

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, December 20, 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.	22-2101	304 N 17th St	Macedo, Juan C Vega, Ramona	Logan Winn
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B.	22-2103	417 El Rancho Drive	Neilson, John D & Christina M	Logan Winn
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C.	22-2237	510 N 6th Street	Cruickshank, Cephus	Logan Winn
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D.	22-2294	2514 Avenue Q	AG & JM LLC	Logan Winn
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E.	22-2374	2428 Mohawk Avenue	Kirkland, Rudolph V II Kirkland, Lawanna	Logan Winn
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F.	22-2378	3008 Carver Street	Anderson, Ebony M	Gerard Mezzina
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G.	22-2453	510 S 10th Street	Walker, Anthony Walker, Patty	Frank Remling
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H.	22-2469	2433 Okeechobee Road Unit B	Morgan Automotive LLC	Frank Remling
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I.	22-2483	611 S 21st Street	La Garita Investments LLC	Logan Winn
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J.	22-2489	527 N 10th Street Unit B	Seamons, Jacob A	Gerard Mezzina
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	20-850	4815 S US Highway 1	Sutherlin Nissan of Ft. Pierce	Shaun Coss
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B.	22-1062	304 N 8th Street	Greater New Bethel Missionary Baptist Church	Logan Winn
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C.	22-1063	305 N 8th Street	Greater New Bethel Missionary Baptist Church	Logan Winn
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D.	22-1465	1618 Mayflower Road	Vadim, Donchu	Logan Winn
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	19-1451	205 N 18th St	JRG Holdings, Inc.	Shaun Coss
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8. **OTHER CASES - LIEN HEARING**

A.	21-665	1215 Boston Ave	National Debt Relief Services Inc.	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: 12/20/2022

Re: Case #22-2101 - 304 N 7th Street

Information

SUBJECT:

22-2101	304 N 17th St	Macedo, Juan C Vega, Ramona	Logan Winn
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CASE INFORMATION:

Case Initiated:	June 28, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Juan C Macedo Ramona Vega 1513 NE 27th Ct Pompano Beach, FL 33064	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (2021) Unsafe Structures, IPMC 304.1 (2021) Exterior Structure - General

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace the broken exterior stairs

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: 11/22/2022

Started On: 11/22/2022 03:49 PM

Special Magistrate Hearing - Building

5. B.

Meeting Date: 12/20/2022

Re: Case #22-2103 - 417 El Rancho Drive

Information

SUBJECT:

22-2103	417 El Rancho Drive	Neilson, John D & Christina M	Logan Winn
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CASE INFORMATION:

Case Initiated:	June 28, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: John D & Christina M Neilson 417 El Rancho Dr Ft Pierce FL 34982	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (2021) Unsafe Structures, IPMC 304.1 (2021) Exterior Structure – General, IPMC304.1.1 (2021) Unsafe Conditions, IPMC 304.4 (2021) Structural Members, IPMC 304.2 (2021) Protective Treatment, IPMC 304.7 (2021) Roofs and Drainage, IPMC 306.1 Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions

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
Final Approval Date: 11/22/2022

Started On: 11/22/2022 03:49 PM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 12/20/2022

Re: Case #22-2237 - 510 N 6th Street

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

Information

SUBJECT:

22-2237	510 N 6th Street	Cruickshank, Cephus	Logan Winn
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CASE INFORMATION:

Case Initiated:	July 14, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Cephus Cruickshank 2312 N 14th Street Ft Pierce, FL 34946	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the roof 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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/02/2022 09:39 AM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 12/20/2022

Re: Case #22-2294 - 2514 Avenue Q

Information

SUBJECT:

22-2294	2514 Avenue Q	AG & JM LLC	Logan Winn
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CASE INFORMATION:

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

OWNER: AG & JM 5141 NW Dunn Rd Ft Pierce, FL 34981	REG. AGENT: Segundo Maldonado
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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(3) (2021) Dangerous Structure or Premises, IPMC 111.1.5(6) (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure, IPMC 304.1.1(5) (2021) Unsafe Conditions (Structure Members), IPMC 304.1.1(7) (2021) Unsafe Conditions (Exterior Walls), IPMC 304.2 (2021) Protective Treatment, IPMC 304.3 (2021) Premises Identification, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 304.13.1 (2021) Glazing, IPMC 305.1 (2021) Interior Structure, IPMC 305.1.1(4) (2021) Interior Structure – Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.1 (2021) Facilities Required, IPMC 604.3.2.1 (2021) Fire Damaged 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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/02/2022 09:20 AM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 12/20/2022

Re: Case #22-2374 - 2428 Mohawk Avenue

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

Information

SUBJECT:

22-2374	2428 Mohawk Avenue	Kirkland, Rudolph V II Kirkland, Lawanna	Logan Winn
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CASE INFORMATION:

Case Initiated:	July 18, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Rudolph V Kirkland II Lawanna Kirkland 2428 Mohawk Avenue Ft Pierce, FL 34946	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for converting a single-family dwelling into a boarding house.

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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/01/2022 01:52 PM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 12/20/2022

Re: Case #22-2378 - 3008 Carver Street

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

Information

SUBJECT:

22-2378	3008 Carver Street	Anderson, Ebony M	Gerard Mezzina
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CASE INFORMATION:

Case Initiated:	July 29, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Ebony M Anderson 6950 30th Sq Apt 204 Vero Beach, FL 32966	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for electrical service mast that was repaired/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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/01/2022 04:34 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 12/20/2022

Re: Case #22-2453 - 510 S 10th Street

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

Information

SUBJECT:

22-2453	510 S 10th Street	Walker, Anthony Walker, Patty	Frank Remling
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CASE INFORMATION:

Case Initiated:	August 11, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Anthony Walker Patty Walker 510 S 10th Street Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the shed that was 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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/01/2022 03:27 PM

Special Magistrate Hearing - Building

5. H.

Meeting Date: 12/20/2022

Re: Case #22-2469 - 2433 Okeechobee Road Unit B

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

Information

SUBJECT:

22-2469	2433 Okeechobee Road Unit B	Morgan Automotive LLC	Frank Remling
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CASE INFORMATION:

Case Initiated:	August 15, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Morgan Automotive LLC 2433 Okeechobee Road Ft Pierce, FL 34950	REG. AGENT: Johnny A Morgan 5412 Buchanan Drive Ft Pierce, FL 34982
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VIOLATIONS:

IPMC 304.1 (2021) Exterior Structure-General, IPMC 304.1 (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.6 (2021) Exterior Walls, IPMC 304.13 (2021) Windows, Skylight and Door Frames, IPMC 304.13.1 (2021) Glazing, IPMC 306.1 (2021) Component Serviceability-General, IPMC 306.1.1 (2021) Unsafe Conditions.

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace all damaged structural members. 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: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/01/2022 03:48 PM

Special Magistrate Hearing - Building

5. I.

Meeting Date: 12/20/2022

Re: Case #22-2483 - 611 S 21st Street

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

Information

SUBJECT:

22-2483	611 S 21st Street	La Garita Investments LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	August 17, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: La Garita Investments LLC 552 SE Crescent Ave Port St Lucie, FL 34984	REG. AGENT: Johanna Gutierrez 552 SE Crescent Ave Port St Lucie, FL 34984
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VIOLATIONS:

IPMC 304.7 (2021) Roofs and Drainage, IPMC 305.3 (2021) Interior Surfaces, IPMC 605.2 (2021) Receptacles, IPMC 505.4 (2021) Water Heating Facilities, FBC 105.1 (2021) Permit Required

CORRECTIVE ACTIONS:

1. Repair/replace the roof that is leaking.
2. Make repairs to the water damaged ceiling. Also repair all holes in the ceiling.
3. Make repairs to electrical wiring that is left open and unprotected by a faceplate.
4. Make safe and obtain a permit for the gas water heater installed without a permit. Provide water heating facilities to the property.

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: Marivel Luna
Final Approval Date: 12/08/2022

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

Special Magistrate Hearing - Building

5. J.

Meeting Date: 12/20/2022

Re: Case #22-2489 - 527 N 10th Street Unit B

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

Information

SUBJECT:

22-2489	527 N 10th Street Unit B	Seamons, Jacob A	Gerard Mezzina
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CASE INFORMATION:

Case Initiated:	August 18, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Jacob A Seamons 4854 N Shady Bend Ln Lehi, UT 84043	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.7 (2021) Roofs and Drainage, IPMC 305.3 (2021) Interior Surfaces, IPMC 309.1 (2021) Infestation, IPMC 504.1 (2021) General, IPMC 603.1 (2021) Mechanical Appliance,

CORRECTIVE ACTIONS:

1. Treat the property for pest infestation.
2. Repair/replace the roof that is leaking.
3. Make necessary repairs to the water damaged ceiling and walls. Repair all holes in the walls and ceiling.
4. Repair/replace A/C wall unit that is leaking into the home.
5. Make necessary repairs to fix the toilet that is leaking.

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 Started By: Marivel Luna
Final Approval Date: 12/08/2022

Started On: 12/02/2022 08:53 AM

Special Magistrate Hearing - Building**6. A.****Meeting Date:** 12/20/2022**Information****SUBJECT:**

20-850	4815 S US Highway 1	Sutherlin Nissan of Ft. Pierce	Shaun Coss
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CASE INFORMATION:

Case Initiated:	November 23, 2020	Type of Presentation:	Extension of Time
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OWNER:

OWNER: Sutherlin Nissan of Ft Pierce 946 S US Highway 1 Vero Beach FL 32962	REG. AGENT: Corporation Co. of Orlando 300S Orange Ave, Suite 1600 Orlando 32801
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - April 21, 2021

Notice of Extension of Time - June 15, 2021

Affidavit of Non-Compliance - September 29, 2021

Order Approving Respondent's Request for Extension of Time (90 days) - October 20, 2021

Order Approving Respondent's Request for Extension of Time (90 days) - February 15, 2022

Order Approving Respondent's Request for Extension of Time (90 days) - June 21, 2022

Order Approving Respondent's Request for Extension of Time (90 days) - September 20, 2022

ACTION DATES:

1. Special Magistrate Hearing - April 20, 2021 - the owner was provided 60 days to get a permit or fines may accrue.

2. Notice of Extension of Time providing an additional 90 day was granted on June 15, 2021.

3. An Affidavit of Non-Compliance was recorded on September 29, 2021, and a fine of \$100.00 per day began to accrue.

4. Special Magistrate Massey Hearing - October 19, 2021 to request an extension of time. An additional 90 day extension was granted and fines were stopped on October 20, 2021. The permit application is still pending.

5. Special Magistrate Massey Hearing - February 15, 2022 to request an extension of time. An additional 90 day extension was granted. Scheduling for the June 21, 2022 hearing.

6. Special Magistrate Massey Hearing - June 21, 2022 to request an extension of time. An additional 90 day extension was granted. Scheduling for the September 20, 2022 hearing.

7. June 24, 2022 - A meeting between the architect for the project and City Departments of

Building, Planning and Engineering occurred. It was determined that a site plan would have to be applied for that includes lighting, stormwater drainage, and striping. No submissions for a permit have been received in over a year.

8. Special Magistrate Massey Hearing - September 20, 2022 - A final 90 day extension of time was granted.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 12/19/2022

Started On: 12/19/2022 11:22 AM

MASSEY HEARING
February 15, 2022
Case #20-850

CONTESTING OF FINE/NON-COMPLIANCE

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **Moderate.**

2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **Permit applications were submitted 1/20/2021, and another on 8/25/2021. Both applications remain rejected by the Engineering Department.**

3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? **1 (one).**

Special Magistrate Hearing - Building
Meeting Date: 12/20/2022

6. B.

Information

SUBJECT:

22-1062	304 N 8th Street	Greater New Bethel Missionary Baptist Church	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 23, 2022	Type of Presentation:	Massey
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OWNER:

OWNER: Greater New Bethel Missionary Baptist Church 305 N 8th Street Ft Pierce FL 34950	REG. AGENT: Rev. Clarence Ingram 2221 N 53rd St Ft Pierce FL 34946
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - August 16, 2022
Affidavit of Non-Compliant - October 28, 2022

ACTION DATES:

1. Special Magistrate Hearing - August 16, 2022 - The Special Magistrate provided 60 days to get a permit or a fine of \$50.00 per day may start to accrue.
2. An Affidavit of Non-Compliance was recorded on October 28, 2022 and fines began to accrue. As of December 13, 2022 the fines total: \$2,320.00
3. A letter dated November 7, 2022 was received contesting the fines, and a Massey Notice was sent November 17, 2022.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 12/14/2022

Started On: 12/11/2022 04:07 PM

MASSEY HEARING
December 20, 2022
Case #22-1062

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 hired a contractor and a DPCR application is currently rejected in review by the Planning Department. A permit can be applied for after the DPCR is approved. The owner has asked for additional time to remedy the violation.

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

Information

SUBJECT:

22-1063	305 N 8th Street	Greater New Bethel Missionary Baptist Church	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 23, 2022	Type of Presentation:	Massey
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OWNER:

OWNER: Greater New Bethel Missionary Baptist Church 305 N 8th Street Ft Pierce FL 34950	REG. AGENT: Rev. Clarence Ingram 2221 N 53rd St Ft Pierce FL 34946
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - August 16, 2022
Affidavit of Non-Compliant - October 28, 2022

ACTION DATES:

1. Special Magistrate Hearing - August 16, 2022 - The Special Magistrate provided 60 days to get a permit or a fine of \$50.00 per day may start to accrue.
2. An Affidavit of Non-Compliance was recorded on October 28, 2022 and fines began to accrue. As of December 13, 2022 the fines total: \$2,320.00
3. A letter dated November 7, 2022 was received contesting the fines, and a Massey Notice was sent November 17, 2022.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Final Approval Date: 12/14/2022

MASSEY HEARING
December 20, 2022
Case #22-1063

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 hired a contractor and a DPCR application is currently rejected in review by the Planning Department. A permit can be applied for after the DPCR is approved. The owner has asked for additional time to remedy the violation.

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

6. D.

Meeting Date: 12/20/2022

Information

SUBJECT:

22-1465	1618 Mayflower Road	Vadim, Donchu	Logan Winn
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CASE INFORMATION:

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

OWNER: Donchu Vadim 1618 Mayflower Rd Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - September 20, 2022
Affidavit of Non-Compliance -

ACTION DATES:

1. Special Magistrate Hearing - September 20, 2022 - The Special Magistrate provided 60 days to get a permit or a fine of \$100.00 per day may start to accrue.
2. An Affidavit of Non-Compliance was recorded on November 22, 2022 and fines began to accrue. As of December 13, 2022 the fines total: \$2,120.00
3. A letter dated December 1, 2022 was received contesting the fines, and a Massey Notice was sent December 1, 2022.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 12/14/2022

Started On: 12/11/2022 04:27 PM

**MASSEY HEARING
December 20, 2022
Case #22-1465**

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 obtained the permit for window replacement. The owner states that he was not replacing the siding and wishes to get a permit for stucco instead of siding.

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: 12/20/2022

7. A.

Information

SUBJECT:

19-1451	205 N 18th St	JRG Holdings, Inc.	Shaun Coss
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CASE INFORMATION:

Case Initiated:	June 5, 2019	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: JRG Holdings Inc. 423 Delaware Ave Ft Pierce FL 34950	REG. AGENT: ROY MILDNER
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VIOLATIONS:

Sections 5-1.105.1 Permit Required

FINDINGS/ORDER:

Order Determining Violation - October 18, 2019
Affidavit of Non-Compliance - October 7, 2021
Order Assessing Fine and Imposing Lien - January 12, 2022
Affidavit of Compliance - February 28, 2022

ACTION DATES:

1. October 15, 2019 - Special Magistrate Hearing - owner found responsible for the violation and was provided 60 days to obtain the permit or fines may accrue.
2. October 22, 2019 a permit was issued for drywall, insulation and plumbing; electric and mechanical were not included on the permit but were named in the violation. Revision submitted to include electric work approved November 6, 2019. Separate AC permit issued December 13, 2019.
3. June 23, 2020 - the AC permit expires with no approved mechanical final. November 3, 2020 - the residential repair permit expires without an approved final electrical inspection.
4. October 7, 2021 - An Affidavit of Non-Compliance was recorded and fines began to accrue on this date.
5. October 25, 2021 - the residential repair permit is renewed. October 27, 2021 an electrical final is approved, closing this permit. An approved mechanical final is still needed to comply the case.
6. January 19, 2022 - a lien was recorded.
7. February 11, 2022 - the mechanical permit is renewed and on February 23, 2022, the inspection necessary to comply the case was approved and fines stopped on this date. The

finest total \$13,940.00.

8. November 2, 2022 - A Lien Reduction Request was received by the Building Department

RECOMMENDATION:

To be determined.

Attachments

Admin Costs

Lien Reduction Request

7 Criteria

Form Review

Form Started By: Elizabeth Beck

Started On: 12/11/2022 06:58 PM

Final Approval Date: 12/14/2022

Administrative Cost Estimator

12/14/2022

Property Address: 205 N 18th Street

Date case originated: 6/5/2019

Date case complied: 2/23/2022

Total time: 32 months

Number of Hearings

Violation Hearings: 1

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>7</u>	\$4.20
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Certified Mail:	\$7.25	<u>1</u>	\$7.25
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Photographs (per page)	\$0.50	<u>6</u>	\$3.00
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>32</u>	\$1,600.00
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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	<u>1</u>	\$150.00
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Each additional Hearing	\$75.00	<u> </u>	\$0.00
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Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Building Dept. Coordinator	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	\$125.00	<u> </u>	\$0.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	\$150.00	<u>2</u>	\$300.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$2,439.45



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	10/14/22				
Property address:	205 N 18th St				
Owner(s) of record:	JKB Holdings Inc				
Mailing address:	423 DELAWARE AVE FT PIERCE FL 34900				
Property tax ID #:	2409 606 0039 0003				
Original purchase date:		Original purchase price:			
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	ROY MILDNER		Relationship to owner(s)	OFFICER	
Telephone #:			Mobile phone #:	772 216 7794	
E-mail:	RMILDNER@fjmorethan.com		Preferred contact method:	772 216 7794	
What are owner(s) intentions for property:	RENTAL / SALE				
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)		
Is property listed for sale?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, what is listing price?	200K	
Is property under contract for sale?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If yes, what is the sale price	200K	

AMOUNT OF FINE / LIEN

\$ 13,940.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 13,940.00

DOLLAR AMOUNT I AGREE TO PAY

\$ TBD * READ EXPLANATION


 Signature of Owner or Representative

10/14/22
 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: 205 or 18th ST
Property Owner: Deb Howard, WB
Mailing Address: 423 DELAWARE AVE FT PIERCE FLA 34930
Telephone #: 772-464-8008 Cell Phone #: 772-216-7794
E-Mail Address: RMILONER@FURNACEVAL.COM
Is the property in compliance? YES If not, please explain in the narrative of your request.

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 295 N 18th ST

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.



Signature of Owner or Representative

10/14/22

Date

COFP – APPLICATION PROCESS DETERMINATION

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

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

Comments:

Shaun Coss, Building Department Coordinator

Date

I, ROY MILNER V.P. OF JTB HOLDINGS, INC., 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:

SEE ATTACHED

Signed: [Signature] Date: 10/14/22

Print Name: ROY T MILNER

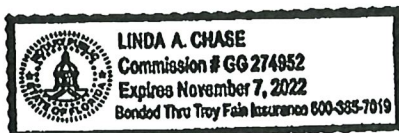
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority ROY MILNER V.P. OF JTB HOLDINGS, INC. who acknowledged before me that the information contained herein is true and correct. He or She is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 14 day of October, 2022.

Linda A. Chase
Notary Public, State of Florida



ATTORNEYS AT LAW

MILDNER & ASSOCIATES, P.A.

ROY T. MILDNER, Esq.

OF COUNSEL

GLENN M. BLAKE, Esq.

MICHAEL R. OHLE, Esq.

LOUIS N. LARSEN, Esq.

October 28, 2022

Building Department
100 North US 1
Ft. Pierce, FL 34950

Sent Via Email: Ebeck@cityoffortpierce.com

In Re: Case No. 19-00001451

Dear Sirs,

Please be advised that we have been the owner of the above subject property for the past 20 years for which the majority of that time the property has been improved on the exterior as it now exists however the inside was never finished. As you can see from the exterior pictures, this house is one of the nicest houses in the neighborhood and has been for the past 20 years. As I have been a business owner in the City of Ft. Pierce practicing lawyer for over the past 35 years, I finally decided to finish out the property and obtained a building permit on December 12, 2019, a copy which is enclosed as Exhibit "A". I had hired 2nd Generation Construction, Inc. to be the general contractor on the property and thought that a general overall permit was pulled but apparently their were separate permits pulled for electrical, plumbing, HVAC, roof, etc. I hired all licensed subcontractors who performed those tasks and inspections were performed which the property was completely renovated. My understanding was their was a final building inspection and approval which was originally disapproved on June 4, 202 and approved on June 8, 2020.

423 DELAWARE AVENUE • FORT PIERCE, FLORIDA 34950
(772) 464-8008 800-793-8008 FAX (772) 464-8233
WWW.FLORIDALEGAL.COM

The only issue that was brought up regarding the mechanical HVAC was that the electrical wire running to the air handler needed to be in conduit. On January 3, 2020, a copy of the inspector's notes is enclosed as Exhibit "B". Shortly thereafter, I thought the final building inspection was being performed on June 4, 2022 as shown by the attached records of the City of Ft. Pierce both on the computer screen and the printout reflecting the "building final" which occurred on June 8, 2020.

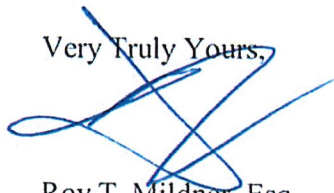
To my surprise, we received an affidavit of non compliance in the fall of last year indicating that my property was not in compliance and a permit was required which we had previously obtained but apparently even though we received confirmation that there was a "building final", the air conditioner had not been finalized even though the electrical conduit had been taken care of.

Even though I am an attorney, I was somewhat confused as to how this could be since it was "finalized". So, in an effort to comply with this request we simply renewed and got a permit extension from the original permit from 2019 and had a scheduled electrical final inspection which I thought had been done back with the building final on June 8, 2020, a copy of said permit extension is attached for your review as Exhibit "C". Unbeknownst to us, apparently the air conditioner still needed to be again be inspected even though they only issue had previously been the conduit on the electrical power to the air handler. Again, another renewal fee was paid for a permit extension to which an inspection was performed on February 15, 2022 necessitating the simple marking of the heat strip on the air handler unit itself with a permanent magic marker and a overflow float switch which was ultimately approved and finally bringing the property into compliance on February 28, 2022.

Clearly, all of these facts and information were in no way to circumvent any of the City of Ft. Pierce's policies and procedures and in good faith we attempted to comply ultimately producing continued revitalization of the City of Ft. Pierce and its residences. Having been a landlord in the City of Ft. Pierce, we are here to assist and serve our population providing them legal services throughout the community. Clearly, the facts as listed herein reflect an ongoing compliance with the city's rules, regulations and ordinances in that there were absolutely no intentional disregard for these regulations nor was there any cost to the city or health or safety issues to the public that would necessitate a fine. I would respectfully request that based upon the foregoing that the lien would be waived in it entirety given these facts and circumstances and excusable neglect of simply believing that I thought I had received a building final which encompassed the entire building on June 8, 2020.

At that time, Ft. Pierce Utilities came in and put in a new power line, transformer and dug up a underground 80' conduit line so that they could run the main wire to the main electrical panel. I am sorry for my confusion but given these facts and circumstances, I believe we have done an excellent job in continuing to revitalize our city. I thank you for your consideration which at worst, was due to my excusable neglect in being ignorant and/or believe that we had all inspections completed. I respectfully request indulgence and hearing before the special magistrate regarding this matter.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Roy T. Mildner, Esq.", written over the typed name.

Roy T. Mildner, Esq.
RTM/lac

Enclosures

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

Case No: 19-1451

Date: December 20, 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 permits were obtained and eventually received all necessary final approved inspections.
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:	2 years and 8 months
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	0
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	0
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Since a building final was approved on June 8, 2020, the owner thought that all inspections were complete.
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

Special Magistrate Hearing - Building
Meeting Date: 12/20/2022

8. A.

Information

SUBJECT:

21-665	1215 Boston Ave	National Debt Relief Services Inc.	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 23, 2021	Type of Presentation:	Lien Hearing
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OWNER:

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

FBC 105.1 (2017) Permit Required, IPMC 305.3 (2021) Interior Surfaces, IPMC 502.1 (2021) Required Facilities

FINDINGS/ORDER:

Order Determining Violation - October 20, 2021
Notice of Extension of Time - February 3, 2022
Affidavit of Non-Compliance - May 9, 2022

ACTION DATES:

1. Special Magistrate Hearing - September 15, 2021 - owner not present. Case was continued to the October Special Magistrate.
2. Special Magistrate Hearing - October 19, 2021 - owner was present. The Special Magistrate found that a violation exists and provides 60 days to get a permit and comply with permit requirements, or fines may accrue.
3. A Notice of Extension of Time (90 days) was recorded February 3, 2022.
4. An Affidavit of Non-Compliance was recorded May 9, 2022. Fines began on this date and continue to accrue at \$100.00 per day. As of July 11, 2022 the fines total \$6,330.00, including \$30.00 of recording fees.
5. On May 10, 2022, a permit was issued for a detached garage build-out. To date, no inspections have been requested or performed for the issued permit.

RECOMMENDATION:

Impose a lien on the property.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 11/22/2022

Started On: 11/22/2022 03:49 PM