

## SPECIAL MAGISTRATE

### BOARD AGENDA

Any interested party may attend the Special Magistrate Hearing in person or submit comments in writing to Shaun Coss, no later than 8:30 am on the day of the hearing. Comments should be submitted via email to [scoss@cityoffortpierce.com](mailto:scoss@cityoffortpierce.com). Comments must include your name and address to be read into the record. The Building Department Coordinator will read all comments during the Public Comments section of the meeting.

Special Magistrate Hearing - Tuesday, May 19, 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**
5. **PUBLIC HEARINGS - VIOLATION CASES**
6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	18-311	1811 N 16th Street	National Debt Relief Services Inc.	Shaun Coss
B.	18-2405	508 Palm Avenue	Martin County Properties LLC	Shaun Coss
C.	18-2610	210 S 25th Street	R & D Mgmt & Investments Inc.	Shaun Coss
D.	18-2940	3217 Orange Avenue	Manuel Esquivel Concrete Contr.	Shaun Coss
E.	19-560	106 N 29th Street	Chen, Qing	Shaun Coss
F.	19-1181	1401 N 22nd Street	Boston, Homer	Shaun Coss

G.	19-1470	428 N 20th Street	Randolph, Curtis	Shaun Coss
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H.	19-2386	1604 N 18th Street	Randolph, Tommie & Curtis	Shaun Coss
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	18-1524	1005 Ohio Ave	Pacheco, Lisa M. Chase	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.

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**Information**

**SUBJECT:**

18-311	1811 N 16th Street	National Debt Relief Services Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	February 1, 2018	Type of Presentation:	Fine Reduction
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**OWNER:**

OWNER: National Debt Relief Services Inc. 12856 SW 31st Court Pembroke Pines, FL 33027	REG. AGENT: Belinda Villoch
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - October 19, 2018  
90 Day Extension of Time - December 17, 2018  
Affidavit of Non-Compliance - February 6, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - October 19, 2018 - owner, National Debt Relief Services Inc. was provided 60 days to obtain a permit or a fine of \$100.00 per day may be assessed.
2. Permit for drywall and framing only issued on March 9, 2020.
3. Fines began accruing on February 6, 2020. As of this date May 12, 2020, the total fines are \$9,630.00 which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

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**Attachments**

3 Criteria  
Admin Costs

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**Form Review**

Final Approval Date: 05/07/2020

**MASSEY HEARING**  
**March 16, 2020**  
**Case #18-311**

**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Owner has contractor obtain a permit to address violations.**
  
3. 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? **3 (three).**

# Administrative Cost Estimator

3/16/2020

Property Address: 1811 N 16th Street

Date case originated: 2/1/2018

Date case complied: 3/9/2020

Total time: 25 months

## Number of Hearings

Violation Hearings: 1  
 Massey Hearings: 1  
 Lien Reduction Hearings: 0

## Mailing Expense

Regular 1st Class:	\$0.44	<u>4</u>	\$1.76
Certified Mail:	\$5.10	<u>1</u>	\$5.10

Photographs (per page)	\$0.50	<u>6</u>	\$3.00
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Filing Fees	\$10.00	<u>2</u>	\$20.00
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Months Open	\$50.00	<u>25</u>	\$1,250.00
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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>2</u>	\$300.00
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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>0</u>	\$0.00
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Fee set by the City Commission

**Total Estimated Cost: \$1,804.86**

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**Information**

**SUBJECT:**

18-2405	508 Palm Avenue	Martin County Properties LLC	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	September 25, 2018	Type of Presentation:	Regular
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**OWNER:**

OWNER: Martin County Properties LLC 265 Bermuda Beach Dr Ft Pierce FL 34949	REG. AGENT: J. B. JONES
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**VIOLATIONS:**

IPMC 304.13 Windows, Doors & Frames, IPMC 504.1 Plumbing Fixtures, IPMC 506.2 Sanitary Drainage System Maintenance, IPMC 305.3 Interior Surfaces

**FINDINGS/ORDER:**

Order Determining Violation - May 21, 2019  
Affidavit of Non-Compliance - November 26, 2019  
Affidavit of Compliance - March 9, 2020

**ACTION DATES:**

1. May 21, 2019 - Special Magistrate Ross found that Martin County Properties LLC was responsible for the violations and provided 60 days to get permitting and address the violations.
2. November 26, 2019 - an inspection revealed that a permit had been obtained for the windows but had expired. No re-inspection was requested for the remaining violations. Fines began on this date.
3. January 30, 2020 - the permit for windows received it's final inspection, and a re-inspection was performed for the remaining violations and were complied. Fines stopped on this date. Fines total: \$6,530.00 which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To be determined.

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**Attachments**

3 Criteria  
Admin. Cost Estimate

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/12/2020

Started On: 05/11/2020 05:03 PM

**MASSEY HEARING**  
**May 19, 2020**  
**Case #18-2405**

**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Owner hired a contractor and obtained a permit for window replacement, and addressed the remaining violations.**
  
3. 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? **2 (two) .**

# Administrative Cost Estimator

5/12/2020

Property Address: 508 Palm Avenue

Date case originated: 9/25/2018

Date case complied: 1/31/2020

Total time: 16 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:           

## Mailing Expense

Regular 1st Class:	\$0.44	<u>5</u>	\$2.20
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Certified Mail:	\$5.10	<u>4</u>	\$20.40
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Photographs (per page)	\$0.50	<u>4</u>	\$2.00
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>16</u>	\$800.00
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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
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Each additional Hearing	\$75.00	<u>          </u>	\$0.00
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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.

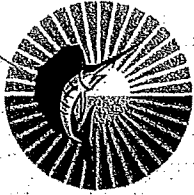
Hearings	\$150.00	<u>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Commission Meeting	\$250.00	<u>0</u>	\$0.00
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Fee set by the City Commission

**Total Estimated Cost: \$1,229.60**



THE SUNRISE CITY  
**FORT PIERCE**  
 BUILDING DEPARTMENT  
*Florida*

REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 BUILDING VIOLATION FINES

Date:	4/26/20			
Property address:	508 Palm ave. Fort Pierce, FL 34982			
Owner(s) of record:	Martin County Properties			
Mailing address:	540 SW Siesta Way Stuart FL-34994			
Property tax ID #:	2422-703-0006-000/2			
Original purchase date	5/11/2011	Original purchase price:	\$ 55,000	
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot
Name of person requesting reduction:	JB Jones Sr + Cariann Martin	Relationship to owner(s)	Wife	
Telephone #:	(772) 672-0594	Mobile phone #:		
E-mail:	chipjones24@gmail	Preferred contact method:	cell	
What are owner(s) intentions for property:	Rental			
Are there current code violations?	<input 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

\$ 8,000

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 7,000

DOLLAR AMOUNT I AGREE TO PAY

\$ 1,000

Signature of Owner or Representative

4/26/20  
 Date



I, Joe Jumper, 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:

All Items were corrected + Completed  
The last being the windows - big job  
after was completed I called an  
Contractor called in Inspection, I  
Was contacted by inspector +  
Contractor that all was passed.  
I did not know there was anything  
still open. It would have been  
taken care of at same time. I dont  
have \$ to pay huge fine. My tenants were  
all ready behind on rent before this +  
now Im in trouble bills. Please consider  
the amount \$1,000. Sincerely

Signed: Joe Jumper Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

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**Information**

**SUBJECT:**

18-2610	210 S 25th Street	R & D Mgmt & Investments Inc.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	October 19, 2018	Type of Presentation:	Fine Reduction
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**OWNER:**

OWNER: R & D Management & Investments Inc. 10380 SW Village Center Dr 333 Port St. Lucie, FL 34987	REG. AGENT: Raymond B Reiprecht
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - February 20, 2019  
Affidavit of Non-Compliance - November 5, 2019  
Affidavit of Compliance - March 3, 2020

**ACTION DATES:**

1. Special Magistrate Hearing - February 19, 2019, owner R & D Management & Investments Inc. was provided 60 days to obtain a permit or a fee of \$100.00 per day may be assessed.
2. Permits were obtained but did not include the entire scope of the violation.
3. Fines began accruing on November 5, 2019, and was complied on March 3, 2020. Fines total \$11,930.00, which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

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**Attachments**

3 Criteria  
Admin. Costs  
Fine Reduction Request

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**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/07/2020

Started On: 05/07/2020 05:33 PM

**MASSEY HEARING**  
**March 13, 2020**  
**Case #18-2610**

**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Owner applied for a permits to address violations.**
  
3. 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? **3 (three).**

# Administrative Cost Estimator

3/13/2020

Property Address: 210 S 25th Street

Date case originated: 10/19/2018

Date case complied: 3/3/2020

Total time: 16 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings:           

Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>5</u>	\$2.20
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>6</u>	\$3.00
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>16</u>	\$800.00
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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
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Each additional Hearing	\$75.00	<u>          </u>	\$0.00
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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>2</u>	\$300.00
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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: \$1,615.30**



REQUEST FOR A REDUCTION OR RESCINDMENT OF  
BUILDING VIOLATION FINES

Date:	3-10-20		
Property address:	210 S. 25 ST FP		
Owner(s) of record:	R + D MANAGEMENT		
Mailing address:	10380 SW HILLCREST CENTER DR #333 PSL FL 34987		
Property tax ID #:	2409-707-0102-000-6		
Original purchase date:	5-18-15	Original purchase price:	10800
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:	RAYMOND REIPRECHT	Relationship to owner(s):	OWNER
Telephone #:	772-528-0881	Mobile phone #:	772-528-0881
E-mail:	VIPECON SUITS@AVL.COM	Preferred contact method:	EMAIL
What are owner(s) intentions for property:	SELL		
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)
Is property listed for sale?	<input type="checkbox"/> No	<input checked="" 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


\$ 11930.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 11830.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 100.00

  
Signature of Owner or Representative

3-10-20  
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: 210 S. 25 ST FP  
Property Owner: R + D MANAGEMENT  
Mailing Address: 10380 SW VILLAGE CENTER DR #333 PSL FL 34987  
Telephone #: 772 528 0881 Cell Phone #: 772 528 0881  
E-Mail Address: VIPCONSULTS@AOL.COM  
Is the property in compliance? YES If not, please explain in the narrative of your request.

I, RAYMOND REIPRECHT, 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 PURCHASED THIS DILAPIDATED PROPERTY BACK IN 2015. IT SAT VACANT, NEVER RENTED, FOR YEARS UNTIL WE HAD ENOUGH MONEY TO DO ALL THE REPAIRS. TO DATE WE HAVE SPENT OVER \$91K IN TOTAL REPAIRS, \$7263 IN PROPERTY TAXES, OVER \$6K IN GC AND ENGINEERING AND \$1410 IN PERMITS AND FEES. AT THE END OF THE DAY THIS PROPERTY LOOKS TO BE AT A LOSS IF AND WHEN IT SELLS, WHICH IS WHY WE ARE ASKING FOR THIS REDUCTION OF FINE WHICH WE WERE SURPRISED ABOUT. ALL OUR PERMITS WERE CLOSED OUT BY MY GC AND OUR ROOF PERMIT WAS CLOSED OUT AND SIGNED OFF BY YOUR ROOF INSPECTOR GIORNO CARBONEL ON 11/20/18. THE DATE FOR THIS ROOF NON COMPLIANCE FOR CASE # 18-2610 WAS 11/5/19. PLEASE RESCUE THIS FINE TO \$100.

Signed: [Signature] Date: 3/12/20

Print Name: RAYMOND REIPRECHT

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Raymond Reiprecht 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-DL as identification.

SWORN TO AND SUBSCRIBED before me this 12<sup>th</sup> day of March, 2020.

[Signature]  
Notary Public, State of Florida



AMARIS ISABEL GIL  
Commission # GG 360478  
Expires August 30, 2023  
Bonded Thru Budget Notary Services

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**Information**

**SUBJECT:**

18-2940	3217 Orange Avenue	Manuel Esquivel Concrete Contr.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	December 11, 2018	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Manuel Esquivel Concrete Contractor Inc. 5548 NW Cordrey St Port St. Lucie, FL 34986	<b>OCCUPIED BY:</b>
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - July 17, 2019  
Notice of Extension of Time (90 days) - September 23, 2019  
Affidavit of Non-Compliance - January 2, 2020

**ACTION DATES:**

1. July 16, 2019 Special Magistrate Ross found Manuel Esquivel Concrete Contractor, Inc. responsible for the violation referenced and gave 60 days to obtain a permit for the paving, and comply with all conditions of the permit. Failure to do so would result in a fine being assessed and accruing at \$100.00 per day until the violation is complied.
2. September 23, 2019 - a 90 day extension of time was provided.
3. January 2, 2020 - an inspection revealed that although 2 permits have been applied for, no permit has been issued.
4. February 18, 2020 - SM Ross stopped the fines from accruing and provided a continuance to provide owner time to obtain the permit. The fines total \$4,730.00, which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

Order  
Extension  
Aff on Non Compliance  
3 Criteria  
Admin. Costs

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### **Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/07/2020

Started On: 05/07/2020 05:37 PM



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4594255 07/17/2019 02:44:20 PM  
OR BOOK 4296 PAGE 1683 - 1683 Doc Type: ORD  
RECORDING: \$10.00

CASE #: 18-00002940

Property Address: 3217 ORANGE AVE

Tax ID #: 2408-803-0017-000/5

Legal Description: RE-S/D OF M J RAULERSON'S S/D BLK B LOT 8 AND LOT 9-LESS RD RW-AND N 5 FT OF VAC ALLEY ADJ ON S (ORDN J-206 OR 1036-1522) (OR 1980-566)

Violator: MANUEL ESQUIVEL CONCRETE CONTRACTOR INC.

5548 NW CORDREY ST

PORT ST LUCIE, FL 34986

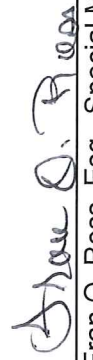
RE: Violation of Section(s): 5-1.105.1 Permit Required

ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on July 16, 2019, upon request of the Building Department Investigator. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that MANUEL ESQUIVEL CONCRETE CONTRACTOR INC. failed to obtain a permit for the lot paving in violation of the Code of Ordinances as specified above, on property located at the above described location. Accordingly it is ORDERED as follows:

1. Obtain a permit for the work performed and adhere to all conditions of the permit. A licensed contractor may be required to apply for and obtain the permit from the Building Department.
2. In the event the violation is not remedied within 60 days after the date of this Order, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily, cumulative rate of \$100.00.
3. 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. If this Order is not complied with timely, then there shall be issued an Order pursuant to Section 162.09, Fla. Stat., and Rule 16, Rules of Procedure of the Code Enforcement Board of the City of Fort Pierce, Florida, imposing lien in the manner provided for by law.
4. The violator is responsible for notifying the Building Department promptly at (772) 467-3718, when the violation is corrected.
5. The violator has 30 days in which to file an appeal of the Special Magistrate's decision to the Circuit Court of St. Lucie County.

DONE AND ORDERED this 17<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Fran O. Ross, Esq., Special Magistrate

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

17<sup>th</sup> DAY OF July, 2019.

  
\_\_\_\_\_  
Elizabeth Beck, Building Department Administrative Assistant



**NOTICE OF EXTENSION OF TIME**

RE: **3217 ORANGE AVE**  
CASE NO: 18-00002940

IN THE MATTER OF: MANUEL ESQUIVEL CONCRETE CONTRACTOR INC.  
5548 NW CORDREY ST  
PORT ST LUCIE, FL 34986

BEFORE ME, the undersigned authority, personally appeared Guillermo Will Carbonell, Building Department Investigator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have found there is cause to grant an administrative extension as provided for in Rule 15 of the Rules of Procedure for the Code Enforcement Board and Special Magistrate to correct the violations described in the Order of Violation dated July 16, 2019, in the above mentioned case.

The time to comply the violations as specified in the Order of Violation recorded in Book 4296 Page 1683-1683 is granted an extension of 90 days.

FURTHER AFFIANT SAYETH NOT.

DATED this 23<sup>rd</sup> day of September, 2019.

  
Guillermo Will Carbonell, Building Department Investigator

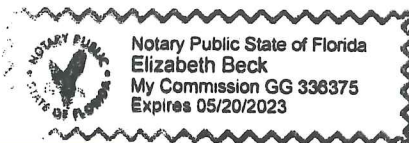
STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 23<sup>rd</sup> day of September, 2019.



NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES: 5/20/23





**AFFIDAVIT OF NON-COMPLIANCE**

RE: **3217 ORANGE AVE**  
CASE NO: 18-00002940

IN THE MATTER OF: MANUEL ESQUIVEL CONCRETE CONTRACTOR INC.  
MANUEL H ESQUIVEL, REG. AGENT  
5548 NW CORDREY ST  
PORT ST LUCIE, FL 34986

BEFORE ME, the undersigned authority, personally appeared Shaun Coss, Building Department Investigator for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That I have personally examined the property described in the Special Magistrate's order dated July 16, 2019, in the above mentioned case and find that said property is not in compliance with Section(s) 5-1.105.1 Permit Required of the Code of the City of Fort Pierce, Florida, as of this date: January 2, 2020.

In accordance with the Order of Violation recorded in Book 4296 Page, 1683 fines in the amount of \$100.00 shall commence on this date.

FURTHER AFFIANT SAYETH NOT.

DATED this 2nd day of January, 2020

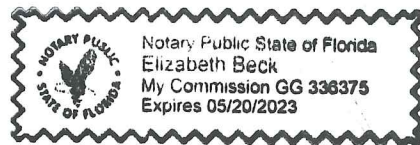
Shaun Coss, Building Department Coordinator

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 2nd day of January, 2020.

NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES: 5/20/23



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4659507 01/06/2020 03:17:12 PM  
OR BOOK 4366 PAGE 2747 - 2747 Doc Type: AFF  
RECORDING: \$10.00

**MASSEY HEARING**  
**February 18, 2020**  
**Case #18-2940**

**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Owner applied for 2 permits, but no permit has been issued.**
  
3. 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? **1 (one).**

# Administrative Cost Estimator

2/12/2020

Property Address: 3217 Orange Avenue **NOT COMPLIED**

Date case originated: 12/11/2018

Hearing Date : 2/18/2020

Total time: 14 months

## Number of Hearings

Violation Hearings: 1  
 Massey Hearings: 1  
 Lien Reduction Hearings: 0

## 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>1</u>	\$0.50
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>14</u>	\$700.00
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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>1</u>	\$150.00
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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>0</u>	\$0.00
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Fee set by the City Commission

**Total Estimated Cost: \$1,113.24**

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**Information**

**SUBJECT:**

19-560	106 N 29th Street	Chen, Qing	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	March 1, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Qing Chen 4627 Arthur Street Palm Beach Gardens, FL 33418	OCCUPIED BY:
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

July 17, 2019 - Order Determining Violation  
September 23, 2019 - Extension of Time (90 days)  
January 3, 2020 - Affidavit of Non-Compliance

**ACTION DATES:**

1. July 16, 2019 Special Magistrate Ross determined that a violation exists and provided 60 days to get a permit and comply with all permit requirements or fines would begin to accrue.
2. September 23, 2019 - A 90 day Extension of Time was granted.
3. January 3, 2020 - an Affidavit of Non-Compliance was issued and fines began to accrue.
4. February 18, 2020 - SM Ross stops fines to allow owner to resolve the violation. The fines total \$4,630.00 which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

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**Attachments**

Order  
Admin Fees  
3 Criteria

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## Form Review

Form Started By: Elizabeth Beck  
Final Approval Date: 05/07/2020

Started On: 05/07/2020 05:36 PM



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4594253 07/17/2019 02:44:20 PM  
OR BOOK 4296 PAGE 1681 - 1681 Doc Type: ORD  
RECORDING: \$10.00

CASE #: 19-00000560

Property Address: 106 N 29TH ST

Tax ID #: 2408-143-0001-030/4

Legal Description: 08 35 40 FROM SW COR OF JEFFERSON PARK S/D RUN W 179.40 FT TO POB, TH CONT W ALG N RW ORANGE AV 153.25 FT TO INT WITH E RAW N 29 ST, TH

Violator: QING CHEN  
4627 ARTHUR ST  
PALM BEACH GARDENS, FL 33418

RE: Violation of Section(s): 5-1.105.1 Permit Required

ORDER DETERMINING VIOLATION

THIS CAUSE came before the Special Magistrate pursuant to Florida Statutes 162.07 on July 16, 2019, upon request of the Building Department Investigator. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that QING CHEN failed to obtain a permit for paving at this property in violation of the Code of Ordinances as specified above, on property located at the above described location. Accordingly it is ORDERED as follows:

1. Obtain a permit for the work performed and adhere to all conditions of the permit. A licensed contractor may be required to apply for and obtain the permit from the Building Department.
2. In the event the violation is not remedied within 60 days after the date of this Order, there shall be imposed a fine pursuant to Section 162.09, Fla. Stat., at a daily, cumulative rate of \$100.00.
3. 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. If this Order is not complied with timely, then there shall be issued an Order pursuant to Section 162.09, Fla. Stat., and Rule 16, Rules of Procedure of the Code Enforcement Board of the City of Fort Pierce, Florida, imposing lien in the manner provided for by law.
4. The violator is responsible for notifying the Building Department promptly at (772) 467-3718, when the violation is corrected.
5. The violator has 30 days in which to file an appeal of the Special Magistrate's decision to the Circuit Court of St. Lucie County.

DONE AND ORDERED this 17<sup>th</sup> day of July, 20 19.

  
\_\_\_\_\_  
Fran O. Ross, Esq., Special Magistrate

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

17<sup>th</sup> DAY OF July, 20 19.



\_\_\_\_\_  
Elizabeth Beck, Building Department Administrative Assistant

# Administrative Cost Estimator

2/12/2020

Property Address: 106 N 29th Street **NOT COMPLIED**

Date case originated: 3/1/2019

Date case complied: 2/18/2020

Total time: 11 months

## Number of Hearings

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

## Mailing Expense

Regular 1st Class:	\$0.44	<u>4</u>	\$1.76
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>3</u>	\$30.00
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Months Open	\$50.00	<u>11</u>	\$550.00
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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>1</u>	\$150.00
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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>0</u>	\$0.00
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Fee set by the City Commission

**Total Estimated Cost: \$963.36**

**MASSEY HEARING**  
**February 18, 2020**  
**Case #19-560**

**CONTESTING OF FINE/NON-COMPLIANCE**

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Owner applied for a permits, but no permit has been issued.**
  
3. 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? **2 (two) .**

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**Information**

**SUBJECT:**

19-1181	1401 N 22nd Street	Boston, Homer	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	May 9,2019	Type of Presentation:	Regular
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**OWNER:**

OWNER: Homer Boston 1712 Avenue O Ft Pierce, FL 34950	OCCUPIED BY:
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - September 17, 2019  
Notice of Extension of Time (90 days) - January 6, 2020  
Affidavit of Non-Compliance - April 8, 2020

**ACTION DATES:**

1. September 17, 2019 - Special Magistrate Ross found Homer Boston responsible for the violation and provided 60 days to obtain a permit to address the violation or a fine of \$100.00 per day may accrue.
2. January 6, 2020 - A Notice of Extension of Time (90 days) was granted.
3. April 8, 2020 an Affidavit of Non-Compliance was recorded and fines began on April 9, 2020. As of May 11, 2020 the fines total \$3,230.00 which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

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**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/12/2020

Started On: 05/11/2020 04:25 PM

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**Information**

**SUBJECT:**

19-1470	428 N 20th Street	Randolph, Curtis	Shaun Coss
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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 24951	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

**FINDINGS/ORDER:**

Order Determining Violation - October 15, 2019  
Notice of Extension Time (90 days) - December 31, 2019  
Affidavit of Non-Compliance - March 30, 2020

**ACTION DATES:**

1. October 15, 2019 - Special Magistrate Ross found Curtis Randolph responsible for the violations and an order was issued providing 60 days to obtain permitting and address violations or a fine of \$100.00 per day may begin to accrue
2. December 31, 2019 a Notice of Extension of Time (90 days) was provided.
3. March 30, 2020 an inspection revealed that an electrical permit was applied for, but never issued. No other permits have been applied for, and no re-inspections have been requested for any complied issues.
3. March 30, 2020 - Affidavit of Non-Compliance was issued and a fine of \$100.00 per day began to accrue. As of May 11, 2020 fines total, \$4,230.00, which includes \$30.00 of recording fees.

**RECOMMENDATION:**

To be determined.

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## Form Review

Form Started By: Elizabeth Beck  
Final Approval Date: 05/12/2020

Started On: 05/11/2020 08:48 AM

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**Information**

**SUBJECT:**

19-2386	1604 N 18th Street	Randolph, Tommie & Curtis	Shaun Coss
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**CASE INFORMATION:**

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

<b>OWNER:</b> Tommie Randolph Curtis Randolph 1712 Avenue O Ft Pierce, FL 34950	<b>OCCUPIED BY:</b>
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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

**FINDINGS/ORDER:**

Order Determining Violation - November 21, 2019  
Notice of Extension of Time (90 days) - January 9, 2020  
Affidavit of Non-Compliance - April 28, 2020

**ACTION DATES:**

1. Special Magistrate Hearing - November 19, 2019 - owner was found responsible for the violations and provided 60 days to obtain permits to correct violations or a fine of \$100.00 may begin to accrue.
2. A 90 day extension was provided on January 9, 2020.
3. Upon inspection on April 28, 2020, no permits have been obtained, and no re-inspections have been requested for complied items. An Affidavit of Non-Compliance was recorded, and fines began.

**RECOMMENDATION:**

To be determined.

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**Form Review**

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**Information**

**SUBJECT:**

18-1524	1005 Ohio Ave	Pacheco, Lisa M. Chase	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	May 24, 2018	Type of Presentation:	Lien Reduction
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**OWNER:**

OWNER: Lisa M. Chase Pacheco 1005 Ohio Avenue Ft Pierce, FL 34950	OCCUPIED BY:
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**VIOLATIONS:**

Section 5-1.105.1 Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - January 16, 2019  
90 Day Extension of Time - March 18, 2019  
Affidavit of Non-Compliance - June 17, 2019  
Order Assessing Fine and Imposing Lien - December 9, 2019

**ACTION DATES:**

1. Special Magistrate Hearing - January 15, 2019, owner Lisa M. Chase Pacheco was provided 60 days to obtain a permit for a fine of \$100.00 per day may be assessed.
2. A 90 Day Extension of Time was granted on March 18, 2019.
3. Fines began accruing on June 17, 2019. The total lien is \$23,340.00 which includes \$40.00 of recording fees.

**RECOMMENDATION:**

To Be Determined.

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**Attachments**

7 Criteria  
Admin. Costs  
Lien Reduction Request

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**Form Review**

Final Approval Date: 05/07/2020

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

**Case No: 18-1524**

**Date: March 9, 2020**

1.) The gravity or seriousness of the violation:	Minimal
2a.) Any and all actions taken by the violator to correct the violations; OR	The owner renewed the permit and got the necessary final inspection.
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:	1 year, 8 months
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:	0
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	0
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Owner thought that the contractor took care of permitting.
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

3/13/2020

Property Address: 1005 Ohio Avenue

Date case originated: 5/24/2018

Date case complied: 2/5/2020

Total time: 20 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings:           

Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>6</u>	\$2.64
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>0</u>	\$0.00
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>20</u>	\$1,000.00
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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
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Each additional Hearing	\$75.00	<u>          </u>	\$0.00
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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>1</u>	\$150.00
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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: \$1,672.74**



THE SUNRISE CITY  
**FORT PIERCE**  
 BUILDING DEPARTMENT  
*Florida*

REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 BUILDING VIOLATION LIENS

Date:	02/13/2020		
Property address:	1005 OHIO AVE		
Owner(s) of record:	Lisa M Chase Pacheco		
Mailing address:	1005 Ohio Ave, Ft Pierce, FL 34950		
Property tax ID #:	2A15-703-0102-000-3		
Original purchase date	Original purchase price:		
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:	Lisa Pacheco	Relationship to owner(s)	
Telephone #:		Mobile phone #:	845-430-2204
E-mail:	LCHASE14@yahoo	Preferred contact method:	
What are owner(s) intentions for property:	Primary Residence		
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

\$ 23,380.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 23,380.00

DOLLAR AMOUNT I AGREE TO PAY

\$ - 0 -

Lisa M Pacheco  
 Signature of Owner or Representative

3-1-2020  
 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: 1005 Ohio Ave

Property Owner: Lisa Pacheco

Mailing Address: 1005 Ohio Ave Fort Pierce, FL 34950

Telephone #: \_\_\_\_\_ Cell Phone #: 845-430-2004

E-Mail Address: LCHASE14@yahoo.com

Is the property in compliance? yes 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

**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 1005 OHIO AVE

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.

*Lisa M Pacheco*  
Signature of Owner or Representative

3-11-2020  
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, Lisa Pacheco, 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'm writing this to outline my position regarding the correspondance I have recieved from your office in connection with the permit for the air conditioning unit and why I feel everything has been out of my control. Back in Sept 2017 I decided to upgrade my air conditioning unit. After considerable research I hired Mike Mazzilli of So Low Air Conditioning and Heating Inc. to carry out the necessary work, which I paid in full and assumed that he had done everything correctly and by the book. It wasn't until I recieved your letter dated May 24<sup>th</sup> 2018 that it came to my attention

Signed:

Lisa Pacheco

Date:

3-2-2020

Print Name:

Lisa PACHECO

STATE OF FLORIDA

COUNTY OF ST. LUCIE

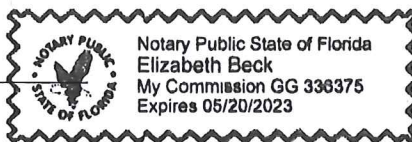
PERSONALLY APPEARED before me, the undersigned authority

Lisa Pacheco 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 2nd day of March, 2020.

Elizabeth Beck

Notary Public, State of Florida



that a new permit had not been attained. So I called and spoke with Shaun Coss and told him what happened, he told me to try and get a hold of Mike Mazzilli through letter which I did through social media as well and never heard back from Mike Mazzilli. Once again I thought all was taken care of (I didn't realize it was mine and not Mike's problem being that it was in our contract that he was responsible for the permit) until I got a letter in January 2019 that I had to go to court. So I went to City Hall and spoke to Shaun Coss and told him everything and he kindly informed me exactly what I had to do and explained everything so I could understand it and basically said I had to pay a fine and get a permit but he said he'd give me either 60 or 90 days to get the money. So in March I returned to pay the fine and no one could



had any paper work and had ~~the~~ said that codes had changed and that they were sorry that they would call me when they found the paperwork when I returned from my cruise.

And yet again it wasn't until I received a letter dated December 2019 stating I owed \$17,000. So again I went to city hall to straighten everything out where finally I obtained a permit, had the inspector come and get my permit.

I have always tried to do the right thing and I feel I shouldn't have to pay any fines. My only wrong doing is being naive on how the system works and trusting in it.

I can go into much more detail if I have to. We learned a lot and I'm much more knowledgeable as a new homeowner in Florida. I feel we always ~~will~~ tried to do the ~~the~~ right thing.



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and I should not be penalized for other  
people's negligents.

Thank you,  
Sincerely Lisa Pacheco

