

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, June 16, 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**

A.	19-2735 REHEARING	1010 Mayflower Road	Vaughn, Alvin & Harris, David	Paul Julin
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B.	19-2901	1506 N 16th St Unit A	Morris, Dan Wingfield, Godfrey & Pam	Edward Smith
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C.	19-2947	508 Means Court	Dunbar, Joseph & Michael	Edward Smith
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D.	19-2948	2625 Heathcote Dr Unit 2601	Green Oaks Place of Ft Pierce Inc	Paul Julin
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E.	19-3023	2818 Stoneway Lane A	MG13116 LLC	Ed Smith
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F.	19-3024	308 S 24th Street	Caldwell, Nava	Paul Julin
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G.	19-3042	904 Boston Ave	Portfolio 55 LLC	Edward Smith
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H.	19-3187	2001 Orange Ave	Casa de Oracion Intl Ft Pierce Inc.	Edward Smith
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	19-204	911 N 13th Street	Love Center Regeneration Ministries and Fellowship Inc.	Paul Julin
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B.	19-560	106 N 29th Street	Chen, Qing	Shaun Coss
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C.	19-1283	1411 Havana Avenue B	Yas Holdings LLC	Paul Julin
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D.	19-2074	3207 Avenue D	We Brothers Enterprise Inc.	Kevin Grant
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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 Office at (772) 467-3712, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Special Magistrate Hearing - Building

5. A.

Meeting Date: 06/16/2020

Re: Case #19-2735 - 1010 Mayflower Road

Information

SUBJECT:

19-2735 REHEARING	1010 Mayflower Road	Vaughn, Alvin & Harris, David	Paul Julin
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CASE INFORMATION:

Case Initiated:	October 17, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Alvin L Vaughn David L Harris 1907 Avenue P Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 108.1.1 Unsafe Structure, IPMC 304.1 Exterior Structure, IPMC 304.6 Exterior Walls, IPMC 304.7 Roofs and Drainage, IPMC 304.13 Windows, Doors & Frames

CORRECTIVE ACTIONS:

1. Remove and replace the roof of the rear structure, or demolish the rear structure.
2. Properly seal or cover all holes/openings in exterior walls.
3. Repair or replace all damaged windows.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck

Started On: 05/21/2020 05:52 PM

Final Approval Date: 05/21/2020

Special Magistrate Hearing - Building

5. B.

Meeting Date: 06/16/2020

Re: Case #19-2901 - 1506 N 16th Street Unit A

Information

SUBJECT:

19-2901	1506 N 16th St Unit A	Morris, Dan Wingfield, Godfrey & Pam	Edward Smith
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CASE INFORMATION:

Case Initiated:	October 30, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Dan Morris Godfrey & Pam Wingfield 1506 N 16th Street Unit A Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the windows installed without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
 Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:59 PM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 06/16/2020

Re: Case #19-2947 - 508 Means Court

Information

SUBJECT:

19-2947	508 Means Court	Dunbar, Joseph & Michael	Edward Smith
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CASE INFORMATION:

Case Initiated:	November 4, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Joseph & Michael Dubar 2451 N Seacrest Blvd. Indiantown, FL 33456	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for the roof being installed and structure in the rear yard being built without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
 Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:56 PM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 06/16/2020

Re: Case #19-2948 - 2625 Heathcote Dr Unit 2601

Information

SUBJECT:

19-2948	2625 Heathcote Dr Unit 2601	Green Oaks Place of Ft Pierce Inc	Paul Julin
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CASE INFORMATION:

Case Initiated:	November 4, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Green Oaks Place of Ft Pierce Inc. 1225 SE Port St Lucie Blvd. Port St Lucie, FL 34952	REG. AGENT: Margery Nadalin 445 NW Prima Vista Blvd. Port St. Lucie, FL 34983
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for interior demolition, framing and other renovation work in Unit 2601.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
 Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:56 PM

Special Magistrate Hearing - Building**5. E.****Meeting Date:** 06/16/2020**Re:** Case 19-3023 - 2818 Stoneway Lane**Submitted For:** Shaun Coss, Building Dept. Coordinator, Building**Information****SUBJECT:**

19-3023	2818 Stoneway Lane A	MG13116 LLC	Ed Smith
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CASE INFORMATION:

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

OWNER: MG 13226 450 SW Souris Avenue Port St Lucie, FL 34953	REG. AGENT: VIOLETTA LAUREANO
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VIOLATIONS:

Section(s): 5-1.105.1 Permit Required, IPMC 603.1 Mechanical Equipment, IPMC 304.13 Windows, Doors & Frames, IPMC 304.13.2 Openable Windows, IPMC 305.3 Interior Surfaces

CORRECTIVE ACTIONS:

1. Obtain a permit for the water heater, and AC, both installed without a permit.
2. Make utility room accessible.
3. Make necessary repairs to front door, making it weather tight.
4. Make necessary repairs to all windows, making them operational and openable.
5. Repair/replace damaged wood and drywall.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/09/2020

Started On: 06/09/2020 08:01 AM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 06/16/2020

Re: Case #19-3024 - 308 S 24th Street

Information

SUBJECT:

19-3024	308 S 24th Street	Caldwell, Nava	Paul Julin
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CASE INFORMATION:

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

OWNER: Nava Caldwell PO Box 6211 Miami Beach, FL 33141	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for all building, and plumbing work being done without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
 Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:59 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 06/16/2020

Re: Case #19-3042 - 904 Boston Ave

Information

SUBJECT:

19-3042	904 Boston Ave	Portfolio 55 LLC	Edward Smith
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CASE INFORMATION:

Case Initiated:	November 14, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Portfolio 55 LLC 301 W Atlantic Ave #0-5 Delray Beach, FL 33444	REG. AGENT: Joseph Feldkamp
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for drywall installation done without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
 Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:59 PM

Special Magistrate Hearing - Building

5. H.

Meeting Date: 06/16/2020

Re: Case #19-3187 - 2001 Orange Avenue

Information

SUBJECT:

19-3187	2001 Orange Ave	Casa de Oracion Intl Ft Pierce Inc.	Edward Smith
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CASE INFORMATION:

Case Initiated:	November 21, 2019	Type of Presentation:	Regular
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OWNER:

OWNER: Casa de Oracion Intl. Ft. Pierce Inc. Jose Abiel Martinez Castenada 1118 Rosedale Ave Ft Pierce, FL 34982	REG. AGENT: Saulo Diaz 722 Parkside Pt Blvd. Apopka, FL 32712
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VIOLATIONS:

Section 5-1.105.1 Permit Required

CORRECTIVE ACTIONS:

1. Obtain a permit for Change of Use.
2. Obtain a permit for the construction of a stage, and all other work requiring a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:56 PM

Information

SUBJECT:

19-204	911 N 13th Street	Love Center Regeneration Ministries and Fellowship Inc.	Paul Julin
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CASE INFORMATION:

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

OWNER: Love Center Regeneration Ministries and Fellowship Inc. PO Box 2384 Ft Pierce FL 34954	REG. AGENT: Jerome Rhyant 2513 SE Sapphire Terr Port St Luce, FL 34952
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VIOLATIONS:

IPMC 304.13.2 Openable Windows, IPMC 403.2 Bathroom and Toilet Rooms Ventilation

FINDINGS/ORDER:

Order Determining Violation - July 17, 2020
Notice of Extension (90 days) - January 29, 2020
Affidavit of Non-Compliance - April 30, 2020

ACTION DATES:

1. Special Magistrate Hearing - July 16, 2020 - owner was provided 60 days to address the violations or obtain permitting if necessary to correct the violations or fees may accrue.
2. An Extension of Time (90 days) was granted on January 29, 2020.
3. A re-inspection of the case on April 30, 2020 revealed that no permits had been applied for and that no requests for re-inspection for compliance had been received from the owner. Fees began to be assessed on this date. As of June 9, 2020 the fees total: \$4,030.00 which include \$30.00 of recording fees.

RECOMMENDATION:

To be determined.

Form Review

Information

SUBJECT:

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

Case Initiated:	March 1, 2019	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.

Attachments

Order
3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 05/21/2020

Started On: 05/21/2020 05:48 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 17th day of July, 2019.



Fran O. Ross, Esq., Special Magistrate

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

17th DAY OF July, 2019.



Elizabeth Beck, Building Department Administrative Assistant

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) .**

Information

SUBJECT:

19-1283	1411 Havana Avenue B	Yas Holdings LLC	Paul Julin
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CASE INFORMATION:

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

OWNER: YAS Holdings LLC 7700 Congress Ave Suite 3210 Boca Raton, FL 33487	OCCUPIED BY: Law Office of Keren Admoni, Reg. Agent 8043 Twin Lake Dr Boca Raton, FL 33496
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VIOLATIONS:

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

FINDINGS/ORDER:

Order Determining Violation - October 18, 2019
Affidavit of Non-Compliance - January 3, 2020
Affidavit of Compliance - May 7, 2020

ACTION DATES:

1. Special Magistrate Hearing - October 15, 2019 - the owner was provided 60 days to make necessary repairs to address the violations, obtaining permitting if necessary, or fees may start to accrue.
2. A re-inspection of the case on January 3, 2020, revealed that no permits were obtained and no requests were made by the owner to reinspect the property for compliance of the violations. On this date fines began to accrue.
3. A property manager requested a re-inspection of the property and on April 30, 2020 the property came into compliance. Fees began on January 3, 2020 and were stopped on April 30, 2020. Fees total: \$11,830.00 including \$30.00 of filing fees.

RECOMMENDATION:

To be determined.

Attachments

Request for Reduction/Rescindment

Admin. Cost Estimate

3 Criteria

Form Review

Form Started By: Elizabeth Beck

Started On: 06/09/2020 11:21 AM

Final Approval Date: 06/09/2020



THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
BUILDING VIOLATION FINES

Date:			
Property address:	1411 Havana Ave Fort Pierce, FL 34950		
Owner(s) of record:	Yas Holdings LLC		
Mailing address:	950 Peninsula Corporate Circle suite 1017, Boca Raton FL 33487		
Property tax ID #:	2416-504-0143-000-4		
Original purchase date:	11/16/2018	Original purchase price:	\$263,500
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Arnon Shapir	Relationship to owner(s)	Self <i>owner</i>
Telephone #:	561-705-1443	Mobile phone #:	561-705- 1443 <i>1595</i>
E-mail:	dror2invest@yahoo.com	Preferred contact method:	Email
What are owner(s) intentions for property:	Rental property		
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

\$ 11,830.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ _____

DOLLAR AMOUNT I AGREE TO PAY

\$ 618

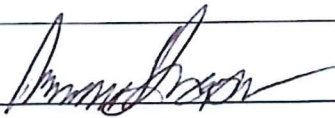


Signature of Owner or Representative

May 5, 2020
Date

I, Arnon Shapir, 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:

She Attached additional Page


Signed:  Date: May 5, 2020
Print Name: Arnon Shapir

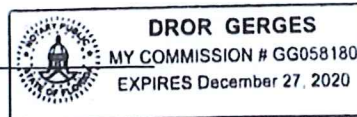
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Arnon Shapir who acknowledged before me that the information contained herein is true and correct. He or She is not personally known to me and has produced Passport as identification.

SWORN TO AND SUBSCRIBED before me this 5 day of May, 2020.


Notary Public, State of Florida



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: 1411 Havana Ave Fort Pierce, FL 34950

Property Owner: Yas Holdings LLC

Mailing Address: 950 Peninsula Corporate Circle suite 1017, Boca Raton FL 33487

Telephone #: 561-705-1443 Cell Phone #: 561-705-1443 1595

E-Mail Address: dror2invest@yahoo.com

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

1411 Havana Ave Fort pierce

letter for the city of Ft.pierce - Requesting for Lien reduction

Dear city of Fort Pierce

We are in the real estate and property management business for 15 years in the treasure coast and throughout the state of Florida we have been dealing with liens and violations for many years at many different cities,

What I'm trying to say is that we never ever let violation get to the expiration date to the point of running fines

We usually move very fast to comply with the city request and fix any violation at the property.

The only reason this is got out of hand to get fines its simply because of the mail , the mail came to the wrong place and we did not know about it. If we knew about it, it would have-bean fixed very very fast. We had no idea that there is a violation on the property. And when we did find out about it , one of our employees was working on it and then she dropped it , she didn't finish it and left the company without letting anybody knows the status of it.

We had another situation when one of the tenants did not let us in to the unit to rectified the violation. We already paid \$2500 to open and close the permits to the GC. Not including the cost of the actually work. Please take this into consideration we are as we r looking forward for a long relationship with the city of Fort Pierce.

sincerely

Arnon Shapir.

YAS holdings LLC.

Administrative Cost Estimator

6/9/2020

Property Address: 1411 Havana Ave Unit B

Date case originated: 5/29/2019

Date case complied: 4/30/2020

Total time: 11 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.44	<u>12</u>	\$5.28
Certified Mail:	\$5.10	<u>2</u>	\$10.20

Photographs (per page)	\$0.50	<u>7</u>	\$3.50
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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>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: \$1,123.98

MASSEY HEARING
June 9, 2020
Case #19-1283

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? **All violation issues were complied.**

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? **0 (zero).**

Information

SUBJECT:

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

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

OWNER: We Brothers Enterprise Inc. 8480 Man O War Road Palm Beach Gardens, FL 33418	REG. AGENT: Lamae Billing Services 4383 Bamboo Dr Palm Beach Gardens, FL 33410
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VIOLATIONS:

Section 5-1.105.1 Permit Required

FINDINGS/ORDER:

Order Determining Violation - November 21, 2019

Notice of Extension - January 21, 2020

Affidavit of Non-Compliance - April 20, 2020

ACTION DATES:

1. Special Magistrate Hearing - November 19, 2019 - owner was provided 60 days to obtain permits or a fee may be assessed.
2. An Extension of Time expired on April 20, 2020 with no permits applied for, and fees began.
3. A permit was applied for on May11, 2020, but it did not include the entire scope of the work done without permits.
4. Fines began accruing on April 20, 2020 and as of June 9, 2020 they total \$5,030.00 including \$30.00 in recording fees.

RECOMMENDATION:

To be determined.

Form Review

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.

Attachments

7 Criteria
Admin. Costs
Lien Reduction Request

Form Review

Final Approval Date: 05/21/2020

**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 nessisary 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 24th 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

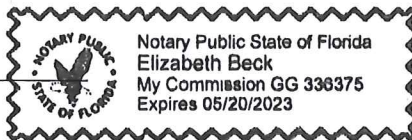
PERSONALLY APPEARED before me, the undersigned authority

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.

- 4 -

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

Thank you,
Sincerely Lisa Pacheco

