

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Wednesday, January 15, 2020 - 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.	19-2769 PK	121 N 2nd St.	Jones, Crystal Kathey	John Futch
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B.	19-3212 PK Appeal	Orange Ave./IRD	Holden, Kurt D	John Futch
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C.	19-2972 AC Cont. from 12/18	2303 Avenue N	Buckle, Wendell	Kenneth Nelson
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	19-3061 CE	606 Azalea Avenue	Obadia, Mordechay	Heather Debevec
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B.	19-2962 CE	811 Beach Court	Demorin, Lumise	Heather Debevec
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C.	19-2943 CE	812 Beach Court	812 Beach Court LLC	Heather Debevec
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D.	19-3078 CE	413 El Rancho Drive	McKenzie Jr., Robert H	Heather Debevec
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E.	19-3069 CE	417 El Rancho Drive	Nielson, John D & Christina	Heather Debevec
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F.	19-3085 CE	503 El Rancho Drive	C2 & E Properties LLC	Heather Debevec
G.	19-3013 CE	701 Osceola Avenue	Timjen LLC	Heather Debevec
H.	19-1014 CE	1218 Avenue I	Murphy, Lazatha	Heather Debevec
I.	19-1838 CE Cont from 12/18	202 Roselyn Avenue	Roselyn Holdings LLC	Heather Debevec
J.	19-2986 CE Conf from 12/18	701 Parkway Drive	Eberhart, Charles	Heather Debevec
K.	19-3286 BTR	203 Flamingo Avenue	The Helpful Handyman	Heather Debevec
L.	19-3296 BTR	130 S Indian River Dr. #202	Plexensebio, Inc.	Heather Debevec
M.	19-3312 BTR	2400 S Ocean Drive #7631	Unangst, Frank	Heather Debevec
N.	19-3327 BTR	1903 Rio Vista Drive	Zindagi By The Sea LLC	Heather Debevec

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

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

A.	14-2257 Lien Reduction	1106 Chipola Road	Lima, Karis H.	Peggy Arraiz
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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 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:** 01/15/2020**Re:** Case 19-2769 - Jones**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

19-2769 PK	121 N 2nd St.	Jones, Crystal Kathey	John Futch
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CASE INFORMATION:

Case Initiated	October 21, 2019	Type of Presentation:	Citation
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OWNER:

Violator Crystal Kathey Jones	Parking Violation Time limited parking - 2-hour parking
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VIOLATIONS:

Citation #	Code Section	Fine	Admin Fee	Late Fee	Total Due
9169 PK	10-23 P - Parking Regulation	\$50.00	\$10.00	\$18.00	\$78.00

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: John Futch
Final Approval Date: 01/13/2020

Started On: 12/17/2019 02:10 PM

Special Magistrate Hearing**4. B.****Meeting Date:** 01/15/2020**Re:** Case 19-3212 - Holden**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

19-3212 PK Appeal	Orange Ave./IRD	Holden, Kurt D	John Futch
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CASE INFORMATION:

Case Initiated	November 25, 2019	Type of Presentation:	Citation - Appeal
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OWNER:

Violator Kurt D Holden	Parking Violation Parking time limited - 2 hour parking
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VIOLATIONS:

Citation #	Code Section	Fine	Admin Fee	Late Fee	Total Due
7576 PK	10-23(P) Parking Regulation	\$50.00	\$10.00	\$18.00	\$78.00

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: John Futch
Final Approval Date: 01/13/2020

Started On: 12/26/2019 01:06 PM

Special Magistrate Hearing

4. C.

Meeting Date: 01/15/2020

Re: Case #19-2972 - Buckle

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

Information

SUBJECT:

19-2972 AC Cont. from 12/18	2303 Avenue N	Buckle, Wendell	Kenneth Nelson
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CASE INFORMATION:

Case Initiated:	October 25, 2019	Type of Presentation:	Citation
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OWNER:

VIOLATOR: Wendell T Buckle 2303 Avenue N Ft. Pierce, FL 34950	
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VIOLATIONS:

Citation #	Code Section	Fine / Counts	Total Fine	Admin Fee	AC Surcharge	Total Due
865 AC	4-53 Breeder Registration Required	1 @ \$250.00	\$250.00	\$10.00	\$5.00	\$265.00
864 AC	4-50 City Registration Required	3 @ \$250.00	\$750.00	\$10.00	\$5.00	\$765.00
863 AC	4-27 Rabies Vaccinations	3 @ \$100.00	\$300.00	\$10.00	\$5.00	\$315.00
862 AC	4-22 (A) (5) Animal Restraint - Tethering	3 @ \$100.00	\$300.00	\$10.00	\$5.00	\$315.00
			TOTAL DUE			\$1,660.00

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 Started By: Colleen Greer
Final Approval Date: 01/10/2020

Started On: 12/12/2019 02:20 PM

Special Magistrate Hearing

5. A.

Meeting Date: 01/15/2020

Re: Case # 19- 3061 - 606 Azalea Avenue

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

Information

SUBJECT:

19-3061 CE	606 Azalea Avenue	Obadia, Mordechay	Heather Debevec
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CASE INFORMATION:

Case Initiated:	November 15, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Mordechay Obadia 606 Azalea Avenue Ft. Pierce, FL 34982	
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VIOLATIONS:

- IPMC 302.7 - Accessory Structures
- IPMC 304.1 - Exterior Structure
- IPMC 304.2 - Protective Treatment
- IPMC 304.13 - Windows, skylight and door frames

CORRECTIVE ACTIONS:

1. Remove or re-secure the solar panels on the roof.
2. Obtain a permit and repair, replace, or remove the wooden fence.
3. Obtain a permit to repair and replace the missing wood from the gable at the north side of the home.
4. Paint the peach area on the east side of the home to match the rest of the home, and the trim on the east and north sides.
5. Obtain a permit and replace the door on the west side of the home.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to comply with the issues not requiring a permit and to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

Form Review

Final Approval Date: 01/13/2020

Special Magistrate Hearing

5. B.

Meeting Date: 01/15/2020

Re: Case 19-2962 - 811 Beach Court

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

Information

SUBJECT:

19-2962 CE	811 Beach Court	Demorin, Lumise	Heather Debevec
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CASE INFORMATION:

Case Initiated:	November 6, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Lumise Demorin 811 Beach Court Ft. Pierce, FL 34950	
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VIOLATIONS:

IPMC 304.2 - Protective Treatment

CORRECTIVE ACTIONS:

1. Paint the garage door.
2. Pressure wash the front walk.
3. Clean off the front door as it is discolored, if that doesn't work then paint it.

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec
Final Approval Date: 01/13/2020

Started On: 12/19/2019 09:10 AM

Special Magistrate Hearing

5. C.

Meeting Date: 01/15/2020

Re: Case # 19- 2943 - 812 Beach Court

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

Information

SUBJECT:

19-2943 CE	812 Beach Court	812 Beach Court LLC	Heather Debevec
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CASE INFORMATION:

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

OWNER: 812 Beach Court LLC 812 Beach Court Ft. Pierce, FL 34950	REGISTERED AGENT: Valeria Stelus 812 Beach Court Ft. Pierce, FL 34950
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VIOLATIONS:

Section 16-46, 16-47, 16-48 (1)(5) - Outside Storage
Section 16-25 (C) - Responsibility for Containers

CORRECTIVE ACTIONS:

1. Remove or bring in the piece of glass from in front of the home.
2. Store the recycle, trash, and yard bins to the side or rear of the home.

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 \$10.00 per day be assessed.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 01/13/2020

Started On: 12/19/2019 09:43 AM

Special Magistrate Hearing

5. D.

Meeting Date: 01/15/2020

Re: Case # 19- 3078 - 413 El Rancho Drive

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

Information

SUBJECT:

19-3078 CE	413 El Rancho Drive	McKenzie Jr., Robert H	Heather Debevec
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CASE INFORMATION:

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

OWNER: Robert H Mckenzie Jr 911 Skylark Drive Ft. Pierce, FL	TENANT: Jose Reyes 413 El Rancho Drive Apt A Ft. Pierce, FL 34982
TENANT: David Vasquez Ramirez 413 El Rancho Drive Apt B Ft. Pierce, FL 34982	

VIOLATIONS:

Section(s): 16-25 (C) - Responsibility for Containers
 Section(s): 16-46, 16-47, 16-48 (1)(5) - Outside Storage
 Section(s): 22-187 (13) - Landscape Maintenance

CORRECTIVE ACTIONS:

1. Store trash, recycle, and yard bins to the side or rear of the home.
2. Remove, bring in, or place in a shed the tires, buckets, parts, and boards from the east side of the home.
3. Trim and mow the grass and weeds.

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: 01/13/2020

Started On: 12/20/2019 10:37 AM

Special Magistrate Hearing

5. E.

Meeting Date: 01/15/2020

Re: Case # 19- 3069 - 417 El Rancho Drive

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

Information

SUBJECT:

19-3069 CE	417 El Rancho Drive	Nielson, John D & Christina	Heather Debevec
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CASE INFORMATION:

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

OWNER: John D Neilson Christina M Neilson 417 El Rancho Drive Ft. Pierce, FL 34950	
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VIOLATIONS:

Section(s): 22-187 (13) - Landscape Maitnenance
Section(s): 16-46, 16-47, 16-48 (1)(5) - Outside Storage
Section(s): 11-11 - Storage of Commodities

CORRECTIVE ACTIONS:

1. Trim the bushes around the home to give a neat appearance.
2. Remove, bring in, or place in a shed the tools, bags, boxes, tools, buckets, containers, and other loose items from the car port.
3. Remove, bring in, or place in a shed the boxes, tools, parts, and other items in the Jeep.

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: 01/13/2020

Started On: 12/20/2019 11:04 AM

Special Magistrate Hearing

5. F.

Meeting Date: 01/15/2020

Re: Case # 19-3085 - 503 El Rancho Drive

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

Information

SUBJECT:

19-3085 CE	503 El Rancho Drive	C2 & E Properties LLC	Heather Debevec
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CASE INFORMATION:

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

OWNER: C2 & E Properties LLC 1880 NW 140th Terrace Pembroke Pines, FL 33028	REGISTERED AGENT: Walford Campbell 6153 NW Guntar Drive Port St. Lucie, FL 34986
TENANT: Sylvia Pena 502 El Rancho Drive Ft. Pierce, FL 34982	

VIOLATIONS:

Section(s): 5-1.104.5 - Unsafe Building (covered windows)

CORRECTIVE ACTIONS:

1. Open the shutters on the east side of the home.

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.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 01/13/2020

Started On: 12/20/2019 02:58 PM

Special Magistrate Hearing

5. G.

Meeting Date: 01/15/2020

Re: Case # 19- 3013 - 701 Osceola Avenue

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

Information

SUBJECT:

19-3013 CE	701 Osceola Avenue	Timjen LLC	Heather Debevec
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CASE INFORMATION:

Case Initiated:	November 13, 2019	Type of Presentation:	Reguar
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OWNER:

OWNER: Timjen LLC 2529 N Indian River Drive Ft. Peirce, FL 34946	REGISTERED AGENT: Timothy Grimes 2521 N Indian River Drive Ft. Pierce, FL 34946
TENANT: Ryan Ring 701 Osceola Avenue Ft. Pierce, FL 34982	

VIOLATIONS:

Section(s): 16-46, 16-47, 16-48 (4) Parking on other Than Pavement

CORRECTIVE ACTIONS:

1. Park the boat in the driveway, to the side, or back of the home.

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 \$20.00 per day be assessed.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 01/13/2020

Started On: 12/20/2019 04:33 PM

Special Magistrate Hearing

5. H.

Meeting Date: 01/15/2020

Re: Case # 19-1014 - 1218 Avenue I

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

Information

SUBJECT:

19-1014 CE	1218 Avenue I	Murphy, Lazatha	Heather Debevec
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CASE INFORMATION:

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

OWNER: Lazatha Murphy 3403 Avenue P Ft. Pierce, FL 34947	
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VIOLATIONS:

- Section 5-367 - Vacant Building
- Section 5-370 - Exterior Property and Landscaping

CORRECTIVE ACTIONS:

1. Board up the windows with plywood painted to match the building or with a clear board.
2. Mow the grass and trim the weeds from your side of the fence.

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: 12/16/2019

Started On: 06/01/2019 04:26 PM

Special Magistrate Hearing

5. I.

Meeting Date: 01/15/2020

Re: Case # 19-1838 - 202 Roselyn Avenue

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

Information

SUBJECT:

19-1838 CE Cont from 12/18	202 Roselyn Avenue	Roselyn Holdings LLC	Heather Debevec
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CASE INFORMATION:

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

OWNER: Roselyn Holdings LLC 3790 Spinnaker Court Ft. Pierce, FL 34946	TENANT: Melanie Faucher 202 Roselyn Avenue Ft. Pierce, FL 34950
REGISTERED AGENT: Dale Boyd 2301 Orange Avenue Ft. Pierce, FL 34950	

VIOLATIONS:

Section(s): 16-46, 16-47, 16-48 (4) - Parking on Other Than Pavement

Section(s): 16-46, 16-47, 16-48 (1)(5) - Outside Storage

CORRECTIVE ACTIONS:

1. Park vehicles in the driveway, to the side, or the rear of the home.
2. Remove or place in a shed the scrap metal in the back yard.

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: 01/10/2020

Started On: 11/08/2019 04:49 PM

Special Magistrate Hearing

5. J.

Meeting Date: 01/15/2020

Re: Case # 19-2986 - 701 Parkway Drive

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

Information

SUBJECT:

19-2986 CE Conf from 12/18	701 Parkway Drive	Eberhart, Charles	Heather Debevec
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CASE INFORMATION:

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

OWNER: Charles Eberhart 701 Parkway Drive Ft. Pierce, FL 34950	
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VIOLATIONS:

Section(s): 5-1.104.5 - Unsafe Building (covered windows)

CORRECTIVE ACTIONS:

1. Remove all the boards from the windows.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 3 days to comply or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 01/10/2020

Started On: 11/14/2019 03:43 PM

Special Magistrate Hearing

5. K.

Meeting Date: 01/15/2020

Re: Case # 19- 3286 - 203 Flamingo Avenue

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

Information

SUBJECT:

19-3286 BTR	203 Flamingo Avenue	The Helpful Handyman	Heather Debevec
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CASE INFORMATION:

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

OWNER: Yes Sandhill Exp LLC 5050 S Syracuse Street Ste 1200 Denver, CO 80237	REGISTERED AGENT: Bruce Harris 203 Flamingo Avenue Ft. Pierce, FL 34950
VIOLATOR: The Helpful Handyman 203 Flamingo Avenue Ft. Pierce, FL 34950	

VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Obtain or close out the business tax receipt with 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: 01/13/2020

Started On: 12/26/2019 12:02 PM

Special Magistrate Hearing

5. L.

Meeting Date: 01/15/2020

Re: Case # 19-3296 - 130 S Indian River Drive #202

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

Information

SUBJECT:

19-3296 BTR	130 S Indian River Dr. #202	Plexensebio, Inc.	Heather Debevec
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CASE INFORMATION:

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

OWNER: Chalbaud Investment Group LLC 2332 Galiano Street 2nd Floor Coral Gables, FL 33134	REGISTERED AGENT: Carlos Chalbaud 2332 Galiano Street 2nd Floor Coral Gables, FL 33134
VIOLATOR: Plexenxebio Inc. 130 S Indian River Drive #202 Ft. Pierce, FL 34950	VIOLATOR SECONDARY ADDRESS: Plexenxebio Inc. 1450 Drew Avenue Suite 150 Davis, CA 95618
REGISTERED AGENT: Paracorp Incorporated 155 Office Plaza Drive 1st Floor Tallahassee, FL 32301	

VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Obtain or close out the business tax receipt with 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: 01/13/2020

Started On: 12/26/2019 12:23 PM

Special Magistrate Hearing

5. M.

Meeting Date: 01/15/2020

Re: Case # 19-3312 - 2400 S Ocean Drive #7631

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

Information

SUBJECT:

19-3312 BTR	2400 S Ocean Drive #7631	Unangst, Frank	Heather Debevec
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CASE INFORMATION:

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

OWNER: Frank Unangst 2400 S Ocean Drive #7631 Ft. Pierce, FL 34949	
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VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Obtain or close out the business tax receipt with 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

Started On: 12/26/2019 01:18 PM

Final Approval Date: 01/13/2020

Special Magistrate Hearing**5. N.****Meeting Date:** 01/15/2020**Re:** Case # 19- 3327 - 1903 Rio Vista Drive**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

19-3327 BTR	1903 Rio Vista Drive	Zindagi By The Sea LLC	Heather Debevec
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CASE INFORMATION:

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

OWNER: Timothy Buck Swagata Buck 1903 Rio Vista Drive Ft. Pierce, FL 34949	
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VIOLATIONS:

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

CORRECTIVE ACTIONS:

1. Obtain or close out the business tax receipt with 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: 01/13/2020

Started On: 12/26/2019 01:43 PM

Information

SUBJECT:

14-2257 Lien Reduction	1106 Chipola Road	Lima, Karis H.	Peggy Arraiz
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CASE INFORMATION:

Case Initiated:	November 18, 2014	Type of Presentation:	Lien Reduction
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OWNER:

PREVIOUS OWNER: Karis H. Lima 1106 Chipola Road Ft. Pierce, FL 34950	CURRENT OWNER: Doclus Lima 1124 Colonial Road Ft. Pierce, FL 34950
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VIOLATIONS:

Section(s): 5-369 Vacant Building
Section(s): 5-368 (3)(4) Property Maintenance

FINDINGS/ORDER:

February 4, 2015 Special Magistrate Blandino found Karis H Lima responsible for the violations and gave him 30 days to bring the property into compliance or a fine of \$250.00 per day would be assessed.

ACTION DATES:

1. February 17, 2015 an inspection was made; the violations were not in compliance, the fines began.
2. June 28, 2016 an Order Assessing Fine and Imposing Lien was recorded.
3. October 16, 2019 Staff learned of a new owner and code officer informed them of the liens and accruing fines.
4. October 24, 2019 an inspection was made; the violations were now in compliance, the fines stopped.
5. January 7, 2020 received reduction request from Doclus Lima who is represented by his son Sem Lima

Total fines \$427,500.00.

RECOMMENDATION:

To be determined.

Attachments

Request

7 Criteria

Admin Fees

Lien

Aff of CM

Aff of Non Comp

Order

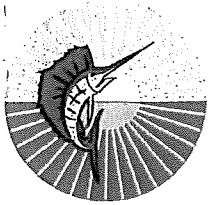
Tax Card

Form Review

Form Started By: Colleen Greer

Started On: 01/09/2020 04:32 PM

Final Approval Date: 01/13/2020



THE SUNRISE CITY
FORT PIERCE
 CODE ENFORCEMENT
Florida

Jan 15

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 CODE ENFORCEMENT FINES / LIENS

Date:	11/24/19				
Property address:	1106 Chipola Rd Fort Pierce FL 34950				
Owner(s) of record:					
Mailing address:	1124 Colonial Rd. Fort Pierce FL 34950				
Property tax ID #:	9243				
Original purchase date:			Original purchase price:		
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Docius Lima		Relationship to owner(s)		
Telephone #:	772-882-2394		Mobile phone #:		
E-mail:	lidozius44@gmail.com		Preferred contact method:	Telephone	
What are owner(s) intentions for property:	Rent				
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)		
Is property listed for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is listing price?		
Is property under contract for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is the sale price?		

AMOUNT OF FINE / LIEN


\$ 427500.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED


\$ 426645

DOLLAR AMOUNT I AGREE TO PAY

\$ 1500


 Signature of Owner or Representative

01/07/2020
 Date


 Printed Name

I, Doccus Lima, 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:

AS I currently am unable to work because of my failing health. my two eldest son Sem Lima and Karls Lima are the ones who support me financially. I sometimes spent up to a month in the hospital, But Recently in June 4th I was blessed with a new kidney I've been on dialysis for over 10 years. as I am in my recovering process, I still face many issues. if I am to be granted a Reduction, I will do the best to my ability Even if am to take a loan from friends or family to pay. I want to be beneficial to my community and the property that I do own I want to be able to remodel them to lift up the neighborhood outlook. I Am sorry that was not done sooner but hopefully in the coming up months I can pay my dues to our community. Thank you

Date: 11/24/2019

Signed: *Doccus Lima*
for Doccus Lima

Print Name: Doccus Lima

STATE OF FLORIDA

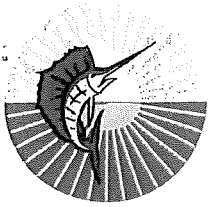
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Sem Baker Lima 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 FL DRIVER'S LICENSE as identification.

SWORN TO AND SUBSCRIBED before me this 7th day of January, 2020.

Colleen Greer

Notary Public, State of Florida



THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

REQUEST FOR REDUCTION OF PENALTY

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. 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.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1106 Chipala Rd Fort Pierce FL 34950

Property Owner: Docius Lima

Mailing Address: 1124 Colonial Rd Fort Pierce FL 34950

Telephone #: 772-8822394 Cell Phone #: _____

E-Mail Address: 1docius44@gmail.com

Is the property in compliance? If no, please explain in the narrative of your request.

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE
SM JANUARY 15, 2020**

Case No: 14-2257 Violator: Karis L. Lima Address: 1106 Chipola Road

1.) The gravity or seriousness of the violation:	MINOR
2a.) Any and all actions taken by the violator to correct the violations; OR	ALL VIOLATIONS WERE COMPLIED. ROTTEN WOOD WAS REPLACED AND NEW WOOD WAS PAINTED.
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:	SAME AS 2A
3.) The length of time necessary to bring the property into compliance:	5 YEARS
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:	1
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	16 – ALL IN COMPLIANCE
6.) Whether or to what extent there are extenuating factors preventing timely Compliance, such as unavoidable personal hardship:	NA
7.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.	NA

Administrative Cost Estimator

1/13/2020

Property Address: 1106 Chipola Road (14-2257)

Date case originated: 11/18/2014

Date case complied: 10/24/2019

Total time: 59 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.44	<u>9</u>	\$3.96
Certified Mail:	\$5.10	<u>1</u>	\$5.10

Photographs (per page)	\$0.50	<u>9</u>	\$4.50
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Filing Fees (add 1 fee for Release of Lien)	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>59</u>	\$2,950.00
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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.

Code Enforcement Secretary

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u>0</u>	\$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager	\$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>1</u>	\$125.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	\$150.00	<u>2</u>	\$300.00
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Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$250.00	<u>1</u>	\$250.00
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Fee set by the City Commission

Total Estimated Cost: \$3,913.56

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

Case #: 14-2257

RE: Violation of Section(s): 5-369, 5-368 (3) (4)

Violator: KARIS H LIMA
1106 CHIPOLA RD
FT PIERCE, FL 34950

Property Address: 1106 CHIPOLA RD
Tax ID #: 2415-601-0444-000/9

Legal Description: PINEWOOD S/D BLK 28 LOTS 18, 19 AND20 (OR 3469-1885)

ORDER ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE having come before the Special Magistrate pursuant to Florida Statute 162.09 on February 04, 2015 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated February 04, 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 \$250.00 from February 17, 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.

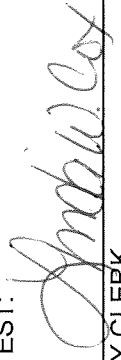
Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit 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 27th day of June, 2016.



Frank Blandino, Esquire
Special Magistrate

ATTEST:



CITY CLERK

Mail to:
City of Fort Pierce
Code Enforcement Division
P.O. Box 1480
Ft. Pierce, FL 34964

DATED: 6/27/16

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4205079 06/28/2016 09:49:29 AM
OR BOOK 3885 PAGE 829 - 829 Doc Type: ORD
RECORDING: \$10.00



THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

AFFIDAVIT OF COMPLIANCE

RE: 1106 CHIPOLA RD
CASE NO: 14-00002257

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4633519 10/24/2019 03:06:42 PM
OR BOOK 4337 PAGE 1394 - 1394 Doc Type: AFF
RECORDING: \$10.00

IN THE MATTER OF: KARIS H LIMA
1124 COLONIAL RD
FT PIERCE, FL 34950

BEFORE ME, the undersigned authority, personally appeared Chad Dawson, Code Enforcement Officer for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have personally examined the property described above and find that said property is now in compliance with all the items listed in the Special Magistrate's order dated February 04, 2015, as of this date: _____ October 24, 2019 _____.

_____ The fines referenced in the Order of Violation recorded in Book _____ Page _____ were not initiated.

 x Stop the accumulation of fines as imposed by an Affidavit of Non-Compliance recorded in Book 3714 Page 2429 . **This is not a release of lien.**

_____ The fines imposed by an _____ recorded in Book _____ Page _____ were paid within the time specified. No Order Assessing Fine and Imposing Lien was filed.

FURTHER AFFIANT SAYETH NOT.

DATED this 24th day of October , 2019 .



Chad Dawson, Code Enforcement Officer

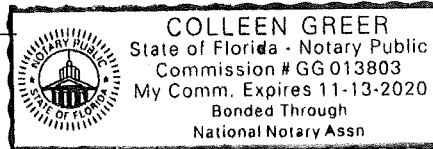
STATE OF FLORIDA
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me
this 24th day of October , 20 19 .



NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:



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

Book: 3714

Page: 2429

Case No: 14-00002257

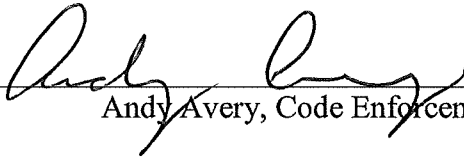
IN THE MATTER OF:

1106 CHIPOLA RD
PROPERTY ADDRESS

KARIS H LIMA
1106 CHIPOLA RD
FT PIERCE, FL 34950

I, Andy Avery, have personally examined the property described in the Special Magistrate's order dated February 04, 2015, in the above mentioned case, and find that said property is NOT in compliance with Section(s) 5-369, 5-368 (3)(4) of the Code of the City of Fort Pierce, Florida, as of the 17th day of February, 2015.

START FINES



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 17th day of February, 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 # 4042127 02/23/2015 at 08:58 AM
OR BOOK 3718 PAGE 1920 - 1920 Doc Type: AFF
RECORDING: \$10.00

le Name: C0058621

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

SM CASE # 14-2257

RE: Violation of Section(s):5-369 Vacant Buildings, 5-368 (3) (4) Property Maintenance

Violator: KARIS H LIMA
1106 CHIPOLA RD
FT PIERCE, FL 34950

Property Address: 1106 CHIPOLA RD Tax ID #: 2415-601-0444-000/9
Legal Description: PINWOOD S/D BLK 28 LOTS 18, 19 AND20 (OR 3469-1885)

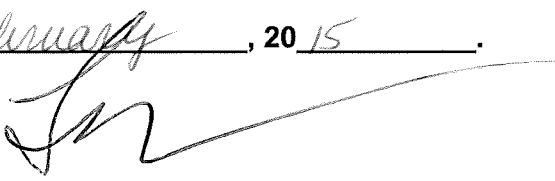
ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on February 04, 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 KARIS H LIMA failed to secure all windows and doors with commercial grade plywood and paint to match the structure in a workmanlike manner, repair any rotting wood, and paint new wood in a workmanlike manner 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 \$250.00.

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.

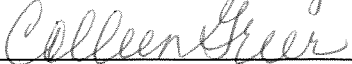
DONE AND ORDERED this 6th day of February, 2015.



Frank Blandino, Special Magistrate

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

6th DAY OF February, 2015.



Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4037921 02/09/2015 at 09:03 AM
OR BOOK 3714 PAGE 2429 - 2429 Doc Type: ORD
RECORDING: \$10.00

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

File Name: C0058454

Property Identification

Site Address: 1106 CHIPOLA RD
 Parcel ID: 2415-601-0444-000-9
 Account #: 24864
 Map ID: 24/15N
 Sec/Town/Range: 15/35S/40E
 Zoning: Medium Den
 Use Type: 0800
 Jurisdiction: Fort Pierce

Ownership

Doclus Lima
 1124 Colonial RD
 Fort Pierce, FL 34950-5068

Legal Description

PINEWOOD S/D BLK 28 LOTS 18, 19 AND 20 (OR 3903-1434)

Current Values

Just/Market: \$172,900
 Assessed: \$134,431
 Exemptions: \$0
 Taxable: \$134,431

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$172,900	\$134,431	\$0	\$134,431
2018	\$138,800	\$122,210	\$0	\$122,210
2017	\$111,100	\$111,100	\$0	\$111,100

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2016	3903 / 1434	0111	QC	Lima Karls H	\$100
12-05-2012	3469 / 1885	0112	SP	US Bank National Assc (TR)	\$21,000
10-12-2012	3443 / 0478	0112	CT	Sousa Juan	\$45,100

Primary Building Information

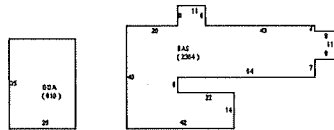
Finished Area of this building: 2,364 SF
 Gross Sketched Area: 3,274 SF

Exterior Data

View:	Roof Cover: Tar & Gravel	Roof Structure: Gable	Building Type: MFH
Year Built: 1947	Frame:	Grade: MFAQ	Effective Year: 1970
Primary Wall: Conc Block	Story Height: 1 Story	No. Units: 8	Secondary Wall: CB Stucco

Interior Data

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 4	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0%	Heat Fuel:	Primary Floors: Tile-Ceramic



Total Areas

Finished/Under Air (SF):	2,364
Gross Sketched Area (SF):	3,274
Land Size (acres):	0.61
Land Size (SF):	26,657
Total Building Count:	1

Special Features and Yard Items

Type	Qty	Units	Year Blt
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