

CITY OF FORT PIERCE

1909 N 16th Street
Condemnation & Demolition
Hearing



History – Part I

- ▶ Complaint received by the Code Enforcement Department regarding an abandoned structure. The complaint was forwarded to the Building Department for inspection.
- ▶ A Property Maintenance Inspection Report (PMIR) was completed by Shaun Coss, Building Department Coordinator, on June 6, 2017
 - ▶ He noted that all that remained of the structure is a CBS shell.
 - ▶ He noted that “Due to the condition of the structure it is unfit for human occupancy. It is currently dilapidated, which constitutes it being declared as an unsafe structure and therefore is condemned.”
- ▶ Affidavit of Unsafe Structure was issued on January 3, 2018.
- ▶ Spoke with Mrs. Sue Ann Kessler on January 18, 2018.
 - ▶ She notified us that Mr. Harold Kessler (owner of record) recently passed away and she was unaware that he owned the property.
 - ▶ She would have someone address the tall grass.
 - ▶ I forwarded the amounts due to the City for prior lot clearings, but they remain unpaid.

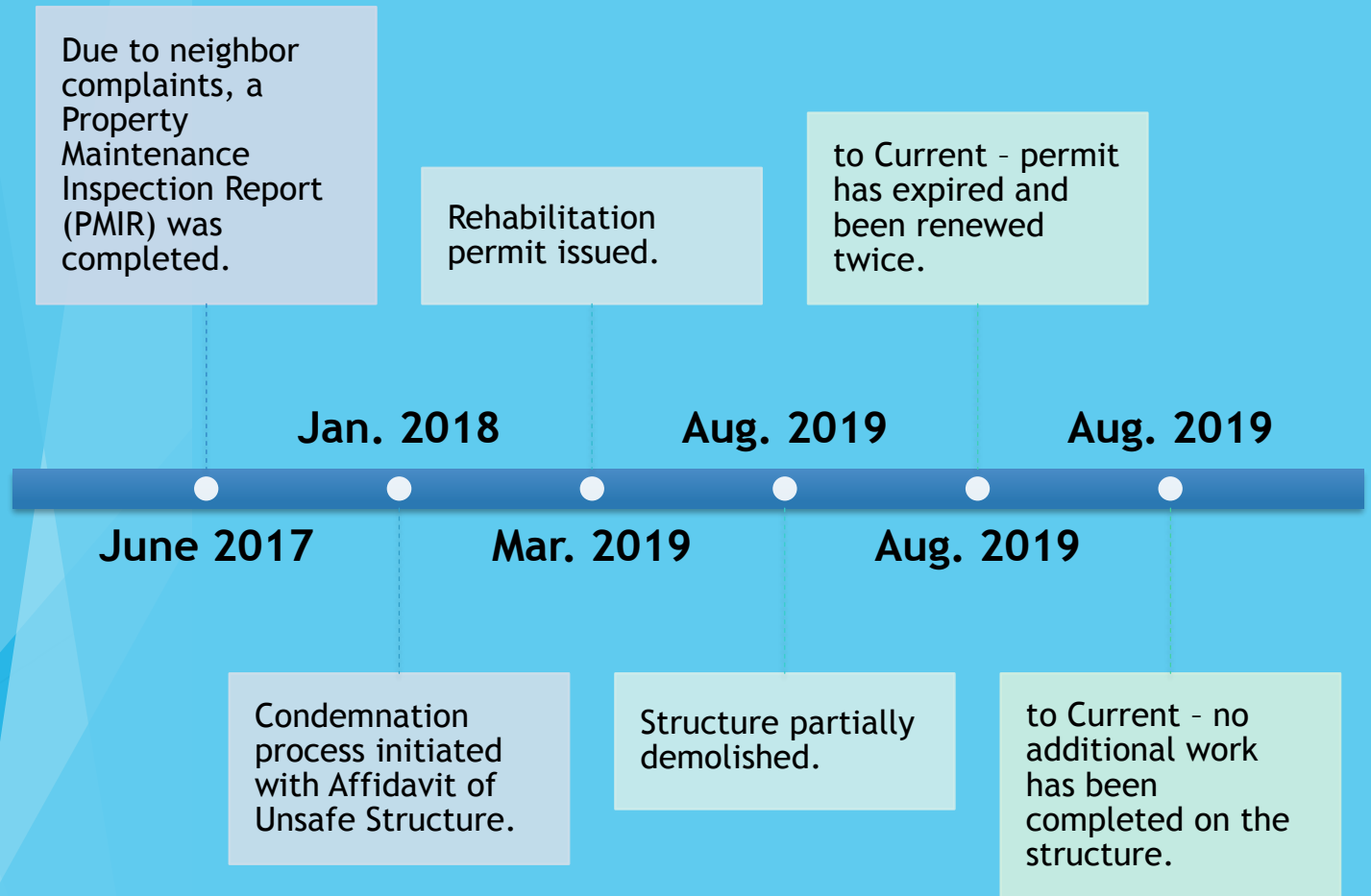
History – Part II

- ▶ Mr. Kessler's business partner, David Thornton, arranged for a QuitClaim Deed from Mrs. Kessler to R.G. Developer, Inc. and Minerve Celestin, which was recorded on March 1, 2018.
- ▶ February 2020, a review of the property appraiser's records showed the name of the property still in the Estate of Harold Kessler.
- ▶ Property Appraiser was contacted and confirmed the name could not change due to the property not going through the probate process.
- ▶ Spoke with Mrs. Kessler, who confirmed she was notified that the deed was not valid but that she had signed it without knowing what was going on and had no intention of going through probate. She stated the City could have the property.
- ▶ Spoke with R.G. Developer, Inc. and provided the information I had received. I stated that the deed issue was a civil matter, and that the City was moving forward due to an expired permit and continued complaints from the neighbors.
- ▶ Hearing was scheduled in March but cancelled due to Covid-19.

History – Building Permit #18-3836

- ▶ March 2019 - Permit was issued to R.G. Developer, Inc.
- ▶ August 2019 - A portion of the structure was demolished, leaving three walls standing.
- ▶ February 2020 - Permit expired due to no additional work or inspections being completed.
- ▶ March 2020 - Code Enforcement notified the Building Department of the title issues.
- ▶ March 2020 - Permit was renewed in the name of R.G. Developer, Inc. after the Building Department contacted Mrs. Kessler.
 - ▶ Mrs. Kessler advised that she's not the executer to the estate, "there was never an estate to probate. I don't have anything to do with this nor do I care."
- ▶ September 2020 - Permit expired due to no work or inspections being completed.
- ▶ October 2020 - Permit renewed.

Timeline - Summary



Notice

- ▶ The Notice of Unsafe Building was sent certified mail. Mail was returned unclaimed - but contact was made with the owner via telephone and email.
 - ▶ Contact was also made with the former business partner, Mr. David Thornton.
 - ▶ Contact was made with prospective buyer, R.G. Developer, Inc.
 - ▶ Contact was made with contractor, Rod Waller - Sunrise City CHDO, Inc.
- ▶ Upon receipt of the title search, the following additional parties were notified of the hearing:
 - ▶ Tax certificate holder - ATCF II Florida-A LLC
 - ▶ Tax certificate holder - JPL Investments Corp
- ▶ Notice of Hearing was provided to R.G. Developer, Inc.

Response from owner

- ▶ Mrs. Sue Ann Kessler has been contacted by the City on several occasions.
- ▶ She has stated to both Code Enforcement and the Building Department that she has no interest in the property and does not intend to go through probate.
- ▶ Mrs. Kessler was provided notice of tonight's hearing. Staff has not received a response.
- ▶ Funds remain due to the City of Fort Pierce for lot clearing liens and an emergency repair.
- ▶ Taxes are unpaid for years 2018 and 2019.

Description	Status	Notes:
Homestead Status	Non-homesteaded	Confirmed with Property Appraiser and Tax Collector on 11/02/2020
Occupancy	Not occupied – vacant	
Prior attempts by owner to remedy violation	Permit # 18-3836 was issued.	Other than a partial demolition, no work has been completed through this permit.
Additional code enforcement activity at the property	Active lot clearing case #20-2486	
Historic Property	No	
Utilities	None	
Building Permits	Permit # 18-3836	
Title Search Completed	Yes	Two parties were identified and have been provided notice of this hearing.

Property Status Statement



28/10/20 02:55 PM



28/10/20 02:55 PM



28/10/20 02:56 PM



28/10/20 02:59 PM

Action by the City Commission



- ▶ If sufficient evidence was presented by the City to support its recommendation to condemn the structure and order its removal, the Commission may adopt Resolution No. 20-R54.
- ▶ If evidence was presented that supports staff's request for condemnation, but is not sufficient to support its removal, the Commission may amend Resolution No. 20-R54.
- ▶ If the City did not present sufficient evidence to support its recommendation to condemn the structure and order its removal, the Commission may choose not to adopt Resolution No. 20-R54.

Next Steps

Notice provided to owner of Commission's decision

- They have THIRTY (30) days to appeal.
- Appeal is heard by the Circuit Court.



If Historic - place before HPB for approval

- Skip step if not historic.



Final Notice

- Sent to all parties providing fifteen (15) days to demolish.
- This is not an opportunity to appeal - just to take action to remedy the situation.



Demolition

- City vendor demolishes structure.
- Lien for costs assessed against the property.

Questions?