

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, November 19, 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.	19-798	1305 Avenue E	10425-27 SW 177TH ST LLC	Shaun Coss/GC
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B.	19-1476	2801 & 2803 Citrus Ave	Hatfield, James	Shaun Coss/GC
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C.	19-1671	702 (700) S 25th Street	Garcia, Herlindo & Maria	Paul Julin
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D.	19-1764	1008 Bell Ave	1008 Bell Ave LLC	Shaun Coss/GC
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E.	19-1881	113 Wisteria Avenue	Garcia, Hugo & Silva	Paul Julin
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F.	19-2074	3207 Avenue D	We Brothers Enterprise Inc.	Kevin Grant
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G.	19-2085	211 Avenue A	Hatfield, James	Paul Julin
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H.	19-2386	1604 N 18th Street	Randolph, Tommie & Curtis (Sr.)	Paul Julin
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I.	19-2527	610 N 14th Street	Torres, Ignacio	Shaun Coss/GC
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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

A.	17-2315	1222 Avenue G	McNair Empire LLC	Shaun Coss
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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 Building Department at (772) 467-3718, 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:** 11/19/2019**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: 11/13/2019

Started On: 11/13/2019 04:20 PM

Special Magistrate Hearing - Building

5. A.

Meeting Date: 11/19/2019

Re: Case #19-798 - 1305 Avenue E

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

Information

SUBJECT:

19-798	1305 Avenue E	10425-27 SW 177TH ST LLC	Shaun Coss/GC
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CASE INFORMATION:

Case Initiated:	March 27, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: 10425-27 SW 177TH ST LLC 218 Pond Way 2nd Floor Staten Island NY 10303	REG. AGENT: VANESSA APPOLON
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VIOLATIONS:

Section 5-1.105.1 Permit Required (R & D), IPMC 504.1 Plumbing Fixtures

CORRECTIVE ACTIONS:

1. Obtain a permit for plumbing work/repairs already completed.
2. Make necessary plumbing repair that is the cause of plumbing leak.

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: 11/14/2019

Started On: 11/13/2019 10:59 AM

Special Magistrate Hearing - Building

5. B.

Meeting Date: 11/19/2019

Re: Case #19-1476 - 2801 & 2803 Citrus Avenue

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

Information

SUBJECT:

19-1476	2801 & 2803 Citrus Ave	Hatfield, James	Shaun Coss/GC
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CASE INFORMATION:

Case Initiated:	June 12, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: James Hatfield PO Box 1506 Ft Pierce, FL 34954	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.2 Protective Treatment, IPMC 304.6 Exterior Walls, IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 309.1 Infestation

CORRECTIVE ACTIONS:

1. Repair or replace the roof where it is leaking.
2. Repair or replace the damaged drywall.
3. Repair or replace all surfaces with termite damage. Have the property treated for the termite infestation to prevent further damage.
4. Repair or replace all damaged fascia, soffit, exterior trim and exterior walls.

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: 11/14/2019

Started On: 11/13/2019 12:38 PM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 11/19/2019

Re: Case #19-1671 - 702 S 25th Street

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

Information

SUBJECT:

19-1671	702 (700) S 25th Street	Garcia, Herlindo & Maria	Paul Julin
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CASE INFORMATION:

Case Initiated:	June 26, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Herlindo & Maria Garcia 114 S Broadway Street Fellsmere, FL 32948	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required (R &D), IPMC 603.1 Mechanical Equipment

CORRECTIVE ACTIONS:

1. Repair/replace hood system that is non-operable, and unsafe.
2. Obtain a permit for AC and refrigeration equipment installation.

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: 11/14/2019

Started On: 11/13/2019 12:54 PM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 11/19/2019

Re: Case #19-1764 - 1008 Bell Avenue

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

Information

SUBJECT:

19-1764	1008 Bell Ave	1008 Bell Ave LLC	Shaun Coss/GC
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CASE INFORMATION:

Case Initiated:	July 10, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: 1008 Bell Ave LLC 1008 Bell Ave Ft Pierce, FL 34982	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for change of use.

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: 11/14/2019

Started On: 11/13/2019 01:22 PM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 11/19/2019

Re: Case #19-1881 - 113 Wisteria Avenue

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

Information

SUBJECT:

19-1881	113 Wisteria Avenue	Garcia, Hugo & Silva	Paul Julin
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CASE INFORMATION:

Case Initiated:	July 22, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Hugo & Silva Garcia 113 Wisteria Ave Ft Pierce, FL 34982	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for infilling the sliding glass doors with plywood. If the plywood is simply installed over the sliding glass doors, the plywood must be removed.

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: 11/13/2019 02:56 PM

Final Approval Date: 11/14/2019

Special Magistrate Hearing - Building

5. F.

Meeting Date: 11/19/2019

Re: Case #19-2074 - 3207 Avenue D

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

Information

SUBJECT:

19-2074	3207 Avenue D	We Brothers Enterprise Inc.	Kevin Grant
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CASE INFORMATION:

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

OWNER: We Brothers Enterprise Inc. 8480 Man O War Road Palm Beach Gardens, FL 33418	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for building of the carport metal structure with a metal roof; a new roll-up garage door; wood structural framing in various parts of the building, the new electric panels and other electrical work, and installed mechanical appliances; and all other work done without permits.

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: 11/14/2019

Started On: 11/13/2019 03:23 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 11/19/2019

Re: Case #19-2085 - 211 Avenue A

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

Information

SUBJECT:

19-2085	211 Avenue A	Hatfield, James	Paul Julin
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CASE INFORMATION:

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

OWNER: James Hatfield PO Box 1506 Ft Pierce, FL 34954	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.1 Exterior Structure, IPMC 304.9 Overhang extensions

CORRECTIVE ACTIONS:

1. Make necessary repairs to overhang that is deteriorating and crumbling.

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: 11/14/2019

Started On: 11/13/2019 03:35 PM

Special Magistrate Hearing - Building**5. H.****Meeting Date:** 11/19/2019**Re:** Case #19-2386 - 1604 N 18th Street**Submitted For:** Paul Julin, Building Inspector/Investigator, Building**Information****SUBJECT:**

19-2386	1604 N 18th Street	Randolph, Tommie & Curtis (Sr.)	Paul Julin
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CASE INFORMATION:

Case Initiated:	August 22, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Tommie Randolph Curtis Randolph, Sr. 1712 Avenue O Ft. Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.7 Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 304.13.1 Glazing, IPMC 605.2 Electrical Receptacles, Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Repair/replace roof that is leaking and has fallen in, in some areas.
2. Repair/replace the ceiling that is coming down, and damaged due to the roof leak.
3. Repair/replace windows with cracks, and holes.
4. Provide faceplate covers for all electrical receptacle outlets.
5. Obtain a permit for converting the structure into 5 separate apartments.

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: 11/14/2019

Started On: 11/13/2019 03:43 PM

Special Magistrate Hearing - Building

5. I.

Meeting Date: 11/19/2019

Re: Case #19-2527 - 610 N 14th Street

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

Information

SUBJECT:

19-2527	610 N 14th Street	Torres, Ignacio	Shaun Coss/GC
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CASE INFORMATION:

Case Initiated:	September 24, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Ignacio Torres 514 N 17th Street Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required, IPMC 304.13 Windows, Doors & Frames, IPMC 304.13.1 Glazing, IPMC 304.14 Insect Screens, IPMC 506.2 Sanitary Drainage Maintenance, IPMC 605.1 Electrical Equipment, IPMC 605.3 Luminaries, IPMC 704.6.1 Smoke Alarms

CORRECTIVE ACTIONS:

1. Repair/replace all damaged windows and window glazing.
2. Replace all missing insect screens.
3. Repair all faulty plumbing.
4. Electrical work was performed without obtaining permits and was installed incorrectly.
Obtain a permit to correct all electrical deficiencies and unpermitted work.
5. Repair/replace the light fixture in the hallway.
6. Repair/replace all damaged or missing smoke detectors.

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: 11/13/2019 04:10 PM

Final Approval Date: 11/14/2019

Information

SUBJECT:

17-2315	1222 Avenue G	McNair Empire LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	November 29, 2017	Type of Presentation:	Regular
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OWNER:

OWNER: McNair Empire LLC 5259 NW South Lovett Cir Port St. Lucie, FL 34986	REG. AGENT: Jamie M. McNair, Sr.
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VIOLATIONS:

IPMC 305.3 Interior Surfaces, IPMC 304.7 Roofs & Drainage

FINDINGS/ORDER:

Order Determining Violation - August 1, 2018
90 day Extension - October 2, 2018
Affidavit on Non-Compliance - January 8, 2019
Order Assessing Fine and Imposing Lien - February 13, 2019

ACTION DATES:

1. Special Magistrate Hearing - August 1, 2018 - owner McNair Empire LLC was provided 60 to comply the violations or a fine of \$100.00 per day would be assessed.
2. A 90 day Extension of Time was granted - October 2, 2018.
3. Fines began accruing on January 8, 2019. Fines total \$18,530.00 as of July 12, 2019. Total fee includes \$30.00 of recording fees.

RECOMMENDATION:

To Be Determined.

Attachments

Lien Reduction - 7 Criteria
Admin. Costs
Request for Lien Reduction
2nd Req - Req for Lien Reduction

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 11/13/2019

Started On: 11/13/2019 04:22 PM

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 17-2315

Date: July 12, 2019

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	None
2b.) If the violations were not corrected by the original violator, what action was taken by any other owner or interested party to bring the violation into compliance:	None
3.) The length of time necessary to bring the property into compliance:	Still in violation.
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	2
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	7
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Owner claims financial hardship prevented him from making necessary repairs. He intends to sell another property and use proceeds to make repairs to this property.
7.) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the city owned by the respondent:	None

Administrative Cost Estimator

7/12/2019

Property Address: 1222 Avenue G

Date case originated: 11/29/2017

Date case complied: 7/8/2019

Total time: 19 months ***NOT COMPLIED**

Number of Hearings

Violation Hearings: 1
 Massey Hearings: 1
 Lien Reduction Hearings: 1

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>3</u>	\$1.50
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>19</u>	\$950.00
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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>1</u>	\$250.00
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Fee set by the City Commission

Total Estimated Cost: \$1,934.24



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	7/8/2019		
Property address:	1222 AVE G		
Owner(s) of record:			
Mailing address:	5259 NW South Love Ft Cir		
Property tax ID #:			
Original purchase date:	2-14-2015	Original purchase price:	12,500
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:	JAMIE MCNAIR	Relationship to owner(s):	
Telephone #: 772	446-2155	Mobile phone #:	772-446-2155
E-mail:	JAMIE.MCNAIR@ICloud.com	Preferred contact method:	
What are owner(s) intentions for property:	REPAIR ROOF		
Are there current code violations?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Explain: (please attached notice) Yes, Roof Needs Repairs Did Not Have Money to Fix
Is property listed for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is listing price? <u> </u>
Is property under contract for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is the sale price? <u> </u>

AMOUNT OF FINE / LIEN \$ _____

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ _____

DOLLAR AMOUNT I AGREE TO PAY \$ _____

 Signature of Owner or Representative

 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: 1222 AVE G
Property Owner: JAMIE MENAIR
Mailing Address: 5259 NW South Lovett Cir Port St Lucie 34986
Telephone #: 772-446-2155 Cell Phone #: 772-446-2155
E-Mail Address: JAMIE.MENAIR@ICLOUD.COM

Is the property in compliance? No If not, please explain in the narrative of your request.

DID NOT HAVE MONEY TO REPLACE THE ROOF OR TO
HIRE A G.C. TO FULL THE PERMITS FOR THE
PERMITS

Rule 17: Requests for Reduction of Liens.

- A. A respondent may request a reduction of a lien otherwise imposed by the City to the Department, after the original violation is in compliance and the Department has issued an affidavit of compliance. No such request shall be made until after the date originally set for compliance has passed and the property is already under penalty. Any request for reduction of lien shall be made in writing to the Department and shall state reasons why a reduction of the Lien should be considered. The request should include a description of any supporting documentation which should be considered in furtherance of such request.
- B. If any of the following conditions are met, the Department has the authority to process a lien reduction request and issue a Release of Lien:
- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$5000 or more and is payable in less than 30 days.
 - (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$10,000 or more and is payable in less than 30 days.
 - (3) The settlement is based upon the receipt of excess tax sale proceeds that have been received by the City and respectively cover the administrative costs incurred.

The Department shall forward the request to the Special Magistrate or Code Enforcement Board if additional review is required, if a hearing is specifically requested or in the best interest of the City. The Department and Requestor may enter into an agreement to settle the Lien reduction. Any written agreement between the requesting party and the Department to settle the lien reduction shall constitute a waiver of hearing by the Special Magistrate or Code Board by both parties.

- C. If the request does not meet the criteria outlined in Section (b), the Department has determined the request requires additional review, or the requesting party chooses to not waive his or her right to a hearing, the Department shall schedule a hearing on the request before the Special Magistrate or Board, with notice to the respondent. After hearing both sides, the Special Magistrate shall make a determination, or the Board shall adopt a motion, that the request for reduction of the lien be denied, granted, or granted with conditions. The determination will be based upon evidence, upon consideration of the following criteria:
- (1) The gravity or seriousness of the violation;
 - (2) Any and all actions taken by the violator to correct the violations or, if the violation was not corrected by the original violator, what action was taken

by any other owner or party in interest to bring the property into compliance;

- (3) The length of time necessary to bring the property into compliance;
- (4) 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;
- (5) The number of violation notices the violator has received in the past as well as their nature and the final disposition of each such notice;
- (6) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the respondent.

D. If the Special Magistrate only determines that the request for reduction be approved and the following conditions are met, they may order the Department, once payment is received and any other conditions are met, to issue a Release of Lien:

- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$3,000 or more and is payable in less than 6 months.
- (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$7,500 or more and is payable in less than 6 months.

The Special Magistrate or Code Enforcement Board may, at its discretion, forward the request to the Commission if they feel additional review is required or in the best interest of the City.

E. If the Special Magistrate or the Board determines that the request for reduction be approved but the request does not meet the criteria outlined in Section (d), the determination is to deny the request, or additional review is required, they shall forward their recommendation to the City Commission for a final determination.

F. Any recommendation for waiver or reduction may include further recommendation that the reduction be conditioned upon payment of the reduced amount within a specified period of time. Failure to pay the reduced amount within that time period will result in the lien reverting to the original amount.

G. There shall be established an administrative fee of \$250.00 for any requests for mitigation of a code enforcement lien that must be heard by the City Commission. Such fee may be imposed after consideration by the City

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 1222 AVE G

I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or City Commission.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(c), I understand the requirements to be met and that my request will be heard and determination made by the Special Magistrate that authorized Order Assessing Fine and Imposing Lien.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(e) and that my request will be heard and determination made by the City Commission of the City of Fort Pierce.

Shaun Coss
Signature of Owner or Representative

7-8-2019
Date

COFP – APPLICATION PROCESS DETERMINATION

Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

Staff has reviewed the request for lien reduction and does not agree to process the application as requested by the signing party.

Comments:

Shaun Coss, Building Department Coordinator

Date

I, JAMIE McNAIN, 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:

I Need to sell property on the 17th of July so I can get said moneys to Repair The Roof on 1222 AVE G, in fort Pierce FL 34900

went Threw HARD ship so could not afford to get roof repaired and to HIRE G.C.

Signed: JAMIE McNAIN Date: 7/9/2019
Print Name: JAMIE McNAIN

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority JAMIE McNAIN 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 8 day of July, 2019.

Notary Public, State of Florida



RECEIVED
NOV 04 2019
Building Department

REQUEST FOR A REDUCTION OR RESCINDMENT OF
BUILDING VIOLATION LIENS

Date:	11/4/2019				
Property address:	1222 AVE G Fort Pierce FLA				
Owner(s) of record:					
Mailing address:	5259 NW SOUT LAETT CIR Fort St Lucie FLA				
Property tax ID #:					
Original purchase date:	5/14/2015	Original purchase price:	14,000		
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:	JAMIE MCNAIR		Relationship to owner(s):		
Telephone #:	772-446-2155		Mobile phone #:	772-446-2155	
E-mail:	JAMIE.MCNAIR@Icloud.com		Preferred contact method:	Cell	
What are owner(s) intentions for property:	RENT				
Are there current code violations?	<input type="checkbox"/> No	<input checked="" 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

\$ 35,000

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 34,500

DOLLAR AMOUNT I AGREE TO PAY

\$ ~~35,000~~ 500

JAMIE MCNAIR
Signature of Owner or Representative

11/3 / 2019
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: 1222 AVE G

Property Owner: JAMIE McNAIR

Mailing Address: 5259 NW South Lovett Cir Fort St Lucie

Telephone #: 772-446-2155 Cell Phone #: 772-446-2155

E-Mail Address: JAMIE McNAIR@ICLOUD.COM

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

Rule 17: Requests for Reduction of Liens.

A. A respondent may request a reduction of a lien otherwise imposed by the City to the Department, after the original violation is in compliance and the Department has issued an affidavit of compliance. No such request shall be made until after the date originally set for compliance has passed and the property is already under penalty. Any request for reduction of lien shall be made in writing to the Department and shall state reasons why a reduction of the Lien should be considered. The request should include a description of any supporting documentation which should be considered in furtherance of such request.

B. If any of the following conditions are met, the Department has the authority to process a lien reduction request and issue a Release of Lien:

(1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$5000 or more and is payable in less than 30 days.

(2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$10,000 or more and is payable in less than 30 days.

(3) The settlement is based upon the receipt of excess tax sale proceeds that have been received by the City and respectively cover the administrative costs incurred.

The Department shall forward the request to the Special Magistrate or Code Enforcement Board if additional review is required, if a hearing is specifically requested or in the best interest of the City. The Department and Requestor may enter into an agreement to settle the Lien reduction. Any written agreement between the requesting party and the Department to settle the lien reduction shall constitute a waiver of hearing by the Special Magistrate or Code Board by both parties.

C. If the request does not meet the criteria outlined in Section (b), the Department has determined the request requires additional review, or the requesting party chooses to not waive his or her right to a hearing, the Department shall schedule a hearing on the request before the Special Magistrate or Board, with notice to the respondent. After hearing both sides, the Special Magistrate shall make a determination, or the Board shall adopt a motion, that the request for reduction of the lien be denied, granted, or granted with conditions. The determination will be based upon evidence, upon consideration of the following criteria:

(1) The gravity or seriousness of the violation;

(2) Any and all actions taken by the violator to correct the violations or, if the violation was not corrected by the original violator, what action was taken

by any other owner or party in interest to bring the property into compliance;

- (3) The length of time necessary to bring the property into compliance;
- (4) 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;
- (5) The number of violation notices the violator has received in the past as well as their nature and the final disposition of each such notice;
- (6) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the respondent.

D. If the Special Magistrate only determines that the request for reduction be approved and the following conditions are met, they may order the Department, once payment is received and any other conditions are met, to issue a Release of Lien:

- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$3,000 or more and is payable in less than 6 months.
- (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$7,500 or more and is payable in less than 6 months.

The Special Magistrate or Code Enforcement Board may, at its discretion, forward the request to the Commission if they feel additional review is required or in the best interest of the City.

E. If the Special Magistrate or the Board determines that the request for reduction be approved but the request does not meet the criteria outlined in Section (d), the determination is to deny the request, or additional review is required, they shall forward their recommendation to the City Commission for a final determination.

F. Any recommendation for waiver or reduction may include further recommendation that the reduction be conditioned upon payment of the reduced amount within a specified period of time. Failure to pay the reduced amount within that time period will result in the lien reverting to the original amount.

G. There shall be established an administrative fee of \$250.00 for any requests for mitigation of a code enforcement lien that must be heard by the City Commission. Such fee may be imposed after consideration by the City

I, JAMIE MCNAIR, 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:

~~①~~ ~~AND~~ Im' sorry it Took so long to get it Reprof RANV into finally Refuter Did Not HAVE The money TO REPAIR if i CAN please get + Reduction

Signed: Jamie Mcna Date: 11-4-2019

Print Name: JAMIE MCNAIR

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