

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, October 18, 2022 - 9:00 a.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ADMINISTRATIVE BUSINESS**

A. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**

B. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**

4. **PUBLIC HEARINGS - CITATIONS**

5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	22-326	2650 S Kings Hwy	Ft Pierce So Kings Hwy LLC	Logan Winn
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B.	22-509	1117 Paseo Ave	Rayas, Humberto & Ochoa, Hilda	Frank Remling
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C.	22-735	723 High Point Blvd	High Point of Ft Pierce Condominium Section 2	Logan Winn
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D.	22-1171	705 Revels Ln Apt B	Hatfield, James	Frank Remling
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E.	22-1184	507 S 22nd St Unit A	Moncoeur, Nadege	Logan Winn
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F.	22-1219	2000 Sunrise Blvd	LP Roberts Investment Group LLC	Frank Remling
G.	22-1305	707 N 13th St	Green, Chauncy	Frank Remling
H.	22-1466	1907 Sunrise Boulevard	Lopez, Ever & Buena, Amador	Logan Winn
I.	22-1828	322 N 12th St	Bitetto, Vitangelo	Logan Winn
J.	22-1855	1655 N 29th St Unit 208	Madison Cay Ltd	Logan Winn
K.	22-1861	603 Ave E	Garcia, Jose	Logan Winn
L.	22-1896	1106 N 17th St	Norannie Realty Corp	Logan Winn
M.	22-1897	121 N 29th Street	Baptiste, Lerones	Logan Winn
N.	22-2115	919 Avenue J	Marcellino, Vincent	Frank Remling
O.	22-2296	507 S 22nd St Unit B	Moncoeur, Nadege	Logan Winn

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

A.	17-898	1450 Bell Avenue	TSPN 19 LLC 1450 Bell Ave Owner LLC	Shaun Coss
B.	21-1658	509 N 21st Street	McCormick, Nettie	Shaun Coss

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

A.	21-908	302 S 21st Street	Garcia, Javier & Esther	Shaun Coss
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8. **OTHER CASES - LIEN HEARINGS**

A.	21-3322	504 N 26th St Unit B	Yas Holdings LLC	Frank Remling
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B.	21-3587	4150 Okeechobee Rd Unit B	4150 Plaza LLC	Logan Winn
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C.	21-3678	2801 Citrus Ave	Hatfield, James	Logan Winn
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D.	22-1070	1104 Mayflower Rd	Justin, Laresta	Logan Winn
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9. **NEW BUSINESS**

10. **OLD BUSINESS**

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

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Building Department at (772) 467-3712, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Special Magistrate Hearing - Building

5. A.

Meeting Date: 10/18/2022

Re: Case #22-326 - 2650 S Kings Highway

Information

SUBJECT:

22-326	2650 S Kings Hwy	Ft Pierce So Kings Hwy LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	January 25, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Ft Pierce So Kings Hwy LLC 67 Mountain Blvd #201 Warren NJ 07060	REG. AGENT: CT CORPORATION SYSTEM 1200 S Pine Island Rd Plantation FL 33324
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the paving done without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/10/2022

Started On: 10/10/2022 03:40 PM

Special Magistrate Hearing - Building

5. B.

Meeting Date: 10/18/2022

Re: Case # 22-509 - 1117 Paseo Avenue

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-509	1117 Paseo Ave	Rayes, Humberto & Ochoa, Hilda	Frank Remling
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CASE INFORMATION:

Case Initiated:	February 9, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Humberto Rayes Hilda Ochoa 1117 Paseo Ave Ft Pierce FL 34982	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2017) Permit Required, FBC 105.4.1.2 (2017) Expired Permit

CORRECTIVE ACTIONS:

Submit a revision to renew permit #19-3916 including an engineer's letter for the footer and fence installed.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 01:06 PM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 10/18/2022

Re: Case #:22-735 - 723 High Point Blvd

Information

SUBJECT:

22-735	723 High Point Blvd	High Point of Ft Pierce Condominium Section 2	Logan Winn
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CASE INFORMATION:

Case Initiated:	February 23, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: High Point of Ft Pierce Condominium Section 2 732 High Point Blvd Ft Pierce, fl 34982	REG. AGENT: Ross Earle & Bonan PA 789 S Federal Highway Suite 101 Stuart, FL 34994
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the pavement seal coating and striping done without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 09/19/2022

Started On: 09/19/2022 09:26 AM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 10/18/2022

Re: Case #:22-1171 - 705 Revels Lane Apt B

Information

SUBJECT:

22-1171	705 Revels Ln Apt B	Hatfield, James	Frank Remling
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CASE INFORMATION:

Case Initiated:	March 30, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: James Hatfield PO Box 4447 Ft Pierce, FL 34948	OCCUPIED BY:
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VIOLATIONS:

IPMC 505.3 (2021) Supply, IPMC 506.1 (2021) General, IPMC 506.2 (2021) Maintenance, IPMC 603.1 (2021) Mechanical Appliances, IPMC 304.15 (2021) Doors

CORRECTIVE ACTIONS:

1. Make necessary plumbing repairs to pipe under the home that is possibly broken and leaking.
2. Repair/replace non-working AC unit.
3. Repair front and back doors that do not lock.
4. Make necessary plumbing repairs to toilet and tub that are backed up.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/10/2022

Started On: 10/10/2022 03:40 PM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 10/18/2022

Re: Case #22-1184 - 507 S 22nd Street Unit A

Information

SUBJECT:

22-1184	507 S 22nd St Unit A	Moncoeur, Nadege	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 31, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Nadege Moncoeur 2827 Orleans Ct Unit B West Palm Beach FL 33415	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the windows replaced without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/10/2022

Started On: 10/10/2022 03:40 PM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 10/18/2022

Re: Case #:22-1219 - 2000 Sunrise Boulevard

Information

SUBJECT:

22-1219

2000 Sunrise Blvd

LP Roberts Investment Group LLC

Frank Remling

CASE INFORMATION:

Case Initiated:

April 5, 2022

Type of Presentation:

Regular

OWNER:

OWNER:

LP Roberts Investment Group LLC

710 NW Bristol St

Port St Lucie, FL 34983

REG. AGENT:

Lashanna P Roberts

VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain the permit for the renovation work being done without issuance of the permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck

Started On: 10/10/2022 03:40 PM

Final Approval Date: 10/10/2022

Special Magistrate Hearing - Building

5. G.

Meeting Date: 10/18/2022

Re: Case #:22-1305 - 707 N 13th Street

Information

SUBJECT:

22-1305	707 N 13th St	Green, Chauncy	Frank Remling
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CASE INFORMATION:

Case Initiated:	April 13, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Chauncy Green 908 N 21st St Apt A Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1.1 (2021) Unsafe Structure, IPMC 111.1.2 (2021) Unsafe Equipment, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure- General, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.9 (2021) Overhang Extension, IPMC 304.13.1 (2021) Glazing, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.3 (2021) Electrical Systems Hazards, IPMC 604.3.2.1 (2021) Electrical Equipment

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace all fire damaged wiring, electrical fixtures drywall, soffit and fascia. Any structural damage will require signed and sealed repair plans designed by a registered design professional.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck

Started On: 10/10/2022 03:40 PM

Final Approval Date: 10/10/2022

Special Magistrate Hearing - Building

5. H.

Meeting Date: 10/18/2022

Re: Case #22-1466 - 1907 Sunrise Boulevard

Information

SUBJECT:

22-1466	1907 Sunrise Boulevard	Lopez, Ever & Buena, Amador	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 2, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Ever Lopez Francisco Buena Ventura Amador 1907 Sunrise Blvd Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for trusses being installed without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/10/2022

Started On: 10/10/2022 03:40 PM

Special Magistrate Hearing - Building

5. I.

Meeting Date: 10/18/2022

Re: Case #22-1828 - 322 N 12th Street

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-1828	322 N 12th St	Bitetto, Vitangelo	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 27, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Vitangelo Bitetto 1484 SE Village Green Dr Port St Lucie FL 34952	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for floor framing and other renovations being done without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 10:11 AM

Special Magistrate Hearing - Building

5. J.

Meeting Date: 10/18/2022

Re: Case # 22-1855 - 1655 N 29th Street Unit 208

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-1855	1655 N 29th St Unit 208	Madison Cay Ltd	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 31, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Madison Cay Ltd 2301 Lucien Way Ste 405 Maitland FL 3275	REG. AGENT: Lindsey Sultan 558 W New England Ave Ste 230 Winter Park FL 32789
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the water heater installed without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 11:56 AM

Special Magistrate Hearing - Building

5. K.

Meeting Date: 10/18/2022

Re: Case #22-1861 - 603 Avenue E

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-1861	603 Ave E	Garcia, Jose	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 31, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Jose Garcia 603 Avenue E Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1.1 (2021) Unsafe Structures, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.7 Roofs and Drainage

CORRECTIVE ACTIONS:

Obtain a permit to demolish the detached garage that is unsafe.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 12:06 PM

Special Magistrate Hearing - Building

5. L.

Meeting Date: 10/18/2022

Re: Case # 22-1896 - 1106 N 17th Street

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-1896	1106 N 17th St	Norannie Realty Corp	Logan Winn
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CASE INFORMATION:

Case Initiated:	June 6, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Norannie Realty Corp 2706 Danforth Terr Wellington FL 33414	REG. AGENT: Mahedo Singh
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for work done outside the scope of the current active permits, including the replacement of roof rafters.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 01:37 PM

Special Magistrate Hearing - Building

5. M.

Meeting Date: 10/18/2022

Re: Case # 22-1897 - 121 N 29th Street

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-1897	121 N 29th Street	Baptiste, Leronés	Logan Winn
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CASE INFORMATION:

Case Initiated:	June 6, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Leronés Baptiste 632 SW Stillman Ave Port St Lucie FL 34953	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the driveway that was done without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 01:18 PM

Special Magistrate Hearing - Building

5. N.

Meeting Date: 10/18/2022

Re: Case # 22-2115 - 919 Avenue J

Submitted For: Shaun Coss, Building Dept. Coordinator, Building

Information

SUBJECT:

22-2115	919 Avenue J	Marcellino, Vincent	Frank Remling
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CASE INFORMATION:

Case Initiated:	June 30, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Vincent Marcellino 5625 NW Wawan Ct Port St Lucie FL 34986	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.18.1 (2021) Doors, IPMC 304.13 (2021) Windows, skylight and door frames, IPMC 305.3 (2021) Interior surfaces, IPMC 404.7 (2021) Food Preparation, IPMC 504.1 (2021) General

CORRECTIVE ACTIONS:

1. Repair/replace all doors that do not close properly.
2. Repair/replace all broken windows.
3. Make necessary plumbing repairs to bring toilet into working order.
4. Repair/replace the non-working refrigerator.
5. Make necessary repairs to all holes in the walls.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck

Started On: 10/12/2022 11:12 AM

Final Approval Date: 10/13/2022

Special Magistrate Hearing - Building

5. O.

Meeting Date: 10/18/2022

Re: Case #22-2296 - 507 S 22nd Street Unit B

Information

SUBJECT:

22-2296	507 S 22nd St Unit B	Moncoeur, Nadege	Logan Winn
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CASE INFORMATION:

Case Initiated:	July 20, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Nadege Moncoeur 2827 Orleans Ct Unit B West Palm Beach FL 33415	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the windows replaced without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/10/2022

Started On: 10/10/2022 03:40 PM

Special Magistrate Hearing - Building

6. A.

Meeting Date: 10/18/2022

Re: Case #17-898 - 1450 Bell Avenue

Information

SUBJECT:

17-898	1450 Bell Avenue	TSPN 19 LLC 1450 Bell Ave Owner LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	April 5, 2017	Type of Presentation:	Status/Massey Hearing
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OWNER:

OWNER: TSPN 18 LLC 1450 Bell Ave Owner LLC 1100 Biscayne Boulevard Miami FL 33132	REG. AGENT: Yehonatan Missika (TSPN 18 LLC) 1100 Biscayne Blvd Miami FL 33132
REG. AGENT: VCORP Services, LLC (1450 Bell Ave Owner LLC) 5011 South State Rd 7, Suite 106 Davie, FL 33314	PREVIOUS OWNER: RAILSIDE LLC 44th-47th Realty Associates LLC 1 Paragon Dr, Suite 260 Montvale, NJ 07645

VIOLATIONS:

Section(s) 5-1.101.2.1 Unsafe Building

Section(s) 5-1.105.1 Permit Required

Sections(s) 5-1.105.4.1.2 Expired Permit

Section(s) 22-79 Compliance with Conditions Approval

CORRECTIVE ACTIONS:

Order Determining Violation August 3, 2017, nunc pro tunc August 2, 2017:

Statuses of violations updated June 15, 2022.

1. Obtain a permit and approved final inspection for the irrigation system. ****COMPLIED****
2. Renew permit 15-3025 for re-roofing the office and loading dock area and supply an original signed and sealed inspection certification from John Foster. ****COMPLIED****
3. a) Renew permit 16-1785 for the site work permit. To obtain approval for the final inspection you must comply with all outstanding issues from the Engineering and

Planning Departments including all conditions specified in the Conditional Use approval dated 10/5/15. This includes providing a certified as-built drawing; providing a Contractor's or Engineer's final certification; removing the southern row of spaces and installing the 10 foot landscaping buffer to plan, or, the submittal of a revision to make the spaces compliant, detail of where the 10 foot landscape buffer is located ****COMPLIED****

b) and approval or revocable license agreement from St. Lucie County for the landscape buffer if it is located on the right of way; ****OUTSTANDING****

c)
rehabilitation/replacement of the palm trees installed at the south east corner of the "planning area" that are dead or dying; installing a stop bar and stop sign at the west driveway apron as required; painting directional arrows; removing the driveway apron at the west side of the property where a landscape buffer was planned; installing the vegetative hedge within the western landscape buffer as required by City Code Section 22-187(4); and, providing access to the property to allow Planning Staff to perform an inspection of the installation of trees and parking spaces striped internally on the site. ****COM**

4. Submit a revised, detailed scope of electrical work for permit 17-425 for electrical work intended to take place in the condemned structure, or include this work in the phase-two comprehensive plan described below. ****COMPLIED****
5. a) Submit a comprehensive plan for phase-two, which may include a 2000 s.f +/- addition to the facility as well as planning for a 1500 s.f. future restaurant including landscaping and site modifications; ****OUTSTANDING****

b)The phase-two comprehensive plan must address all other outstanding violations including, having an Engineer complete an evaluation of all structures on the property; ****COMPLIED****

c) building numbering; construction, rehabilitation and demolition of structures to address the change of use and to cure all deficiencies constituting condemnation; and, the removal of millings. ****OUTSTANDING****

RECOMMENDATION:

1. August 2, 2017 Special Magistrate Ross found Railside LLC responsible for the violations referenced above and gave them 30 days to obtain a permit and approved final inspection for the irrigation system, renew permit 15-3028 and 16-1785. Also 90 days to submit a revised scope of electrical work for permit 17-425 and submit a comprehensive plan for phase two of development. Failure to comply to this order in the time allotted will result in assessing a fine of \$250.00 per day for each order until all violations are corrected.
2. November 7, 2017 Shaun Coss, Building Department Investigator, exercised his authorization to grant an extension of 90 days and issued a warning that if the property doesn't come into compliance by the end of the extension, the owner will have to go before the Special Magistrate to request another extension.
3. January 18, 2018 received request for another extension of time from Alexander Gonano, legal counsel.
4. March 21, 2018 Special Magistrate issued a 90 day extension to apply for the application and an additional 90 day to obtain a permit and comply to permit conditions. Failure to come into compliance within this time period will result in being assessed \$250.00 per day until the property comes into compliance.
5. September 19, 2018 Special Magistrate extended the case for 90 days and rescheduled for

January 16, 2019.

6. January 16, 2019 Special Magistrate extended the case for 90 days and rescheduled for April 16, 2019.

7. April 16, 2019, Special Magistrate extended the case for 90 days. Several requests for continuances were granted after this hearing.

8. October 15, 2019, Special Magistrate extended the case for 45 days to allow for a stipulated agreement to be made with City staff.

9. December 18, 2019, Special Magistrate denied the request for extension of time and fines began.

10. April 9, 2020, Lien was filed

11. September 17, 2021, Release of lien was recorded pursuant to Order from St. Lucie County Circuit Court.

12. Property was sold on May 17, 2022

Recommendation to be determined at the hearing.

Form Review

Form Started By: Elizabeth Beck

Started On: 10/10/2022 03:38 PM

Final Approval Date: 10/10/2022

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

6. B.

Information

SUBJECT:

21-1658	509 N 21st Street	McCormick, Nettie	Shaun Coss
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CASE INFORMATION:

Case Initiated:	July 13, 2021	Type of Presentation:	Massey
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OWNER:

OWNER: Nettie McCormick (Est) 510 N 22nd St Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.4.1.2 (2017) Expired Permit, FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - February 15, 2022
Notice of Extension of Time (90 days) - April 21, 2022
Affidavit of Non-Compliance - September 9, 2022

ACTION DATES:

1. February 15, 2022 - Special Magistrate Hearing - 60 days provided to renew the permit and obtain for any additional work or fines may accrue.
2. April 21, 2022 - A Notice of Extension of Time (90 days) was provided and recorded.
3. September 9, 2022 - An Affidavit of Non-Compliance was recorded and fines began on this date. As of October 11, 2022 the fines total \$3,330.00
4. September 22, 2022 - a letter from the owner's daughter was received, contesting the fines.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/11/2022 12:28 PM

MASSEY HEARING
October 18, 2022
Case #21-1658

CONTESTING OF FINE/NON-COMPLIANCE

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: Minimal.

2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? The owner's daughter is taking steps needed to have the power turned back on so that the renovation work can continue.

3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? 0 (zero).

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

7. A.

Information

SUBJECT:

21-908	302 S 21st Street	Garcia, Javier & Esther	Shaun Coss
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CASE INFORMATION:

Case Initiated:	April 27, 2021	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Javier & Esther Garcia 302 S 21st Street Ft Plerce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - October 20, 2021
Notice of Extension of Time (90 days) - January 3, 2022
Affidavit of Non-Compliance - May 25, 2022
Order Assessing Fine and Imposing Lien - June 22, 2022

ACTION DATES:

1. October 19, 2021 - Special Magistrate Hearing - owner found responsible for the violation and was provided 60 days to obtain the permit or fines may accrue.
2. January 3, 2022 - A Notice of Extension of Time (90 days) was provided and recorded.
3. May 25, 2022 - An Affidavit of Non-Compliance was recorded and fines began to accrue on this date.
4. June 22, 2022 - a lien was recorded.
5. June 28, 2022 - the permit for the work cited on the violation was issued. Although the permit was applied for on 12/21/2021, it took 6 months to get the correct paperwork in order to issue the permit.
6. August 26, 2022 - the inspection necessary to comply the case was approved and fines stopped on this date. The fines total \$9,350.00.
7. September 7, 2022 - A Lien Reduction Request was received by the Building Department

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Lien Reduction Request

Admin Costs

Form Review

Form Started By: Elizabeth Beck

Final Approval Date: 10/11/2022

Started On: 10/10/2022 03:45 PM

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

Case No: 21-908

Date: October 18, 2022

1.) The gravity or seriousness of the violation:	Minimal
2a.) Any and all actions taken by the violator to correct the violations; OR	The necessary permit was obtained and the work was inspected.
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:	1 year and 3 months
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	0
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	0
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The current owner stated that the work was completed by the previous owner. They further claim that they did not understand the notices received and therefore did not respond. Once they understood, they took necessary steps to comply.
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



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	09/07/2022		
Property address:	302 S 21st Street Fort Pierce FL 34950		
Owner(s) of record:	Javier Garcia, Esther Garcia		
Mailing address:	302 S 21st Street Fort Pierce FL 34950		
Property tax ID #:	2409-708-0002-000-8		
Original purchase date:	4/13/2020	Original purchase price:	\$100.00
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:	Javier Garcia Esther Garcia	Relationship to owner(s)	owners
Telephone #:		Mobile phone #:	(772) 203-4012
E-mail:	N/A.	Preferred contact method:	Mobile phone Spanish prefer.
What are owner(s) intentions for property:			
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)
Is property listed for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is listing price?
Is property under contract for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is the sale price?

AMOUNT OF FINE / LIEN

\$ 9,350.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 9,350.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 0

Javier Garcia

Signature of Owner or Representative

09/07/2022

Date

REQUEST FOR REDUCTION OF PENALTY FOR BUILDING VIOLATIONS

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

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete the appropriate application for lien reduction / rescindment.
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. For building violation liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Elizabeth Beck (772-467-3718) for cost / fees breakdown.
8. If you do not have access to a Notary Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
9. Return this form, the application and any other pertinent documentation to the Building Department.
10. Requests for Reduction / Rescindment of building violation liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 302 S 21st Street Fort Pierce FL 34950
Property Owner: Javier Garcia, Esther Garcia
Mailing Address: 302 S 21st Street Fort Pierce FL 34950
Telephone #: N/A Cell Phone #: (772) 203-4012
E-Mail Address: N/A

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

I, Javier Garcia & Esther Garcia, 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 didn't come into compliance sooner because we were not aware of the situation. we bought the home and all change had been done before. we didn't respond to the notice because we didn't understand what was going on; we do not speak, read, or write in English. Our youngest daughter helped us as she could to translate what the issue was. Once we were informed we appeared to the building department and started the process as they guided us. we got a permit, and went from there to meet compliance. some letters were sent, but never received by us. My wife is currently unemployed and I, Javier Garcia am the only source of income to our home. It would be impossible for me to pay the fine.

Signed: Javier Garcia Date: 09/07/2022

Print Name: Javier Garcia

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Javier Garcia 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 DL as identification.

SWORN TO AND SUBSCRIBED before me this 7th day of September, 2022.

Brittney Heltz

Notary Public, State of Florida



OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 302 S 21st Street Fort Pierce FL 34950

I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or City Commission.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(c), I understand the requirements to be met and that my request will be heard and determination made by the Special Magistrate that authorized Order Assessing Fine and Imposing Lien.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(e) and that my request will be heard and determination made by the City Commission of the City of Fort Pierce.

Javier Garcia
Signature of Owner or Representative

09/07/2022
Date

COFP – APPLICATION PROCESS DETERMINATION

Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

Staff has reviewed the request for lien reduction and does not agree to process the application as requested by the signing party.

Comments:

Shaun Coss, Building Department Coordinator

Date

Administrative Cost Estimator

10/11/2022

Property Address: 302 S 21st Street

Date case originated: 4/27/2021

Date case complied: 8/26/2022

Total time: 15 months

Number of Hearings

Violation Hearings: 1

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class: \$0.60 6 \$3.60

Certified Mail: \$7.25 1 \$7.25

Photographs (per page) \$0.50 2 \$1.00

Filing Fees \$10.00 4 \$40.00

Months Open \$50.00 15 \$750.00

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

Building Dept. Assistant

Up to three Hearings \$150.00 1 \$150.00

Each additional Hearing \$75.00 \$0.00

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

Building Dept. Coordinator \$75.00 1 \$75.00

Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour) \$125.00 \$0.00

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 2 \$300.00

Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction \$250.00 1 \$250.00

Total Estimated Cost: \$1,576.85

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

8. A.

Information

SUBJECT:

21-3322	504 N 26th St Unit B	Yas Holdings LLC	Frank Remling
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CASE INFORMATION:

Case Initiated:	November 18, 2021	Type of Presentation:	Lien Hearing
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OWNER:

OWNER: Yas Holdings LLC 950 Peninsula Corp Cir Suite 1013 Boca Raton FL 33487	REG. AGENT: Keren Admon, P. A., Reg. Agent 8043 Twin Lake Dr Boca Raton FL 33496
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - June 22, 2022

Affidavit of Non-Compliance - September 8, 2022

Order Assessing Fine and Imposing Lien - October 6, 2022

ACTION DATES:

1. June 21, 2022 - Special Magistrate Hearing - owner provided 60 days to obtain a permit or fines may accrue.

2. September 8, 2022 - An Affidavit of Non-Compliance was recorded (September 9, 2022) and fines began to accrue on this date. As of October 12, 2022, the fines total \$3,430.00.

RECOMMENDATION:

Uphold lien imposed.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 07:47 AM

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

8. B.

Information

SUBJECT:

21-3587	4150 Okeechobee Rd Unit B	4150 Plaza LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	December 14, 2021	Type of Presentation:	Lien Hearing
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OWNER:

OWNER: 4150 Plaza LLC 1946 Harrison St Hollywood FL 33020	REG. AGENT: KEILA STIBERMAN
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - June 22, 2022
Affidavit of Non-Compliance - August 25, 2022

ACTION DATES:

1. June 21, 2022 - Special Magistrate Hearing - owner provided 60 days to obtain a permit or fines may accrue.
2. August 25, 2022 - An Affidavit of Non-Compliance was recorded (August 26, 2022) and fines began to accrue on this date. As of October 12, 2022, the fines total \$4,820.00.

RECOMMENDATION:

Impose a lien on the property.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/11/2022 05:28 PM

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

8. C.

Information

SUBJECT:

21-3678	2801 Citrus Ave	Hatfield, James	Logan Winn
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CASE INFORMATION:

Case Initiated:	December 22, 2021	Type of Presentation:	Lien Hearing
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OWNER:

OWNER: James Hatfield PO Box 1506 Ft Pierce FL 34954	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 305.3 (2021) Interior Surfaces, IPMC 309.1 (2021) Infestation, IPMC 505.4 (2021) Water Heating Facilities, IPMC 605.1 (2018) Electrical Equipment

FINDINGS/ORDER:

Order Determining Violation - June 22, 2022
Affidavit of Non-Compliance - August 25, 2022

ACTION DATES:

1. June 21, 2022 - Special Magistrate Hearing - owner provided 60 days to obtain a permit or fines may accrue.
2. August 25, 2022 - An Affidavit of Non-Compliance was recorded (August 26, 2022) and fines began to accrue on this date. As of October 12, 2022, the fines total \$4,820.00.

RECOMMENDATION:

To Be Determined.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/12/2022 08:48 AM

Special Magistrate Hearing - Building
Meeting Date: 10/18/2022

8. D.

Information

SUBJECT:

22-1070	1104 Mayflower Rd	Justin, Lareste	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 24, 2022	Type of Presentation:	Lien Hearing
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OWNER:

OWNER: Lareste Justin 1110 Colonial Rd Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - June 22, 2022
Affidavit of Non-Compliance - August 30, 2022

ACTION DATES:

1. June 21, 2022 - Special Magistrate Hearing - owner provided 60 days to obtain a permit or fines may accrue.
2. August 30, 2022 - An Affidavit of Non-Compliance was recorded (August 31, 2022) and fines began to accrue on this date. As of October 11, 2022, the fines total \$4,220.00.

RECOMMENDATION:

Impose a lien on the property.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 10/13/2022

Started On: 10/11/2022 04:59 PM