

**SPECIAL MAGISTRATE  
BOARD AGENDA**

Special Magistrate Hearing - Wednesday, September 2, 2020 - 9:00 a.m.  
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ADMINISTRATIVE BUSINESS**
  - A. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**
  - B. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**
4. **PUBLIC HEARINGS - CITATIONS**

A.	20-1180 PK	Porpoise Beach Access	Albujas, Daniel	Heather Debevec
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5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	19-3055 CE	603 S 5th Street	Peacock Temple LLC	Chad Dawson
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B.	20-482 CE	137 Alma Court	Hughes, Frances H	Chad Dawson
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C.	20-484 CE	137 Alma Court	Hughes, Frances H	Chad Dawson
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D.	20-485 CE	139 Alma Court	Hughes, Frances H	Chad Dawson
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E.	20-666 CE	1812 S 27TH ST	McGathey, Katrina A & Buccaneer Building Corp	Chad Dawson
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F.	20-766 CE	712 N 20th St.	Avi Edri & Michael Adry	Chad Dawson
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G.	20-769 CE	712 N 20TH Street	Avi Edri & Michael Adry	Chad Dawson
H.	20-589 CE	314 N 12th Street	Barajas, Josefina	Chad Dawson
I.	20-591 CE	314 N 12th Street	Barajas, Josefina	Chad Dawson
J.	20-0881 CE	2001 Barcelona Avenue	O'Neal, Sandra & Cathy	Heather Debevec
K.	20-0904 CE	2005 Barcelona Avenue	Gandy, Edward	Heather Debevec
L.	20-0499 CE	426 N 13th Street	Plowden, Vivian	Heather Debevec
M.	20-1002 CE	2303 Avenue N	Hall, Christopher	Heather Debevec
N.	20-1011 CE	2308 Avenue N	Anderson, Johnnie	Heather Debevec
O.	20-1357 CE	201 N 17th Street	BFH6 LLC	Isaac Saucedo

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

A.	19-3087 Massey	503 El Rancho Drive	C2 & E Properties LLC	Isaac Saucedo Margaret Arraiz
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	19-2857	613 Emil Drive	Smart, David	Margaret Arraiz
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8. **OTHER CASES**

O.	20-1722 AA	Madison Vines	Smith, Kelsey	Jacqueline Young
A.	20-1430 AA	1717 S. US Hwy. 1 #5	Indian River Celluar	Jacqueline Young-Smith

9. **NEW BUSINESS**

10. **OLD BUSINESS**

A.	19-2788 CE	1504 G Terrace	Strong Jr, James T	Chad Dawson
B.	19-2795 CE	1506 G Terrace	Strong, Merdis	Chad Dawson
C.	20-0398 CE	1106 S Ocean Drive	Kareem, Ayesha	Heather Debevec
D.	20-1015 CT	100 N US Highway 1	White, Steven	Heather Debevec
E.	07-0807	1116 Colonnades Drive	Westie Holdings LLC	Margaret Arraiz

Any person seeking to appeal any decision by the Special Magistrate with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Code Enforcement Office at (772) 467-3149, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

**Special Magistrate Hearing**

**4. A.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-1180 - Porpoise Beach Access

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

**Information**

**SUBJECT:**

20-1180 PK	Porpoise Beach Access	Albujas, Daniel	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	May 13, 2020	Type of Presentation:	Citation
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**OWNER:**

OWNER / Violator Daniel Albujas	VIOLATION(S): Handicap Parking
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**VIOLATIONS:**

Citation #	Code Section	Fine	Admin Fee	Late Fee	Total Due
10655PK	10-23(Q) Parking Regulation	\$250.00	\$0	\$0	\$250.00

**CORRECTIVE ACTIONS:**

N/A

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above. Failure to pay such fine will result in the citation being forwarded to the County Court System.

**Form Review**

Form Started By: Heather Debevec  
Final Approval Date: 08/26/2020

Started On: 06/18/2020 03:13 PM

**Special Magistrate Hearing**

**5. A.**

**Meeting Date:** 09/02/2020

**Re:** Case # 19-3055 - 603 S 5th Street

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

**Information**

**SUBJECT:**

19-3055 CE	603 S 5th Street	Peacock Temple LLC	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	November 18, 2019	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Peacock Temple LLC 105 Orange Avenue Fort Pierce, FL 34950	<b>Registered Agent:</b> Gregory G Pope 117 Orange Avenue Fort Pierce, FL 34950
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**VIOLATIONS:**

IPMC 302.7 - Accessory structures.

**CORRECTIVE ACTIONS:**

1. Please repair damaged fence.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to obtain a permit and comply with all permit conditions or a fine of \$150.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 09:29 AM

**Special Magistrate Hearing**

**5. B.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-482 - 137 Alma Court

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

**Information**

**SUBJECT:**

20-482 CE	137 Alma Court	Hughes, Frances H	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	February 19, 2020	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Frances H Hughes 139 Alma Court Fort Pierce, FL 34950	<b>TENANT:</b> 137 Alma Court Fort Pierce, FL 34950
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**VIOLATIONS:**

IPMC 304.2 Protective treatment.

**CORRECTIVE ACTIONS:**

1. Please pressure wash or paint where mold and dirt are present on the house.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 10:30 AM

**Special Magistrate Hearing**

**5. C.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-484 - 137 Alma Court

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

**Information**

**SUBJECT:**

20-484 CE	137 Alma Court	Hughes, Frances H	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	February 19, 2020	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Frances H Hughes 139 Alma Court Fort Pierce, FL 34950	<b>TENANT:</b> 137 Alma Court Fort Pierce, FL 34950
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**VIOLATIONS:**

Section 16-25 (C) – Responsibility for Containers  
Section 5-370 – Exterior Property and Landscaping

**CORRECTIVE ACTIONS:**

1. Please place trash containers on the side or rear of the property.
2. Please trim and cut all overgrown bushes and grass.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 10:41 AM

**Special Magistrate Hearing****5. D.****Meeting Date:** 09/02/2020**Re:** Case # 20-485 - 139 Alma Court**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information****SUBJECT:**

20-485 CE	139 Alma Court	Hughes, Frances H	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	February 19, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Frances H Hughes 139 Alma Court Fort Pierce, FL 34950	
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**VIOLATIONS:**

IPMC 304.2 Protective treatment.

**CORRECTIVE ACTIONS:**

1. Please paint where peeling paint is present on the house including the trim.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

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**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 10:54 AM

**Special Magistrate Hearing**

**5. E.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-666 - 1812 S 27TH ST

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

**Information**

**SUBJECT:**

20-666 CE	1812 S 27TH ST	McGathey, Katrina A & Buccaneer Building Corp	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	March 3, 2020	Type of Presentation:	Regular / Telephone
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**OWNER:**

OWNER: Katrina A McGathey Buccaneer Building Corp 1812 S 27TH Street Fort Pierce, FL 34947	
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**VIOLATIONS:**

Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage  
 Section 16-46, 16-47, 16-48 (11) – Outside Storage-Indoor Furniture

**CORRECTIVE ACTIONS:**

1. Please remove wood, storage container, carpet/rugs, and all other miscellaneous items located under the carport and throughout the property. Please store all items in an enclosed shed or an enclosed garage.
2. Please remove dining chairs, dresser and all other indoor furniture under the carport. Place all items inside the house.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
 Final Approval Date: 08/26/2020

Started On: 06/04/2020 11:05 AM

**Special Magistrate Hearing**

**5. F.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-766 - 712 N 20TH Street

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

**Information**

**SUBJECT:**

20-766 CE	712 N 20th St.	Avi Edri & Michael Adry	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	March 17, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Avi Edri Michael Adry 712 N 20th Street Fort Pierce, FL 34950	
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**VIOLATIONS:**

- IPMC 304.2 Protective treatment.
- IPMC 304.1 Exterior structure – General.
- IPMC 304.13 Window, skylight and door frames.
- IPMC 302.7 Accessory structures.

**CORRECTIVE ACTIONS:**

1. Please paint the exterior structure of the house where dirt, mold and peeling/discolored paint is present including the trim of the house. Please pressure wash or paint the concrete wall.
2. Please repair rotten wood located on the south side of the property. A permit may be required. Please contact the Building Department at 772-467-3718 for any additional information.
3. Please repair window located on the south side of the building. A permit may be required. Please contact the Building Department at 772-467-3718 for any additional information.
4. Please properly repair damaged fence located throughout the property.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to obtain a permit and comply with all permit conditions or a fine of \$250.00 per day be assessed.

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 11:25 AM

**Special Magistrate Hearing**

**5. G.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-769 - 712 N 20TH ST

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

**Information**

**SUBJECT:**

20-769 CE	712 N 20TH Street	Avi Edri & Michael Adry	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	March 17, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Avi Edri Michael Adry 712 N 20TH Street Fort Pierce, FL 34950	
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Please remove wood, microwave and all other miscellaneous items away from the property.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 03:43 PM

**Special Magistrate Hearing**

**5. H.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-589 - 314 N 12TH Street

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

**Information**

**SUBJECT:**

20-589 CE	314 N 12th Street	Barajas, Josefina	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	February 27, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Josefina Barajas 314 N 12th Street Fort Pierce, FL 34950	
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**VIOLATIONS:**

- Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage
- Section 16-46, 16-47, 16-48 (11) – Outside Storage-Indoor Furniture
- Section 5-370 – Exterior Property and Landscaping

**CORRECTIVE ACTIONS:**

1. Please remove carpet, clothing, wood and any other miscellaneous items located throughout the property.
2. Please remove recliner, dining chair, foot stool and any other indoor furniture. Please place all items inside the house.
3. Please cut and trim all overgrown bushes and hedges located on the property’s perimeter.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 04:36 PM

**Special Magistrate Hearing**

**5. I.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-591 - 314 N 12th Street

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

**Information**

**SUBJECT:**

20-591 CE	314 N 12th Street	Barajas, Josefina	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	February 27,2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Josefina Barajas 314 N 12th Street Fort Pierce, FL 34950	
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**VIOLATIONS:**

IPMC 304.2 Protective treatment.  
IPMC 302.7 Accessory structures.

**CORRECTIVE ACTIONS:**

1. Please pressure wash or paint where mold and dirt are present on the house. Please pressure wash and paint the front porch and the areas around it.
2. Please repair damaged fence.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to obtain a permit and comply with all permit conditions or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/26/2020

Started On: 06/04/2020 04:52 PM

**Special Magistrate Hearing**

**5. J.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-0881 - 2001 Barcelona Avenue

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

**Information**

**SUBJECT:**

20-0881 CE	2001 Barcelona Avenue	O'Neal, Sandra & Cathy	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	April 17, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Sandra O'Neal Cathy O'Neal PO Box 1685 Ft. Pierce, FL 34954	
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**VIOLATIONS:**

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

**CORRECTIVE ACTIONS:**

1. Park vehicles to the side or rear of the home.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Heather Debevec  
Final Approval Date: 08/26/2020

Started On: 06/09/2020 04:58 PM

**Special Magistrate Hearing**

**5. K.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-0904 - 2005 Barcelona Avenue

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

**Information**

**SUBJECT:**

20-0904 CE	2005 Barcelona Avenue	Gandy, Edward	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	April 17, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Edward Gandy PO Box 1212 Ft. Pierce, FL 34954	
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**VIOLATIONS:**

Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage  
 Section 16-46, 16-47, 16-48 (4) – Parking on Other than Pavement

**CORRECTIVE ACTIONS:**

1. Please remove or place in a shed the hot tub, loose items in and around it from the front yard.
2. Please refrain from parking vehicles on grass in front yard.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Heather Debevec  
 Final Approval Date: 08/26/2020

Started On: 06/10/2020 06:33 AM

**Special Magistrate Hearing**

**5. L.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-0499 - 426 N 13th Street

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

**Information**

**SUBJECT:**

20-0499 CE	426 N 13th Street	Plowden, Vivian	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	February 25, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: Vivian Plowden PO Box 3190 Ft. Pierce, FL 34948	
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**VIOLATIONS:**

- Section 16-25 (C) – Responsibility for Containers
- Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage
- Section 16-46, 16-47, 16-48 (11) – Outside Storage-Indoor Furniture

**CORRECTIVE ACTIONS:**

1. Store trash, yard, and recycle bins to the side or rear of the home.
2. Bring in, place in a shed, or remove the boxes, containers, shovels, and other loose items from the yard and porch.
3. Bring in, place in a shed, or remove the wooden table and blankets from the north yard, the bar stool from the front yard, the office lobby chair and wooden chair from the front porch.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Heather Debevec  
Final Approval Date: 08/26/2020

Started On: 06/17/2020 05:57 PM

**Special Magistrate Hearing**

**5. M.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20 - 1002 - 2303 Avenue N

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

**Information**

**SUBJECT:**

20-1002 CE	2303 Avenue N	Hall, Christopher	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	April 24, 2020	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Christopher Hall 1509 N 24th St Ft. Pierce, FL 34950	<b>TENANT:</b> Wendell Clark 2303 Avenue N Ft. Pierce, FL 34950
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**VIOLATIONS:**

Section 16-46, 16-47, 16-48 (10)(D) – Non-Operable Vehicles

**CORRECTIVE ACTIONS:**

1. Remove the blue truck on the side of the home with flat tires and no registration.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$50.00 per day be assessed.

**Form Review**

Form Started By: Heather Debevec

Started On: 06/18/2020 01:34 PM

Final Approval Date: 08/26/2020

**Special Magistrate Hearing**

**5. N.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-1011 - 2308 Avenue N

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

**Information**

**SUBJECT:**

20-1011 CE	2308 Avenue N	Anderson, Johnnie	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	April 24, 2020	Type of Presentation:	Regular
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**OWNER:**

<b>OWNER:</b> Johnnie Anderson 2308 Avenue N Ft. Pierce, FL 34950  EMAIL: <a href="mailto:jmcdoug@hotmail.com">jmcdoug@hotmail.com</a>	<b>TENANT:</b> Wallace Davis 2308 Avenue M Ft. Pierce, FL 34950
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**VIOLATIONS:**

IPMC 304.2 - Protective treatment.  
IPMC 304.1 - Exterior structure – General.

**CORRECTIVE ACTIONS:**

1. Please paint the trim, front wood and brick where it is peeling.
2. Please repair or replace the rotting wood on the trim at the front and east side.
3. Please repair or replace the rotting wood on the south facing wall as there is insulation protruding out.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Heather Debevec  
Final Approval Date: 08/26/2020

Started On: 07/09/2020 09:56 AM

**Special Magistrate Hearing**

**5. O.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-1357 - 201 N 17th Street

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

**Information**

**SUBJECT:**

20-1357 CE	201 N 17th Street	BFH6 LLC	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	June 10, 2020	Type of Presentation:	Regular
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**OWNER:**

OWNER: BFH6 LLC 20423 SR-7 # 308 Boca Raton, FL 33498	TENANT 201 N 17th Street Fort Pierce, FL 34950
REGISTERED AGENT: Ktorres Services Corp 600 S Federal Hwy Ste 207 Deerfield Beach, FL 33441	REGISTERED AGENT: Karolina D Torres 600 S Federal Hwy Ste 207 Deerfield Beach, FL 33441

**VIOLATIONS:**

Section 22-194 – Tree Protection and mitigation

**CORRECTIVE ACTIONS:**

1. Due to the irreversible nature of the violation, this matter is being scheduled for a hearing on September 02, 2020, in accordance with FS 162.06 (4).

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 0 days to comply or a fine of \$20,000 be assessed as recommended by Cities Urban Forester Paul Bertram.

**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 08/26/2020

Started On: 07/13/2020 01:54 PM

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**Information**

**SUBJECT:**

19-3087 Massey	503 El Rancho Drive	C2 & E Properties LLC	Isaac Saucedo Margaret Arraiz
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**CASE INFORMATION:**

Case Initiated:	November 19, 2019	Type of Presentation:	Massey
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**OWNER:**

OWNER: C2 & E Properties LLC 1880 NW 140th Terrace Pembroke Pines FL 33028	REGISTERED AGENT: Walford Campbell 6153 NW Guntar Drive Port St. Lucie, FL 34986
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**VIOLATIONS:**

Section(s): 22-67 (B) (5) Fence Maintenance - Permit Required

**FINDINGS/ORDER:**

March 4, 2020 Special Magistrate Ross found C2 & E Properties LLC responsible for the violations referenced above and gave them 30 days to remove the fence or obtain a permit from the Building Department for the installed fence or a fine of \$100.00 per day would be assessed.

**ACTION DATES:**

1. April 9, 2020 an inspection was made, the property was not in compliance, the fines began.
2. August 5, 2020 an inspection was made, the property is now in compliance, the fines stopped.
3. August 10, 2020 received a request for reduction/rescindment from Mr. Campbell.
4. The fines are \$11,840.00 which includes \$40.00 recording fees. There is no lien recorded against this property.

**RECOMMENDATION:**

To be determined.

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**Attachments**

Request  
Aff of CM  
Aff of Non Comp  
Order

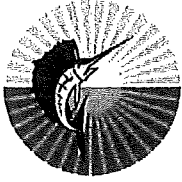
Tax Card  
3 Criteria  
Admin Fees

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### **Form Review**

Form Started By: Colleen Greer  
Final Approval Date: 08/26/2020

Started On: 08/24/2020 10:21 AM



THE SUNRISE CITY  
**FORT PIERCE**  
 CODE ENFORCEMENT  
*Florida*

**REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 CODE ENFORCEMENT FINES (MASSEY CASE)**

Date:	08/10/2020				
Property address:	503 El rancho Drive Fort Pierce 34982				
Owner(s) of record:	C2 & E Properties llc				
Mailing address:	6153 NW Gatun dr PSL 34986				
Property tax ID #:	2422-701-00001-000-1				
Original purchase date:	0 2 / 2 6 / 1 9	Original purchase price:	56,700		
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:	Walford Campbell		Relationship to owner(s)	Owner	
Telephone #:	561-598-4125		Mobile phone #:		
E-mail:	walfordc@yahoo.com		Preferred contact method:	any	
What are owner(s) intentions for property:	rent to low income individuals				
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

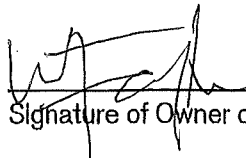
~~11,800~~  
~~\$12300~~ 11,800

DOLLAR AMOUNT REQUESTING TO BE WAIVED

~~\$12300~~ 11,800

DOLLAR AMOUNT I AGREE TO PAY

\$ \_\_\_\_\_

  
 Signature of Owner or Representative

08/10/20  
 Date

Walford Campbell  
 Printed Name

I, Walford Campbell, 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:

We purchased the property with the fence from the bank the fence appears to be over 10 years old. As soon as we received the letter from code enforcement we started looking for contractors to tear down and replace the fence. Covid 19 also slowed our

progress. The fence was completed around April.

Signed: 

Date: 08/10/20

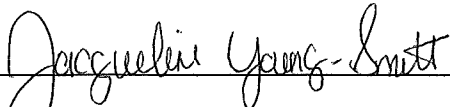
Print Name: Walford Campbell

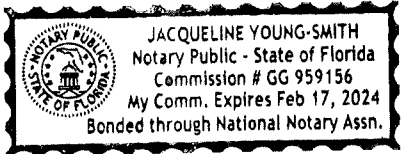
STATE OF FLORIDA

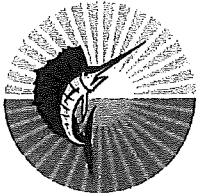
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Walford Campbell 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 Driver's license as identification.

SWORN TO AND SUBSCRIBED before me this 14<sup>th</sup> day of August, 2020.

  
Notary Public, State of Florida





RECEIVED

CITY OF FORT PIERCE  
COMMUNITY RESPONSE  
Code Enforcement &  
Animal Control

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete the appropriate application for lien reduction / rescindment.
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 503 El rancho Drive Fort Pierce 34982

Property Owner: C2 & E Properties llc

Mailing Address: 6153 NW Gatun dr PSL 34986

Telephone #: 561 598 4125 Cell Phone #: \_\_\_\_\_

E-Mail Address: walfordc@yahoo.com

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



AFFIDAVIT OF COMPLIANCE

RE: 503 EL RANCHO DR  
CASE NO: 19-00003087

IN THE MATTER OF: C2 & E PROPERTIES LLC  
1880 NW 140TH TER  
PEMBROKE PINES, FL 33028

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

That I have personally examined the property described above and find that said property is now in compliance with all the items listed in the Special Magistrate's order dated March 04, 2020, as of this date: 8/05/2020.

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

\_\_\_\_\_ Stop the accumulation of fines as imposed by an Affidavit of Non-Compliance recorded in Book 4409 Page 839. **This is not a release of lien.**

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

FURTHER AFFIANT SAYETH NOT.

DATED this 10<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Isaac Saucedo, Code Enforcement Officer

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC – STATE OF FLORIDA

MY COMMISSION EXPIRES:



AFFIDAVIT OF NON-COMPLIANCE

RE: 503 EL RANCHO DR

CASE NO: 19-00003087

IN THE MATTER OF: C2 & E PROPERTIES LLC  
 1880 NW 140TH TER  
 PEMBROKE PINES, FL 33028

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

That I have personally examined the property described in the Special Magistrate's order dated March 04, 2020, in the above mentioned case and find that said property is not in compliance with Section(s) 22-67 (B)(5) Fence Maintenance permit required of the Code of the City of Fort Pierce, Florida, as of this date: April 9, 2020.

In accordance with the Order of Violation recorded in Book 4393 Page 2312, fines in the amount of \$100 per day shall commence on this date.

FURTHER AFFIANT SAYETH NOT.


DATED this 9 day of April, 2020.

  
 \_\_\_\_\_  
 Heather Debevec, Code Enforcement Officer

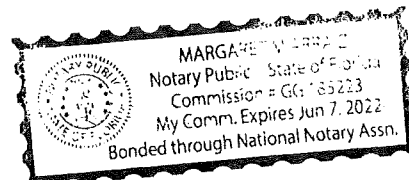
STATE OF FLORIDA  
 COUNTY OF ST. LUCIE

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4698910 04/16/2020 01:52:58 PM  
 OR BOOK 4409 PAGE 839 - 839 Doc Type: AFF  
 RECORDING: \$10.00

SWORN TO and SUBSCRIBED before me  
 this 9th day of April, 2020.

  
 \_\_\_\_\_  
 NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:





**CASE #: 19-3087**

Violator: C2 & E PROPERTIES LLC  
 1880 NW 140TH TER  
 PEMBROKE PINES, FL 33028

Property Address: 503 EL RANCHO DR  
 Tax ID #: 2422-701-0001-000/1  
 Legal Description: TROPICAIRE S/D BLK 1 E 60 FT OF LOT 1 (OR 1361-1713 ; 1826-741)

RE: Violation of Section(s): 22-67 (B) (5) Fence Maintenance – Permit Required

**ORDER DETERMINING VIOLATION**

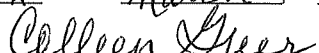
**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on March 04, 2020, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that C2 & E PROPERTIES LLC is 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. The above named violator has been provided notice of this hearing but has failed to appear. After consideration of the evidence presented, a default judgement in this matter is hereby entered.
2. The above name violator is ordered to take the following corrective actions:
  - a. Remove the fence or obtain a permit from the Building Department for the installed fence.
3. In the event the violation is not remedied within 30 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.
4. 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 Special Magistrate of the City of Fort Pierce, Florida, imposing a lien in the manner provided for by law.
5. The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3720, when the violation is corrected.
6. 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 9th day of March, 2020 nunc pro tunc March 4, 2020.

  
 Fran Ross, Esq., Special Magistrate

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

9th DAY OF March, 2020.  
  
 Colleen Greer, Code Enforcement Clerk

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4685142 03/10/2020 09:43:46 AM  
 OR BOOK 4393 PAGE 2312 - 2312 Doc Type: ORD  
 RECORDING: \$10.00

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 503 EL Parcel ID: 2422-701-0001- Account #: 30407 Sec/Town/Range:  
 RANCHO DR 000-1 22/35S/40E  
 Map ID: 24/22S Zoning: Medium Den Use Type: 0100 Jurisdiction: Fort Pierce

**Ownership**

C2 & E Properties LLC  
 1880 NW 140th TER  
 Pembroke Pines, FL 33028

**Legal Description**

TROPICAIRE S/D BLK 1 E 60 FT OF LOT 1 (OR 4239-512)

**Current Values**

Just/Market: \$82,000 Assessed: \$82,000  
 Exemptions: \$0 Taxable: \$82,000

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2020	\$82,000	\$82,000	\$0	\$82,000
2019	\$70,300	\$70,300	\$0	\$70,300
2018	\$62,300	\$49,610	\$0	\$49,610

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
02-27-2019	4239 / 0512	0112	SP	Bank of New York Mellon (TR)	\$56,700
10-22-2018	4194 / 0720	0118	CT	Dekker Jr James	\$23,300
10-15-2003	1826 / 0741	XX01	QC	Dekker Jr James	\$100

**Primary Building Information**

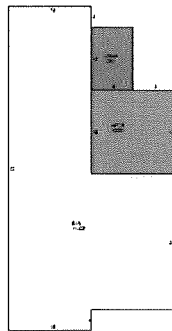
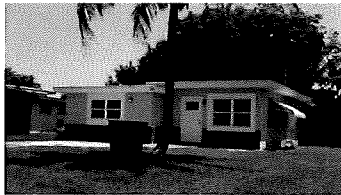
Finished Area of this building: 1,408 SF  
 Gross Sketched Area: 1,760 SF

**Exterior Data**

View: Roof Cover: Tar & Gravel Roof Structure: Flat/Shed Building Type: HD+  
 Year Built: 1956 Frame: Grade: D+ Effective Year: 1970  
 Primary Wall: Conc Block Story Height: 1 Story No. Units: 1 Secondary Wall:

**Interior Data**

Bedrooms: 2 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
 Full Baths: 1 Heated %: 100% Heat Type: FrcdHotAir Avg Hgt/Floor: 0  
 Half Baths: 0 Sprinkled %: 0% Heat Fuel: ELEC Primary Floors: Terrazo



**Total Areas**

Finished/Under Air (SF):	1,408
Gross Sketched Area (SF):	1,760
Land Size (acres):	0.18
Land Size (SF):	7,800
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
Driv-Concret	1	600	1956
WOOD FEN 6'	1	180	1989

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.  
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THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT

*Florida*

## MASSEY HEARING CONTESTING OF FINE/NON-COMPLIANCE

Case #: 19-3087

Address: 503 El Rancho  
Drive

Hearing Date: 09/02/2020

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION:

Minor

2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATION(S):

Mr. Campbell obtained the permit, replaced the fence, and had a final inspection.

3. ANY PREVIOUS VIOLATIONS COMMITTED BY THE VIOLATOR:

3 previous violations, all in compliance.

# Administrative Cost Estimator

8/26/2020

Property Address: 503 El Rancho Drive (19-3087)

Date case originated: 11/19/2019

Date case complied: 8/5/2020

Total time: 8 months

## Number of Hearings

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

## Mailing Expense

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

Photographs (per page)	\$0.50	<u>8</u>	\$4.00
------------------------	--------	----------	--------

Filing Fees (add 1 fee for Release of Lien)	\$10.00	<u>4</u>	\$40.00
---------------------------------------------	---------	----------	---------

Months Open	\$50.00	<u>8</u>	\$400.00
-------------	---------	----------	----------

Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

## Code Enforcement Secretary

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

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

Code Compliance Manager	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

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

Hearings	\$150.00	<u>2</u>	\$300.00
----------	----------	----------	----------

Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

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

**Total Estimated Cost: \$1,103.06**

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**Information**

**SUBJECT:**

19-2857	613 Emil Drive	Smart, David	Margaret Arraiz
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**CASE INFORMATION:**

Case Initiated:	October 31, 2019	Type of Presentation:	Lien Reduction
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**OWNER:**

OWNER: David Smart 613 Emil Drive Ft. Pierce, FL 34950	
-----------------------------------------------------------------	--

**VIOLATIONS:**

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

**FINDINGS/ORDER:**

March 4, 2020 Special Magistrate Ross found David Smart responsible for the violation and gave him 10 days to comply or a fine of \$50.00 per day would be assessed.

**ACTION DATES:**

1. March 23, 2020 an inspection was made, the property was not in compliance, the fines began.
2. June 17, 2020 the Order Assessing Fine and Imposing Lien was recorded.
3. July 7, 2020 an inspection was made, the property is now in compliance, the fines stopped.
4. August 7, 2020 received a request for reduction from Mr. Smart.  
The total fines are \$5,330.00 (\$30.00 being recording fees).

**RECOMMENDATION:**

To be determined.

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**Attachments**

Order  
Aff of Non Comp  
Lien  
Aff of CM  
Request  
Tax Card

7 Criteria  
Admin Fees

---

**Form Review**

Form Started By: Colleen Greer  
Final Approval Date: 08/26/2020

Started On: 08/24/2020 12:49 PM



**CASE #: 19-2857**

Violator: DAVID SMART  
 613 EMIL DR  
 FT PIERCE, FL 34982

Property Address: 613 EMIL DR  
 Tax ID #: 2422-602-0179-000/5  
 Legal Description: MARAVILLA GARDENS S/D-UNIT 1- W 85 FT OF LOT 37 (7) (OR 3086-1840)

RE: Violation of Section(s): 16-46, 16-47, 16-48 (4) Parking on Other than Pavement.

**ORDER DETERMINING VIOLATION**

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on March 04, 2020, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that DAVID SMART is 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. The above-named violator has been provided notice of this hearing but has failed to appear. After consideration of the evidence presented, a default judgement in this matter is hereby entered.
2. The above name violator is ordered to take the following corrective actions:
  - a. Refrain from parking vehicles on grass in front yard.
  - b. Park all vehicles in the proper driveway.
3. In the event the violation is not remedied within 10 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 \$50.00.
4. 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 Special Magistrate of the City of Fort Pierce, Florida, imposing a lien in the manner provided for by law.
5. The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3720, when the violation is corrected.
6. 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 9th day of March, 2020 nunc pro tunc March 4, 2020.

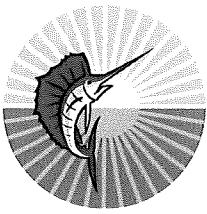
Fran Ross  
 Fran Ross, Esq., Special Magistrate

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

9th DAY OF March, 2020.

Colleen Greer  
 Colleen Greer, Code Enforcement Clerk

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4685141 03/10/2020 09:43:46 AM  
 OR BOOK 4393 PAGE 2311 - 2311 Doc Type: ORD  
 RECORDING: \$10.00



AFFIDAVIT OF NON-COMPLIANCE

RE: 613 EMIL DR

CASE NO: 19-00002857

IN THE MATTER OF: DAVID SMART  
 613 EMIL DR  
 FT PIERCE, FL 34982


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

That I have personally examined the property described in the Special Magistrate's order dated March 04, 2020, in the above mentioned case and find that said property is not in compliance with Section(s) 16-46, 16-47, 16-48 (4) of the Code of the City of Fort Pierce, Florida, as of this date: 03/23/2020.

In accordance with the Order of Violation recorded in Book 4393 Page 2311, fines in the amount of \$50.00 shall commence on this date.

FURTHER AFFIANT SAYETH NOT.


DATED this 23 day of March, 2020.

  
 \_\_\_\_\_  
 Chad Dawson, Code Enforcement Officer

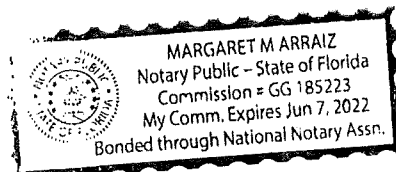
STATE OF FLORIDA  
 COUNTY OF ST. LUCIE

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4692510 03/27/2020 04:05:59 PM  
 OR BOOK 4402 PAGE 176 - 176 Doc Type: AFF  
 RECORDING: \$10.00

SWORN TO and SUBSCRIBED before me  
 this 23rd day of March, 2020.

  
 \_\_\_\_\_  
 NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:





SPECIAL MAGISTRATE  
 ORDER ASSESSING FINE AND IMPOSING LIEN

Case # 19-2857

Violator: DAVID SMART  
 613 EMIL DR  
 FT PIERCE, FL 34982

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4719396 06/17/2020 09:35:28 AM  
 OR BOOK 4433 PAGE 2009 - 2009 Doc Type: ORD  
 RECORDING: \$10.00

Property Address: 613 EMIL DR  
 Tax ID #: 2422-602-0179-000/5  
 Legal Description: MARAVILLA GARDENS S/D-UNIT 1- W 85 FT OF LOT 37. (7)

Violation of Section(s): 16-46, 16-47, 16-48(4) – Parking on other than pavement

THIS CAUSE having come before the Special Magistrate pursuant to Florida Statute 162.09 upon notification by the Code Enforcement Officer that the Special Magistrate's Order herein dated March 04, 2020 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

ORDERED AND ADJUDGED that the violator shall pay a daily fine as provided in such order in the sum of \$50.00 from March 23, 2020 and a like sum thereafter for each day the violation continues. This Order may be recorded in the public records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

DONE AND ORDERED this 15th day of June, 2020.

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

ATTEST:

Amelia Co  
 CITY CLERK

Mail to:  
 City of Fort Pierce  
 Code Enforcement Division  
 P.O. Box 1480  
 Ft. Pierce, FL 34954



AFFIDAVIT OF COMPLIANCE

RE: 613 EMIL DR  
CASE NO: 19-00002857

IN THE MATTER OF: DAVID SMART  
613 EMIL DR  
FT PIERCE, FL 34982

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4730154 07/16/2020 01:08:07 PM  
OR BOOK 4447 PAGE 49 - 49 Doc Type: AFF  
RECORDING: \$10.00

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

That I have personally examined the property described above and find that said property is now in compliance with all the items listed in the Special Magistrate's order dated March 04, 2020, as of this date: 7/7/2020.

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

X  Stop the accumulation of fines as imposed by an Affidavit of Non-Compliance recorded in Book 4433 Page 2009. **This is not a release of lien.**

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


FURTHER AFFIANT SAYETH NOT.

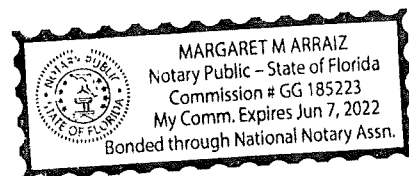
DATED this 13th day of July, 2020.

  
\_\_\_\_\_  
Isaac Saucedo, Code Enforcement Officer

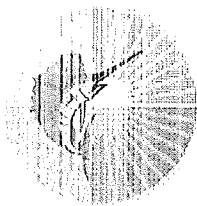
STATE OF FLORIDA  
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me  
this 13<sup>th</sup> day of July, 2020.

  
\_\_\_\_\_  
NOTARY PUBLIC - STATE OF FLORIDA



MY COMMISSION EXPIRES:



THE SUNRISE CITY  
**FORT PIERCE**  
 CODE ENFORCEMENT  
*Florida*

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

Date:	08-07-2020			
Property address:	613 Emil Drive Fort Pierce FL 34982			
Owner(s) of record:	David Smart			
Mailing address:	613 Emil Drive Fort Pierce FL 34982			
Property tax ID #:	2422-602-0179-00015			
Original purchase date:	5/2009	Original purchase price:	27,000. <sup>00</sup>	
Property is used for:	<input checked="" type="radio"/> Single Family	<input type="radio"/> Multi-family	<input type="radio"/> Commercial	<input type="radio"/> Industrial
Name of person requesting reduction:	David Smart		Relationship to owner(s)	self
Telephone #:	(772) 501-0691	Mobile phone #:	(772) 501-0691	
E-mail:	groovejet2010@yahoo.com		Preferred contact method:	email or text
What are owner(s) intentions for property:	Live; Reside			
Amount of Lien:	5,300.00		Date Fine Initiated:	06-22-2020
Are there current code violations?	<input checked="" type="radio"/> No	<input type="radio"/> Yes	Explain: (please attached notice)	
Is property listed for sale?	<input checked="" type="radio"/> No	<input type="radio"/> Yes	If yes, what is listing price?	
Is property under contract for sale?	<input checked="" type="radio"/> No	<input type="radio"/> Yes	If yes, what is the sale price?	

AMOUNT OF FINE / LIEN

DOLLAR AMOUNT REQUESTING TO BE WAIVED

DOLLAR AMOUNT I AGREE TO PAY

\$ 5,300.<sup>00</sup>  
~~\$ 5,300.00~~  
 \$ ?

*David Smart* 8-10-20  
 Signature of Owner or Representative Date

David Smart  
 Printed Name

**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 613 Emil Drive Fort Pierce FL 34982

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 Code Enforcement Board.

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(d), I understand the requirements to be met and understand that the Special Magistrate will make the final determination.

I am requesting that my application for lien reduction be considered and a determination made by the City Commission of the City of Fort Pierce.

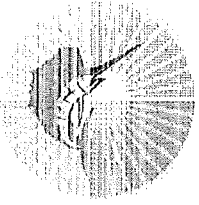
David Smart 8-10-20 David Smart  
Signature of Owner or Representative      Date      Printed Name

**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 do not agree to process the application as requested by the signing party. The matter will be placed before the City Commission for final determination.

Margaret M. Arranz 8/12/20 Margaret M. Arranz  
City Representative      Date      Printed Name



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

**REQUEST FOR REDUCTION OF PENALTY**

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

**INSTRUCTIONS:**

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete the appropriate application for lien reduction / rescindment.
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 613 Emil Drive Fort Pierce FL 34982

Property Owner: David Smart

Mailing Address: 613 Emil Drive Fort Pierce FL 34982

Telephone #: (772) 501-0691 Cell Phone #: (772) 501-0691

E-Mail Address: Groovejet2010@yahoo.com

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

I, David Smart, 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:

\* please read attached

Date: 8-10-20

Signed: David Smart

Print Name: David Smart

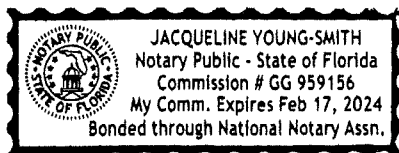
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority David Smart 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 DRIVER'S LICENSES as identification.

SWORN TO AND SUBSCRIBED before me this 10th day of August, 2020.

Jacqueline Young-Smith  
Notary Public, State of Florida



To: Special Magistrate

8/10/20

Honorable Judge of Special Magistrate, My name is David Smart and I reside at 613 Emil Drive Fort Pierce FL 34982. I am writing this to request a reduction of Lien from a code enforcement violation. Unfortunately I recieved one of many code violations at the same time, being this is my first time being in trouble with the City of Fort Pierce I became overwhelmed because at this very time I had to close and move out of my dream business, had complications within my family, became a victim of Harrasment (which is who notified the City of Fort Pierce on my violation). The same persons are and were at the time stalking my home and stealing my mail. I have not recieved all of the violation letters due to these persons and their theft. I made my home up to code, recieved two thank you letters from the code enforcement office dated April 21st and May 27<sup>th</sup> 2020. And I thought everything was finalized and good. I was overwhelmed with the amount of paperwork I did recieve and honestly didn't read into full detail that I would be charged fifty dollars per day for parking, or where I had to request a code enforcement officer to come by to show compliance. I even borrowed money from my wife's family to paint the house. The only reason why I parked out front to begin with was my truck, my wife's vehicle, and my trailer had been broken into on seperate occasions when we parked in the driveway near the road or along the canal. I put up spot lights in the front yard and parked under them to try and prevent future theft. Moving forward I

→

- have had to file a harassment case against the family member whose stealing my mail and stalking my home and family. During these code violations my wife and I have found out that we are expecting our first child who is due this September. My wife has had various complications with the pregnancy which has become very stressful and very scary for us. Everything else like loosing my dream business, becoming financially unstable, dealing with malicious behavior from jealous family members, and code violations have all taken a backseat as I worry for my wife and baby's health. I am requesting a reduction on the lien because honestly there is no way with me not having a job and my wife having the baby next month (when she does not get maternity leave) that we can afford to pay the outstanding amount owed within the time given. We can not borrow the money from anyone as most of our family and friends have been affected financially by the COVID-19. This is our first home and can not have it foreclosed on due to parking in the front yard. This is a huge learning lesson and I will never let it happen again. I apologize for missing the court date and not handling this a lot sooner as I was unaware of the court date from stolen mail and being beyond overwhelmed. Thank you for your time and patience.

Respectfully Submitted,

David Smart

07-31-2020

8/10/20

David Smart  
613 email DR.

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 613 Emil DR Parcel ID: 2422-602-0179- Account #: 30243 Sec/Town/Range:  
 000-5 22/35S/40E  
 Map ID: 24/22S Zoning: Medium Den Use Type: 0100 Jurisdiction: Fort Pierce

**Ownership**

David Smart  
 613 Emil Dr  
 Fort Pierce, FL 34982

**Legal Description**

MARAVILLA GARDENS S/D-UNIT 1- W 85 FT OF LOT 37  
 (7) (OR 3086-1840)

**Current Values**

Just/Market: \$104,900 Assessed: \$27,573  
 Exemptions: \$25,000 Taxable: \$2,573

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2020	\$104,900	\$27,573	\$25,000	\$2,573
2019	\$93,700	\$26,954	\$25,000	\$1,954
2018	\$80,300	\$26,452	\$25,000	\$1,452

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
04-24-2009	3086 / 1840	0112	SP	Bank of New York (TR)	\$27,000
01-23-2009	3078 / 0590	0112	CT	Durkee Roy	\$100
12-28-2004	2127 / 1157	XX00	WD	Komiskey Richard	\$120,000

**Primary Building Information**

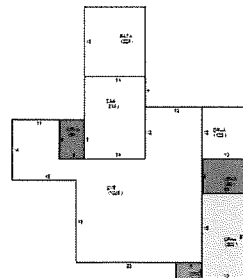
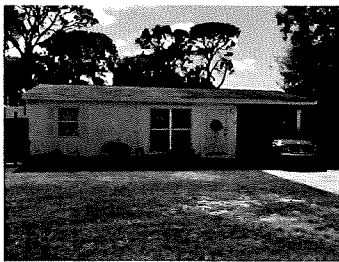
Finished Area of this building: 1,026 SF  
 Gross Sketched Area: 1,994 SF

**Exterior Data**

View: Roof Cover: Fibrglss Shg Roof Structure: Gable Building Type: HC-  
 Year Built: 1958 Frame: Grade: C- Effective Year: 1962  
 Primary Wall: CB Stucco Story Height: 1 Story No. Units: 1 Secondary Wall:

**Interior Data**

Bedrooms: 2 A/C %: 100% Electric: MAXIMUM Primary Int Wall:  
 Full Baths: 1 Heated %: 100% Heat Type: FrcdHotAir Avg Hgt/Floor: 0  
 Half Baths: 0 Sprinkled %: N/A% Heat Fuel: ELEC Primary Floors: Carpet



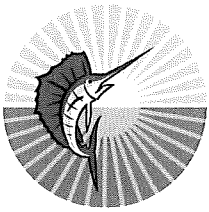
**Total Areas**

Finished/Under Air (SF):	1,026
Gross Sketched Area (SF):	1,994
Land Size (acres):	0.25
Land Size (SF):	11,050
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
Driv-Concret	1	500	
WOOD FEN 6'	1	240	

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.  
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THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT

*Florida*

**LIEN REDUCTION REQUEST HEARING  
RULE 17 CRITERIA**

Case # 19-2857

Violator: DAVID SMART

Address: 613 EMIL DR

1.) The gravity or seriousness of the violation	Minor
2a.) Any and all actions taken by the violator to correct the violation(s); OR	Mr. Smart moved the vehicle
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	N/A
3.) The length of time necessary to bring the property into compliance	9 months and 7 days
4.) The number of times the violator was previously found in violation by either the CEB, SM or other judicial process or otherwise admitted guilt in any such proceedings	0
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition	9 See attached list.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship	Personal family problems and financial problems due to Covid 19.
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

C0097087

### Related Cases And Inspection Selection

Property address, location ID: 613 EMIL DR  
TAX ID #: 2422-602-0179-000/5  
Alternate ID description:

Number	Status	Date	Insp	Description
20 00000726	Destruction	3/05/20	ADMIN	CODE ENFORCEMENT VIOLATION
20 00000725	Destruction	3/05/20	ADMIN	CODE ENFORCEMENT VIOLATION
20 00000724	Destruction	3/05/20	ADMIN	CODE ENFORCEMENT VIOLATION
19 00002859	DESTROYED/DI	10/29/19	ADMIN	CODE ENFORCEMENT VIOLATION
19 00002857	FINES/LIENS	10/29/19	IS	CODE ENFORCEMENT VIOLATION
17 00000662	IN COMPLIANC	3/30/17	IS	CODE ENFORCEMENT VIOLATION
17 00000661	CLOSED	3/30/17	IS	LOT CLEARING
16 00002545	IN COMPLIANC	10/20/16	JV	CODE ENFORCEMENT VIOLATION
15 00000211	IN COMPLIANC	1/29/15	JV	CITATION
14 00000776	IN COMPLIANC	2/25/14	JS	CITATION
13 00000577	IN COMPLIANC	3/27/13	SC	CITATION
11 00002323	CLOSED <i>SM</i>	9/06/11	KG	BUILDING VIOLATION
07 00003297	IN COMPLIANC	8/29/07	PH	CODE ENFORCEMENT VIOLATION
97 00000484	IN COMPLIANC	1/29/97	BN	OCCUPATIONAL LICENSE CHECK
96 00000942	IN COMPLIANC	4/15/96	DAB	SCRAPS AND WASTES
93 00000129	IN COMPLIANC	1/28/93	SK	SCRAPS AND WASTES
93 00000128	IN COMPLIANC	1/28/93	SK	COMM VEH IN RESIDENTIAL ZONE

- OK
- Exit
- Cancel
- Display open
- Cases only
- View 2

# Administrative Cost Estimator

8/26/2020

Property Address: 613 Emil Drive (19-2857)

Date case originated: 10/31/2019

Date case complied: 7/7/2020

Total time: 8 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>6</u>	\$2.64
Certified Mail:	\$5.10	<u>1</u>	\$5.10

Photographs (per page)	\$0.50	<u>8</u>	\$4.00
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Filing Fees (add 1 fee for Release of Lien)	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>8</u>	\$400.00
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Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

## Code Enforcement Secretary

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

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

Code Compliance Manager	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

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

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

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

**Total Estimated Cost: \$1,361.74**

**Special Magistrate Hearing****8. 0.****Meeting Date:** 09/02/2020**Re:** Case #20-1722 - Madison Vines**Information****SUBJECT:**

20-1722 AA	Madison Vines	Smith, Kelsey	Jacqueline Young
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**CASE INFORMATION:**

Case Initiated:	June 17, 2020	Type of Presentation:	Alarm Appeal
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**OWNER:**

OWNER: Madison Vines LLC	APPELLANT: Madison Vines 955 Tumblin Kling Road Fort Pierce, Fl. 34982
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**VIOLATIONS:**

Date of Alarm	Code Section	Bldg. Type	False Alarm #	Total Due
02/21/2019	14-24 Excessive False Alarm Signals	Commercial	2	\$100.00
02/26/2020	14-24 Excessive False Alarm Signals	Commercial	3	\$200.00
03/06/2019	14-24 Excessive False Alarm Signals	Commercial	4	\$400.00
04/02/2019	14-24 Excessive False Alarm Signals	Commercial	5	\$500.00
04/10/2019	14-24 Excessive False Alarm Signals	Commercial	6	\$500.00
08/19/2020	BALANCE DUE			\$1,700.00

**CORRECTIVE ACTIONS:**

N/A

**RECOMMENDATION:**

The City request that if the Special Magistrate finds the violation (s) exist, the violator be assessed the total due as indicated above.

Form Started By: Colleen Greer  
Final Approval Date: 08/19/2020

Started On: 08/19/2020 12:58 PM

**Special Magistrate Hearing**

**8. A.**

**Meeting Date:** 09/02/2020

**Re:** Indian River Cellular - 1717 S. US Hwy. 1 #5

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

**Information**

**SUBJECT:**

20-1430 AA	1717 S. US Hwy. 1 #5	Indian River Cellular	Jacqueline Young-Smith
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**CASE INFORMATION:**

Case Initiated:	January 23, 2020	Type of Presentation:	Alarm Appeal
Rescheduled	July 15, 2020	Reason:	Due to Covid 19 events and respondent was not present.

**OWNER:**

<b>APPELLANT:</b> Jennifer Fusco 1717 S. US Highway 1 #5 Ft. Pierce, Fl. 34950	<b>BUSINESS:</b> Indian River Cellular
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**VIOLATIONS:**

Date of Alarm	Code Section	Bldg. Type	False Alarm #	Total Due
12/27/2019	14-24 Excessive False Alarm Signals	Commercial	7	\$300.00
01/01/2020	14-24-Excessive False Alarm Signals	Commercial	8	\$500.00
01/03/2020	14-24 Excessive False Alarm Signals	Commercial	9	\$500.00
01/03/2020	14-24 Excessive False Alarm Signals	Commercial	10	\$500.00
02/25/2020	14-24 Excessive False Alarm Signals	Commercial	11	\$500.00
07/15/2020	Hearing Remaining Balance	Commercial		\$2,300.00

**CORRECTIVE ACTIONS:**

N/A

**RECOMMENDATION:**

The City request that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above.

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### **Form Review**

Form Started By: Jaqueline Young-Smith  
Final Approval Date: 08/06/2020

Started On: 06/17/2020 11:47 AM

**Special Magistrate Hearing**

**10. A.**

**Meeting Date:** 09/02/2020

**Re:** Case # 19-2788 - 1504 G Terrace

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

**Information**

**SUBJECT:**

19-2788 CE	1504 G Terrace	Strong Jr, James T	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	October 24, 2019	Type of Presentation:	Recall
1st Hearing	August 5, 2020	Respondent failed to appear. Due to Covid-19 case was continued to 9/5/2020.	

**OWNER:**

<b>OWNER:</b> James T Strong 1521 Pineburke Ln Fort Pierce, FL 34947	<b>TENANT:</b> 1504 G Terrace Fort Pierce, FL 34950
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**VIOLATIONS:**

Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage  
Section 16-46, 16-47, 16-48 (10)(D) – Non-Operable Vehicles

**CORRECTIVE ACTIONS:**

1. Please remove tires, speaker, buckets, trash, microwaves, cabinets, indoor chairs, and all other miscellaneous items. Please store all items in an enclosed shed or an enclosed garage.
2. Please have all vehicles throughout the property licensed and operable at all times or place them in an enclosed shed or an enclosed garage.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/06/2020

Started On: 06/04/2020 07:32 AM

**Special Magistrate Hearing**

**10. B.**

**Meeting Date:** 09/02/2020

**Re:** Case # 19-2795 - 1506 G Terrace

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

**Information**

**SUBJECT:**

19-2795 CE	1506 G Terrace	Strong, Merdis	Chad Dawson
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**CASE INFORMATION:**

Case Initiated:	October 24, 2019	Type of Presentation:	Recall
1st Hearing	August 5, 2020	Responded failed to show. Due to Covid-19, case was continue to 9/5/2020	

**OWNER:**

OWNER: Merdis Strong 1506 G Terrace Fort Pierce, FL 34950	
--------------------------------------------------------------------	--

**VIOLATIONS:**

IPMC 304.2 Protective treatment.  
Section 16-46, 16-47, 16-48 (1)(5) – Outside Storage

**CORRECTIVE ACTIONS:**

1. Please finish painting structure in a workmanlike manner
2. Please remove table, night stand, tires, trash, shingles, buckets and all other miscellaneous items. Please store all items in an enclosed shed or an enclosed garage.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 10 days to comply or a fine of \$100.00 per day be assessed.

**Form Review**

Form Started By: Chad Dawson  
Final Approval Date: 08/06/2020

Started On: 06/04/2020 07:50 AM

**Special Magistrate Hearing**

**10. C.**

**Meeting Date:** 09/02/2020

**Re:** Case # 20-0398 - 1106 S Ocean Drive

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

**Information**

**SUBJECT:**

20-0398 CE	1106 S Ocean Drive	Kareem, Ayesha	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	February 13, 2020	Type of Presentation:	Recall / Telephone
1st Hearing	August 5, 2020	Respondent indicated that roof work was being completed and painting would be done when roof work was finished. Continued to 9/5/2020.	

**OWNER:**

OWNER: Ayesha Kareem 5141 Hawkhurst Ave Southwest Ranches, FL 3331	
-----------------------------------------------------------------------------	--

**VIOLATIONS:**

IPMC 304.2 - Protective Treatment

**CORRECTIVE ACTIONS:**

1. Paint the home to include the awnings and balconies.
2. Pressure wash the walkway and driveway where it is discolored.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Heather Debevec  
Final Approval Date: 08/06/2020

Started On: 06/03/2020 04:41 PM

**Special Magistrate Hearing****10. D.****Meeting Date:** 09/02/2020**Re:** Case # 20-1015 - 100 N US Highway 1**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

20-1015 CT	100 N US Highway 1	White, Steven	Heather Debevec
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**CASE INFORMATION:**

Case Initiated:	April 21, 2020	Type of Presentation:	Recall
1st Hearing	August 5, 2020	Respondent failed to appear. Hearing continued to 9/5/2020.	

**OWNER:**

OWNER: Steven White	
------------------------	--

**VIOLATIONS:**

Citation #	Code Section	Fine	Admin Fee	Late Fee	Total Due
10653 PK	10-23(D) Obstructing the Lane	\$50.00	\$	\$	\$50.00

**CORRECTIVE ACTIONS:**

N/A

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation(s) exist, the violator be assessed the total due as indicated above. Failure to pay such fine will result in the citation being forwarded to the County Court System.

**Form Review**

Form Started By: Heather Debevec

Started On: 05/28/2020 05:01 PM

Final Approval Date: 08/06/2020

**Special Magistrate Hearing****10. E.****Meeting Date:** 09/02/2020**Re:** Case #07-0807 - 1116 Colonnades Dr. - Westie Holdings LLC**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

07-0807	1116 Colonnades Drive	Westie Holdings LLC	Margaret Arraiz
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**CASE INFORMATION:**

Case Initiated:	March 16, 2007	Type of Presentation:	Request to Modify Stipulation
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**OWNER:**

OWNER: Westie Holdings LLC 1116 Colonnades Drive Ft. Pierce, FL 34949	TENANT:
--------------------------------------------------------------------------------	---------

**VIOLATIONS:**

Ordinance # 17-8 (a) Construction of Driveways, Sidewalks.

Ordinance # 17-8 Construction of Driveways, Sidewalks.

Ordinance #22-192 (a) Tree Removal Permit Required.

Ordinance #5-1.101.4.2 Building Code.

**CORRECTIVE ACTIONS:**

1. July 25, 2008 a stipulation between the City and Timothy Morrissey, President of Westie Holdings LLC was approved by Special Magistrate Ross.
2. August 11, 2008 received a letter from Blake, Mildner & Ohle, P.A.informing staff that the corrections have been made and enclosing a proposed Order Approving Stipulation for Modification of Prior Order.
3. February 20, 2013 Special Magistrate Ross heard the request to modify previous order and after considering both sides denied the request.
4. March 23, 2020 received request from Mr. Morrissey to modify the original stipulation.

**RECOMMENDATION:**

To be determined.

**Attachments**

Stipulation

Approval

Letter

Modified Stip  
Denial  
Tax Card  
Request

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### **Form Review**

Form Started By: Colleen Greer  
Final Approval Date: 08/26/2020

Started On: 08/24/2020 11:04 AM

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

City of Fort Pierce,  
Petitioner,

SM Case No.: 8-35

vs.

Westie Holdings, LLC,  
Respondent.

**STIPULATION**

The Petitioner, the City of Fort Pierce, Florida, and the Respondent, Westie Holdings, LLC, by and through their respective undersigned representatives, hereby stipulate and agree to the following matters:


1. The person(s) signing this Stipulation has the authority to enter into this Stipulation and thereby bind the respective parties to the terms contained herein.


2. The Respondent is the owner of that certain real property located at 1116 Colonnades Drive, Fort Pierce, St. Lucie County, Florida, with a legal description of:

FT. PIERCE BEACH S/D BLK 23 BEG AT SE COR COLONNADES  
CONDO ASSN NO 8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG  
09 MIN E 24 FT, TH S 72 DEG 51 MIN W 234 FT, TH N 17 DEG 09  
MIN W 24 FT TO POB

TAX I.D. NO.: 240150103312305

(hereinafter referred to as the "real property").

3. Presently pending in this case are alleged violations of the Code of Ordinances of the City of Fort Pierce, Florida (hereinafter referred to as the "Code") at the real property, said sections being: 22-74, 17-8(a), 17-8, and 5-1.101.4.2. 5-1.140.4.2 and 5-1.140.4.2.1 Building Code 

4. Said alleged violations shall be deemed corrected and the real property shall be considered in compliance with said sections of the Code upon the Respondent completing the remedial action at the real property as hereinafter specified in this Stipulation which shall be completed within 30 days of the date of this Stipulation. 

5. If the Respondent does not complete said remedial action within said 30 day time period, a penalty of \$250.00 for each and every day such remedial action is not completed past said time period will be assessed.

6. The Respondent shall be allowed to maintain coquina on the current 30 foot strip of land east of and abutting the current asphalt driveway on the real property; and the Respondent shall remove the remaining coquina at the real property and replace such removed coquina with grass that shall be properly maintained, including being mowed, in compliance with the provisions of the Code applicable thereto.

7. Subject to and conditioned upon the real property being and remaining in compliance with all provisions of the Code and the provisions of Paragraph 8 of this Stipulation, the Respondent shall be permitted to store the following items of the Respondent's personal property in the area of the real property currently covered with asphalt and the 30-foot strip of land currently covered with coquina east of and abutting the current asphalt driveway, described in Paragraph 6 of this Stipulation, to wit: boat and trailer; box trailer; and personal vehicle.

8. The real property shall not be used for any commercial purposes, including, but not limited to, storage. Additionally, pursuant to the Code, there shall be no outside storage at the real property and, accordingly, any materials, including but not limited to, concrete blocks, construction materials or any other miscellaneous items, must be stored within or inside the Respondent's box trailer referred to in Paragraph 7 of this Stipulation.

9. The Respondent shall be responsible for contacting the Code Enforcement Department of the Petitioner to arrange for an inspection of the real property in order to verify that said remedial action has been completed and that the real property is in compliance with the provisions of the Code.

Petitioner:

Respondent:

City of Fort Pierce, Florida

Westie Holdings, LLC

By: Margaret Murray  
Title: CODE COMPLIANCE MGR  
Date: 7-25-08

By: Timothy Morrissey  
Title: PRES  
Date: 7/18/08

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

Sworn to and subscribed before me by  
TIMOTHY MORRISSEY PRESIDENT, (Title)  
of Westie Holdings, LLC, a Florida limited liability  
company, on behalf of the company, to me well  
known and/or who produced DRIVERS LICENSE as  
identification, who after being duly sworn,  
acknowledged the due execution of the foregoing  
Stipulation for the purposes therein expressed, on this  
18<sup>th</sup> day of JULY, 2008.

Deanna Zak  
Notary Public  
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA  
Deanna Zak  
Commission # DD510474  
Expires: JAN. 24, 2010  
Bonded Thru Atlantic Bonding Co., Inc.

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

City of Fort Pierce,  
Petitioner,

SM Case No.: 8-35

vs.

Westie Holdings, LLC,  
Respondent.

ORDER APPROVING STIPULATION

THIS CAUSE came before the Special Master pursuant to §162.07, Fla.Stat., for consideration of that certain Stipulation between the Petitioner, City of Fort Pierce, and the Respondent, Westie Holdings, LLC, dated July 25, 2008, and the Special Magistrate, having reviewed and considered said Stipulation and being otherwise advised in the premises, finds and determines that:

A. The Respondent is the owner of that certain real property located at 1116 Colonnades Drive, Fort Pierce, St. Lucie County, Florida, with a legal description of:

FT. PIERCE BEACH S/D BLK 23 BEG AT SE COR COLONNADES  
CONDO ASSN NO 8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG  
09 MIN E 24 FT, TH S 72 DEG 51 MIN W 234 FT, TH N 17 DEG 09  
MIN W 24 FT TO POB

TAX I.D. NO.: 240150103312305

(hereinafter referred to as the "real property").

B. Presently pending in this case are alleged violations of the Code of Ordinances of the City of Fort Pierce, Florida (hereinafter referred to as the "Code") at the real property, said sections being: 22-74, 17-8(a), 17-8, 5-1.140.4.2, and 5-1.140.4.2.1.

C. The Petitioner and the Respondent freely and voluntarily entered into said Stipulation, the original of which has been filed with the Department of Building and Code Enforcement and was admitted into evidence herein, and said Stipulation should be approved by the Special Magistrate. Accordingly, it is

ORDERED as follows:

1. The provisions of the Stipulation are approved and incorporated herein by reference and the parties are directed to comply therewith.

2. The above-referenced alleged violations shall be deemed corrected and the real property shall be considered in compliance with the aforesaid sections of the Code upon the Respondent completing the remedial action at the real property as specified in the Stipulation which shall be completed within 30 days of the date of the Stipulation (i.e., within 30 days of July 25, 2008). If the Respondent does not complete said remedial action within said 30 day time period, a penalty of \$250.00 for each and every day such remedial action is not completed past said time period will be assessed.


3. This Order may be recorded in the public records of St. Lucie County, Florida and shall constitute notice to any subsequent purchasers, successors in interest or assigns regarding matters concerning the real property as described in this Order, including the Stipulation incorporated herein. If this Order is not complied with timely, then the Petitioner shall be entitled to seek all remedies allowed by law, including the entry of an order pursuant to §162.09, Fla.Stat., and Rule 15, Rules of Procedure of the Code Enforcement Board and the Special Magistrate of the City of Fort Pierce, Florida, imposing a fine that may be recorded in the public records and which thereafter shall constitute a lien against the real property and upon any other real or personal property owned by the Respondent.

4. The Respondent shall be responsible for contacting the Code Enforcement Department of the Petitioner to arrange for an inspection of the real property in order to verify that the remedial action specified in the Stipulation has been completed and that the real property is in compliance with the provisions of the Code.

DONE AND ORDERED this 16<sup>th</sup> day of June, 2010, *nunc pro tunc* July 25, 2008.

  
FRAN ROSS, ESQUIRE  
Special Magistrate

I CERTIFY that a copy of the above Order was mailed to: the Respondent, Westie Holdings, LLC, Attention: Timothy Morrissey, President, at 1116 Colonnades Drive, Fort Pierce, FL 34949; Glenn M. Blake, Esquire, Attorney for the Respondent, at 423 Delaware Ave., Fort Pierce, FL 34950; and Steven R. McCain, Esquire, Assistant City Attorney, PO box 1480, Fort Pierce, FL 34954-1480, on this 16<sup>th</sup> day of June, 2010.

  
KAREN BRUNO, Administrative Secretary

ATTORNEYS AT LAW

**BLAKE, MILDNER & OHLE, P.A.**

GLENN M. BLAKE, Esq.  
ROY T. MILDNER, Esq.  
LEANNE L. OHLE Esq.

LOUIS N. LARSEN, Esq.  
OF COUNSEL

August 7, 2008

RECEIVED

AUG 11 2008

Steven R. McCain, Esq.  
Assistant City Attorney  
City of Fort Pierce  
100 North U.S. 1  
P.O. Box 1480  
Fort Pierce, FL 34954-1480

Re: SM Case No. 8-25; Westie Holdings, LLC  
1116 Colonnades Drive, Fort Pierce, FL

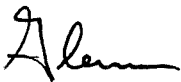
Dear Steve:

We enclose herewith the revised Stipulation which has been agreed to and initialed by our client. Mr. Morrissey informs us that he has made the required corrections. Also enclosed is the proposed Order, which appears to be in order.

We very much appreciate your cooperation and assistance in this matter.

Very truly yours,

**BLAKE, MILDNER & OHLE, P.A.**



Glenn M. Blake

GMB/dz  
Enclosure  
cc: Mr. Tim Morrissey

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

City of Fort Pierce,  
Petitioner,

SM Case No. 8-35

vs.

Westie Holdings, LLC,  
Respondent.

ORDER APPROVING STIPULATION FOR MODIFICATION OF PRIOR ORDER

THIS CAUSE, came before the Special Magistrate pursuant to §162.07, *Fla.Stat.*, for consideration of that certain Stipulation for Modification of Prior Order between the Petitioner, the City of Fort Pierce, Florida, and the Respondent, Westie Holdings, LLC, dated May 9, 2012, and the Special Magistrate, having reviewed and considered said Stipulation and being otherwise advised in the premises, finds and determines that:

A. The Special Magistrate previously entered in this cause its Order Approving Stipulation dated June 16, 2010, *nunc pro tunc* July 25, 2008, which incorporated therein the Stipulation between the parties dated July 25, 2008 (hereinafter collectively referred to as the “prior Order”).

B. The Respondent continues to be the owner of that certain real property located at 1116 Colonnades Drive, Fort Pierce, St. Lucie County, Florida, with a legal description of:

FT. PIERCE BEACH S/D BLK 23 BEG AT SE COR COLONNADES  
CONDO ASSN NO 8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG  
09 MIN E 24 FT, TH S 72 DEG 51 MIN W 234 FT, TH N 17 DEG 09  
MIN W 24 FT TO POB

TAX I.D. NO.: 240150103312305

C. The Respondent now seeks a modification of certain provisions of the prior Order so that the Respondent may be allowed to replace the “box trailer” described in the prior Order with a stationary storage shed with dimensions of 12 x 28 at said real property.

D. The Petitioner has no objection to the modification sought by the Respondent subject to and conditioned upon any such shed and its location satisfying all applicable provisions of the Code of Ordinances of the City of Fort Pierce, Florida and the appropriate department of the City of Fort Pierce, Florida approving the Respondent’s application for any required permit for such shed, conditions which are acceptable to the Respondent.

E. The Petitioner and the Respondent freely and voluntarily entered into said Stipulation dated May 9, 2012, the original of which has been filed with the Code Enforcement Department and was admitted into evidence herein, and said Stipulation should be approved by the Special Magistrate. Accordingly, it is

ORDERED as follows:

1. The provisions of said Stipulation dated May 9, 2012 are approved and incorporated herein by reference, and the parties are directed to comply therewith.

2. The provisions of the prior Order are modified only to the extent specified in said Stipulation dated May 9, 2012, and all other provisions of the prior Order not so modified shall remain in full force and effect.

DONE AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Fran Ross, Esquire  
Special Magistrate

I CERTIFY that a copy of the above Order was mailed to: the Respondent, Westie Holdings, LLC, Attention: Timothy Morrissey, President, at 1116 Colonnades Drive, Fort Pierce, FL 34949; and Steven R. McCain, Esquire, Assistant City Attorney, PO Box 1480, Fort Pierce, FL 34954-1480, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
COLLEEN GREER, Administrative Secretary

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

SM CASE # 07-0807

RE: Violation of Section(s): 22-74, 17-8 (A), 17-8, 5-1.140.4.2 and 5-1.140.4.2.1

Violator: WESTIE HOLDINGS LLC  
TIMOTHY P. MORRISSEY  
1116 COLONNADES DR  
FT PIERCE, FL 34949

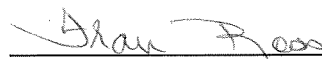
Property Address: 1116 COLONNADES DR Tax ID #: 2401-501-0331-230/5  
Legal Description: FT. PIERCE BEACH S/D BLK 23 BNEG AT SE COR COLONNADES  
CONDO ASSN NO 8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG 09 MIN E 24 FT, TH S  
72 DEG 51 MIN W 234 FT, TH N 17 DEG 09 MIN W 24 FT TO POB

ORDER DENYING RESPONDENT'S REQUEST FOR AMENDMENT TO STIPULATION

**THIS CAUSE** came before the Special Magistrate on February 20, 2008, upon the request of the Respondent, Timothy P. Morrissey, contained in said Respondent's letter dated November 30, 2012, for an amendment to the Stipulation for Modification of a Prior Order that was granted on May 9, 2012 by the Special Magistrate. Having reviewed and considered such request and being otherwise advised in the premises the Special Magistrate finds that such request should be denied. Accordingly, it is

**ORDERED** that the Respondent's request for an amendment to the Stipulation for Modification of a Prior Order dated May 9, 2012 is hereby denied.

**DONE AND ORDERED** this 20th day of February, 2013.



\_\_\_\_\_  
Fran Ross, Special Magistrate

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

20th DAY OF February, 2013.



\_\_\_\_\_  
Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 3803900 02/22/2013 at 09:10 AM  
OR BOOK 3487 PAGE 2536 - 2536 Doc Type: ORD  
RECORDING: \$10.00

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 1116 Parcel ID: 2401-501-0331- Account #: 14856 Sec/Town/Range:  
 COLONNADES DR 230-5 01/35S/40E  
 Map ID: 24/01D Zoning: Use Type: 0700 Jurisdiction: Fort Pierce

**Ownership**

Westie Holdings LLC  
 1188 Commodore CT Unit 101  
 Fort Pierce, FL 34949

**Legal Description**

FT PIERCE BEACH S/D BLK 23 BEG AT SE COR  
 COLONNADES CONDO ASSN NO 8, TH N 72 DEG 51 MIN  
 E 234 FT, TH S 17 DEG 09 MIN E 24 FT, THS 72 DEG 51  
 MIN W 234 FT, TH N 17DEG 09 MIN W 24 FT TO POB (OR  
 2649-741)

**Current Values**

Just/Market: \$3,600 Assessed: \$1,694  
 Exemptions: \$0 Taxable: \$1,694

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2020	\$3,600	\$1,694	\$0	\$1,694
2019	\$4,500	\$1,540	\$0	\$1,540
2018	\$1,400	\$1,400	\$0	\$1,400

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
09-05-2006	2649 / 0741	XX01	QC	Morrissey Timothy P	\$10,000
01-26-2006	2480 / 1610	XX01	QC	Morse William C	\$8,500
04-25-2005	2223 / 2233	XX01	TD	Ft Pierce Const Corp	\$8,200

**Primary Building Information**

Finished Area of this building: 0 SF  
 Gross Sketched Area: 0 SF

**Exterior Data**

View: Roof Cover: Roof Structure: Building Type:  
 Year Built: N/A Frame: Grade: Effective Year: N/A  
 Primary Wall: Story Height: No. Units: 0 Secondary Wall:

**Interior Data**

Bedrooms: 0 A/C %: 0% Electric: Primary Int Wall:  
 Full Baths: 0 Heated %: N/A% Heat Type: Avg Hgt/Floor: 0  
 Half Baths: 0 Sprinkled %: 0% Heat Fuel: Primary Floors:



**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	0.13
Land Size (SF):	5,616
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
CHAINLINK 6'	1	340	2006

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.  
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CITY OF FORT PIERCE  
PLANNING & ZONING

March 5, 2020

City of Fort Pierce  
100 N U.S. 1  
Fort Pierce, FL. 34950

C/O: Jennifer Hofmeister  
Planning and Zoning Dept.

Re: 1116 Colonnades Dr.  
S. Hutchinson Island, FL. 34949


Dear Ms. Hofmeister:

I'm writing this letter to request a change of what I can have stored on the above property located at 1116 Colonnades Dr. from 1 trailer, 1 boat and trailer and 1 vehicle which is what the current stipulation states to add 1 small box trailer at the request of the Colonnades Condominium Boat Yard manager (see attached). The boat yard storage area is approximately 500 ft. from my unit.

Hope to hear from you soon.

Thanking you in advance for your help in this matter.

Sincerely,

  
Timothy P Morrissey  
1188 Commodore Ct.  
Unit 101  
S Hutchinson Island, FL.  
34949  
772-466-2986

RECEIVED

MAR 23 2020

CITY OF FORT PIERCE  
COMMUNITY RESPONSE  
Code Enforcement &  
Animal Control

QUIT CLAIM DEED

RAMCO FORM 8

Return to: (enclose self-addressed stamped envelope)

Name:

Address:

This Instrument Prepared by:

Name:

Address:

Property Appraisers Parcel Identification

Folio Number(s):

Grantee(s) S.S. # (s)

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Quit Claim Deed, Executed the 5<sup>th</sup> day of SEPTEMBER 2006, by  
TIMOTHY P. MORRISSEY,  
first party, to WESTIE HOLDINGS LLC,  
whose post office address is C/O BLAKE TORRES & HILDNER, 101 N US1 Suite 200,  
second party. FORT PIERCE FL 34950

(Wherever used herein the terms "first party" and "second party" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the first party, for and in consideration of the sum of \$ 10.00,  
in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release,  
and quit claim unto the second party forever, all the right, title, interest, claim and demand which the said first  
party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of  
ST LUCIE, State of FLORIDA, to-wit:

FT PIERCE BEACH S/D BLK 23 BEG AT SE COLONNADES CONDO ASSN NO  
8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG 09 MIN E 24 FT TH S 72  
DEG 51 MIN W 234 FT, TH N 17 DEG 09 MIN W 24 FT TO POB  
PARCEL ID 2401-501-0331-230/5

To Have and to Hold The same together with all and singular the appurtenances thereunto belonging  
or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said  
first party, either in law or equity to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, the said first party has signed and sealed these presents the day and year first  
above written.

Signed, sealed and delivered in the presence of:

Ebra Dandridge  
Witness Signature (as to first Grantor)  
Ebra Dandridge  
Printed Name  
Sarah Noble  
Witness Signature (as to first Grantor)  
Sarah Noble  
Printed Name

Timothy P. Morrissey  
Grantor Signature  
TIMOTHY P. MORRISSEY  
Printed Name  
1188 COMMODORE ST FT PIERCE FL  
Post Office Address  
34950

## **Fwd: Over Crowded Storage Yard**

1 message

**Tim** <roseandtim@aol.com>  
To: fesselpat@gmail.com

Tue, Oct 8, 2019 at 1:09 PM

—Original Message—

From: CMI Colonnades <  
To: Tim Morrissey <  
Sent: Tue, Oct 8, 2019 11:44 am  
Subject: Over Crowded Storage Yard

Hi Tim:

Due to severe over crowding of the storage yard, I am kindly requesting you move your trailer out of the Colonnades storage yard and into your own yard. I would most appreciate it if you could take care of this at your earliest convenience.

With best regards and Thank You!

**Ernie Small (Dock Master**

Colonnades Members, Inc.

772-464-2177

772-464-3829 (fax)

Summer Office Hours: Weekdays 9am - 1pm

Website: [www.colonnades.community](http://www.colonnades.community)