/2019

Re: Case #19-1137 - 1214 Avenue K

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

Information

SUBJECT:

19-1137	1214 Avenue K	Sfilio, Sandra	Will Carbonell
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CASE INFORMATION:

Case Initiated:	May 2, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Sandra Sfilio 8245 SW 196 Terrace Cutler Bay, FL 33189	OCCUPIED BY:
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VIOLATIONS:

IPMC 504.1 Plumbing Fixtures, IPMC 304.13 Windows, Doors & Frames, IPMC 309.1 Infestation

CORRECTIVE ACTIONS:

1. Make necessary plumbing repairs to address draining issues causing back ups into the tub.
2. Repair/replace windows that are not working properly, and are not sealing properly.
3. Treat property for rodent infestation.

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: 10/10/2019

Started On: 10/08/2019 11:52 AM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 10/15/2019

Re: Case #19-1283 - 1411 Havana Avenue (Front)

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

Information

SUBJECT:

19-1283	1411 Havana Ave (Front)	Yas Holdings LLC	Paul Julin
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CASE INFORMATION:

Case Initiated:	May 29,2019	Type of Presentation:	Regular
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OWNER:

OWNER: YAS Holdings LLC 7700 Congress Ave, Suite 3210 Boca Raton, FL 33487	REG. AGENT: Keren Admoni 8043 Twin Lake Drive Boca Raton, FL 33487
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VIOLATIONS:

IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 506.2 Sanitary Drainage System Maintenance

CORRECTIVE ACTIONS:

1. Repair/replace the roof that is leaking.
2. Repair/replace water damaged walls, and ceilings.
3. Repair/replace all leaking pipes.

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: 10/10/2019

Started On: 10/08/2019 12:00 PM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 10/15/2019

Re: Case # 19-1408 - 2107 Sunrise Blvd

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

Information

SUBJECT:

19-1408	2107 Sunrise Blvd.	Jules Toussaint LLC	Will Carbonell
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CASE INFORMATION:

Case Initiated:	May 31, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Jules-Toussaint LLC 5675 Sunberry Circle Ft Pierce, FL 34951	REG. AGENT: Natchia Jules-Toussaint
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for installation of irrigation system.

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: 10/10/2019

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

Special Magistrate Hearing - Building

5. E.

Meeting Date: 10/15/2019

Re: Case #19-1451 - 205 N 18th Street

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

Information

SUBJECT:

19-1451	205 N 18th Street	JRG Holdings, Inc.	Tim Little
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CASE INFORMATION:

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

OWNER: JRG Holdings Inc. 423 Delaware Avenue Ft Pierce, FL 34950	REG. AGENT: Glenn M. Blake
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the building, mechanical, electrical, and plumbing work being done at this 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: 10/10/2019

Started On: 10/08/2019 02:40 PM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 10/15/2019

Re: Case #19-1470 - 428 N 20th Street

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

Information

SUBJECT:

19-1470	428 N 20th Street	Randolph, Curtis	Will Carbonell
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CASE INFORMATION:

Case Initiated:	June 11, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: CURTIS RANDOLPH 7807 SEBASTIAN ROAD FT PIERCE, FL 34951	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 305.4 Walking Surfaces, IPMC 604.3 Electrical System Hazards, IPMC 304.2 Protective Treatment

CORRECTIVE ACTIONS:

1. Repair/replace roof that shows signs of leaking.
2. Repair/replace damaged and unfinished drywall in several places.
3. Make necessary repairs to the floor and its supporting structures.
4. Make necessary repairs to electrical wiring, where wires are exposed.
5. Repair/replace damaged wood on the exterior of the house.

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: 10/10/2019

Started On: 10/08/2019 12:24 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 10/15/2019

Re: Case #19-1472 - 313 N 17th Street

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

Information

SUBJECT:

19-1472	313 N 17th Street	Brown, Ricky D & Linda B	Will Carbonell
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CASE INFORMATION:

Case Initiated:	June 11, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Ricky D. & Linda B. Brown 908 N 28th Street Ft. Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 305.4 Walking Surfaces, IPMC 504.1 Plumbing Fixtures, IPMC 604.3 Electrical System Hazards, IPMC 309.1 Infestation

CORRECTIVE ACTIONS:

1. Repair/replace roof that is leaking.
2. Repair/replace damaged drywall in several areas.
3. Make necessary repairs to the floor and its supporting structures.
4. Repair/replace plumbing fixtures that are not working properly in the kitchen and bathroom.
5. Make necessary electrical repairs to exposed wires at circuit box, and electrical outlets.
6. Treat property for pests (rodents and termites).

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: 10/10/2019

Started On: 10/08/2019 01:22 PM

Special Magistrate Hearing - Building

5. H.

Meeting Date: 10/15/2019

Re: Case #19-1474 - 1209 Avenue J

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

Information

SUBJECT:

19-1474	1209 Avenue J	Williams, Samson (II) & Marion	Will Carbonell
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CASE INFORMATION:

Case Initiated:	June 11, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Samson & Marion Williams II Annie Jo Williams (Est) 804 Massengale Cir Copperas Cove, TX 76522	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the installation of an above ground pool.

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: 10/08/2019 01:40 PM

Final Approval Date: 10/10/2019

Special Magistrate Hearing - Building

5. I.

Meeting Date: 10/15/2019

Re: Case #19-1726 - 708 N 14th Street

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

Information

SUBJECT:

19-1726	708 N 14th Street	S2SH4U LLC	Kevin Grant
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CASE INFORMATION:

Case Initiated:	July 9, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: S2SH4U LLC 1440 Coral Ridge Drive #494 Coral Springs, FL 33071	REG. AGENT: Francis Oriska
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for all electrical, plumbing, mechanical and building work taking place in this structure.

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: 10/10/2019

Started On: 10/08/2019 02:48 PM

Special Magistrate Hearing - Building

5. J.

Meeting Date: 10/15/2019

Re: Case #19-2111 - 1005 Texas Court

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

Information

SUBJECT:

19-2111	1005 Texas Court	Selkin, Martin H	Paul Julin
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CASE INFORMATION:

Case Initiated:	August 8, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Martin H Selkin 1005 Texas Court Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required, Section 5-1.105.4.1.2 Expired Permit

CORRECTIVE ACTIONS:

Renew permit 18-127 for the demolition of the pool, complete all demolition and obtain approval for the final inspection.

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: 10/10/2019

Started On: 10/08/2019 01:47 PM

Special Magistrate Hearing - Building

8. A.

Meeting Date: 10/15/2019

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 34990	REG. AGENT: John Katsock, Jr. Reg. Agent for Railside LLC 1450 Bell Avenue Ft. Pierce, FL 34982
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. ****COMPLETED****
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. ****COMPLETED****
3. a) 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 ****COMPLETED**** b) and approval or revocable license agreement from St. Lucie County for the landscape buffer if it is located on the right of way; ****OUTSTANDING**** c) 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. ****COMPLETED****

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. ****OUTSTANDING****
5. a) 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; ****OUTSTANDING**** b)The phase-two comprehensive plan must address all other outstanding violations including, having an Engineer complete an evaluation of all structures on the property; ****COMPLETED**** c) 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. ****OUTSTANDING****

Status as of October 10, 2019:

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.

Note: An inspection of the property was requested on October 1, 2019, Mr. Ofsink has not responded agreeing to grant access.

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.

8. April 18, 2019, Special Magistrate extended the case for 90 days. Since that time the exploratory demolition permit has expired and two repair permits for Buildings A and B have been issued. However, no progress has been made in regards to Phase 2.

9. Recommendation to be determined at the hearing.

Form Review

Form Started By: Elizabeth Beck

Started On: 10/08/2019 11:22 AM

Final Approval Date: 10/08/2019