

**SPECIAL MAGISTRATE
BOARD AGENDA**

Special Magistrate Hearing - Wednesday, June 16, 2021 - 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**

| | | | | |
|----|------------|--------------------|--|-----------------|
| 1. | 20-2775 CE | 2005 Mimosa Avenue | Mahmoud, Nevine | Heather Debevec |
| 2. | 21-339 CE | 305 Decordre Ct | Vyshinsky K Alexander Leewensky P Alexander | Isaac Saucedo |
| 3. | 20-2761 CE | 1607 N 13th Street | Kendall - Boshier, Debra | Heather Debevec |

4. **PUBLIC HEARINGS - VIOLATION CASES**

| | | | | |
|----|------------|---------------------------|----------------------------------|-----------------|
| A. | 19-0571 CE | 422 N 13th Street | Cook, Anthony A | Heather Debevec |
| B. | 21-0051 CE | 216 Gardenia Avenue | Fields, Florinda O | Heather Debevec |
| C. | 21-0476 VR | 102 Shelley Lane | Rego, Humberto M Rego, Belkis | Heather Debevec |
| D. | 21-0916 CE | 2507 S Indian River Drive | Wynne, Diane | Heather Debevec |

5. **PUBLIC HEARINGS - CITATIONS**

1.

| | | | |
|------------|--------------------|----------------|-----------------|
| 21-0226 PK | 1415 S Ocean Drive | Andre, Matrice | Heather Debevec |
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2.

| | | | |
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| 21-0712 PK | 420 Seaway Drive | Petry, Anona | Heather Debevec |
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

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

8. **OTHER CASES**

9. **NEW BUSINESS**

10. **OLD BUSINESS**

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

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

Special Magistrate Hearing

3. B. 1.

Meeting Date: 06/16/2021

Re: Case # 20-2775 - 2005 Mimosa Avenue

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

Information

SUBJECT:

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|------------|--------------------|-----------------|-----------------|
| 20-2775 CE | 2005 Mimosa Avenue | Mahmoud, Nevine | Heather Debevec |
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CASE INFORMATION:

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|----------------|-------------------|-----------------------|----------|
| Case Initiated | December 23, 2020 | Type of Presentation: | COMPLIED |
|----------------|-------------------|-----------------------|----------|

OWNER:

| | |
|---|--|
| OWNER: Nevine Mahmoud 2005 Mimosa Ave Ft. Pierce, FL 34949 | |
|---|--|

VIOLATIONS:

IPMC 702.4 Emergency escape openings (covered windows)

CORRECTIVE ACTIONS:

1. Open the shutters on the home.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 5 days to comply or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Heather Debevec

Started On: 04/25/2021 04:43 PM

Final Approval Date: 06/11/2021

Special Magistrate Hearing

3. B. 2.

Meeting Date: 06/16/2021

Re: Case # 21-339 - 305 Decordre Ct

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

Information

SUBJECT:

| | | | |
|-----------|-----------------|--|---------------|
| 21-339 CE | 305 Decordre Ct | Vyshinsky K Alexander Leewensky P Alexander | Isaac Saucedo |
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CASE INFORMATION:

| | | | |
|-----------------|------------------|-----------------------|----------|
| Case Initiated: | February 14,2021 | Type of Presentation: | COMPLIED |
|-----------------|------------------|-----------------------|----------|

OWNER:

| | |
|---|--|
| OWNER: Vyshinsky K Alexander Leewensky P Alexander 6365 NW Regal Cir Port Saint Lucie, FL 34983 | |
|---|--|

VIOLATIONS:

Section 24-19, 24-20, 24-21(1)(5) – Nuisance as an object / Outside storage
Section 24-19, 24-20, 24-21(11) – Nuisance as an object / Outside storage-indoor furniture

CORRECTIVE ACTIONS:

1. Please remove all storage bins, buckets, coolers, rugs, trash, doors, tools, wood, car seats and all other miscellaneous items located on property. All outside storage items may be placed in a enclosed garage or not visible from the street.
3. Please remove all wooden chairs, tables and all other indoor furniture located in front of yard. All indoor furniture must be kept indoors at all times.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation existed but was cured prior to today's hearing, that the violator(s) be put on notice that per State Statute 162.06(3), that a repeat of the violation(s) will result in additional costs and penalties being assessed.

Form Review

Form Started By: Isaac Saucedo
Final Approval Date: 06/11/2021

Started On: 05/04/2021 08:31 AM

Special Magistrate Hearing

3. B. 3.

Meeting Date: 06/16/2021

Re: Case # 20-2761 - 1607 N 13th Street

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

Information

SUBJECT:

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|------------|--------------------|--------------------------|-----------------|
| 20-2761 CE | 1607 N 13th Street | Kendall - Boshier, Debra | Heather Debevec |
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CASE INFORMATION:

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|-----------------|-------------------|-----------------------|--------------------|
| Case Initiated: | December 23, 2020 | Type of Presentation: | CONTINUED BY STAFF |
|-----------------|-------------------|-----------------------|--------------------|

OWNER:

| | |
|---|--|
| OWNER: Alton Boshier Jr PO Box 3 Ft. Pierce, FL 34954 | OWNER: Alton Boshier Jr 916 Avenue H Ft. Pierce, FL 34950 |
| OWNER: Debra Kendall - Boshier 1607 N 13th St Ft. Pierce, FL 34950 | |

VIOLATIONS:

IPMC 304.1 Exterior Structure - General

CORRECTIVE ACTIONS:

1. Obtain a permit from the Building Department and repair the overhang of the front door.

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

Started On: 04/14/2021 08:29 AM

Final Approval Date: 06/11/2021

Special Magistrate Hearing

4. A.

Meeting Date: 06/16/2021

Re: Case 3 19-0571 - 422 N 13th Street

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

Information

SUBJECT:

| | | | |
|------------|-------------------|-----------------|-----------------|
| 19-0571 CE | 422 N 13th Street | Cook, Anthony A | Heather Debevec |
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CASE INFORMATION:

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|----------------|---------------|-----------------------|---------|
| Case Initiated | March 6, 2019 | Type of Presentation: | Regular |
|----------------|---------------|-----------------------|---------|

OWNER:

| | |
|---|--|
| OWNER: Anthony A Cook 4504 St Thomas Ave Baltimore, MD 21206 | |
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VIOLATIONS:

IPMC 304.7 Roofs and drainage

CORRECTIVE ACTIONS:

1. Obtain a permit through the Building Department and repair the roof and the rotting areas of trim on the north side of the home.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 30 days to 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: 06/11/2021

Started On: 04/27/2021 10:19 AM

Special Magistrate Hearing

4. B.

Meeting Date: 06/16/2021

Re: Case# 21-0051 - 216 Gardenia Avenue

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

Information

SUBJECT:

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|------------|---------------------|--------------------|-----------------|
| 21-0051 CE | 216 Gardenia Avenue | Fields, Florinda O | Heather Debevec |
|------------|---------------------|--------------------|-----------------|

CASE INFORMATION:

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|----------------|------------------|-----------------------|---------|
| Case Initiated | January 22, 2021 | Type of Presentation: | Regular |
|----------------|------------------|-----------------------|---------|

OWNER:

| | |
|---|--|
| OWNER: Florinda Fields 216 Gardenia Ave Ft. Pierce, FL 34982 | |
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VIOLATIONS:

Section 125-322(b)(5) – Fence maintenance – Permit required

CORRECTIVE ACTIONS:

1. Please obtain a permit for the fence, repair the mismatched pieces, and areas that appear loose.

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: 06/11/2021

Started On: 04/27/2021 03:27 PM

Special Magistrate Hearing

4. C.

Meeting Date: 06/16/2021

Re: Case # 21-0476 - 102 Shelley Lane

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

Information

SUBJECT:

| | | | |
|------------|------------------|----------------------------------|-----------------|
| 21-0476 VR | 102 Shelley Lane | Rego, Humberto M Rego, Belkis | Heather Debevec |
|------------|------------------|----------------------------------|-----------------|

CASE INFORMATION:

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|----------------|-------------------|-----------------------|--------|
| Case Initiated | February 26, 2021 | Type of Presentation: | Repeat |
|----------------|-------------------|-----------------------|--------|

OWNER:

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|--|--|
| OWNER: Humberto M Rego Belkis Rego 717 Ponce de Leon Blvd Ste 305 Coral Gables, FL 33134 | |
|--|--|

VIOLATIONS:

Sec. 125-187. – Allowed uses.
Sec. 22-19. Imposed; term; half year business tax; receipts.

CORRECTIVE ACTIONS:

1. Remove all ads and cancel all reservations.
2. Obtain a conditional use permit through Planning and Zoning.
3. Obtain a business tax receipt through the City Clerk's Office.

RECOMMENDATION:

The City requests that a fine equal to \$5,000.00 be assessed. The City also requests an immediate cease and desist order be imposed and future rentals be terminated immediately. All advertisements for short term rentals are to be removed and proof of cancellation for pending reservations be provided. The City also requests that should the owner fail to comply will the Special Magistrate's Order that all utilities to the premises be suspended while the violation exists.

Form Review

Form Started By: Heather Debevec
Final Approval Date: 06/11/2021

Started On: 04/22/2021 02:44 PM

Special Magistrate Hearing

4. D.

Meeting Date: 06/16/2021

Re: Case # 21-0916 - 2507 S Indian River Drive

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

Information

SUBJECT:

| | | | |
|------------|---------------------------|--------------|-----------------|
| 21-0916 CE | 2507 S Indian River Drive | Wynne, Diane | Heather Debevec |
|------------|---------------------------|--------------|-----------------|

CASE INFORMATION:

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|----------------|-------------|-----------------------|--------|
| Case Initiated | May 7, 2021 | Type of Presentation: | Repeat |
|----------------|-------------|-----------------------|--------|

OWNER:

| | |
|---|--|
| OWNER: Diane Wynne 2507 S Indian River Dr Ft. Pierce, FL 34950 | |
|---|--|

VIOLATIONS:

Sec. 125-187. – Allowed uses.

Sec. 22-19. Imposed; term; half year business tax; receipts.

CORRECTIVE ACTIONS:

1. All rentals of less than six months must cease immediately. Proof of cancellation of existing rentals must be provided.
2. All ads on websites dedicated to vacation rentals are assumed to be for vacation rental(s) regardless of length of stay indicated in the ad. All ads must be removed immediately.

RECOMMENDATION:

The City requests a fine of \$5,000.00 be assessed. The City also requests an immediate cease and desist order be imposed and future rentals be terminated immediately. All advertisements for short term rentals are to be removed and proof of cancellation for pending reservations be provided. The City also requests that should the owner fail to comply will the Special Magistrate's Order that all utilities to the premises be suspended while the violation exists.

Form Review

Form Started By: Heather Debevec

Started On: 04/28/2021 09:20 AM

Final Approval Date: 06/11/2021

Special Magistrate Hearing**5. 1.****Meeting Date:** 06/16/2021**Re:** Case # 21-0226 - 1415 S Ocean Drive**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

| | | | |
|------------|--------------------|----------------|-----------------|
| 21-0226 PK | 1415 S Ocean Drive | Andre, Matrice | Heather Debevec |
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CASE INFORMATION:

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|-----------------|------------------|-----------------------|----------|
| Case Initiated: | January 23, 2021 | Type of Presentation: | Citation |
|-----------------|------------------|-----------------------|----------|

OWNER:

| | |
|-------------------------|----------------------------------|
| OWNER: Matrice Andre | VIOLATION: Restricted Parking |
|-------------------------|----------------------------------|

VIOLATIONS:

| Citation # | Code Section | Fine | Admin Fee | Late Fee | Total Due |
|------------|-----------------------------|---------|-----------|----------|-----------|
| 10353PK | 34-35(L) Parking Regulation | \$50.00 | \$10.00 | \$18.00 | \$78.00 |

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec
Final Approval Date: 06/11/2021

Started On: 04/15/2021 02:36 PM

Special Magistrate Hearing**5. 2.****Meeting Date:** 06/16/2021**Re:** Case # 21-0712 - 420 Seaway Drive**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement**Information****SUBJECT:**

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|------------|------------------|--------------|-----------------|
| 21-0712 PK | 420 Seaway Drive | Petry, Anona | Heather Debevec |
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CASE INFORMATION:

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|-----------------|----------------|-----------------------|--------|
| Case Initiated: | March 27, 2021 | Type of Presentation: | Appeal |
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OWNER:

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|---------------------------|--|
| VIOLATOR: Anona Pettry | |
|---------------------------|--|

VIOLATIONS:

| Citation # | Code Section | Fine | Admin Fee | Late Fee | Total Due |
|------------|----------------------------------|---------|-----------|----------|-----------|
| 10389PK | 34-35(S) Parking on Right of Way | \$50.00 | \$10.00 | \$18.00 | \$78.00 |

CORRECTIVE ACTIONS:

N/A

RECOMMENDATION:

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

Form Review

Form Started By: Heather Debevec

Started On: 04/22/2021 06:53 AM

Final Approval Date: 06/11/2021