

**SPECIAL MAGISTRATE  
BOARD AGENDA**

Special Magistrate Hearing - Tuesday, May 16, 2023 - 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. | 22-1448 | 902 Avenue E | Simmons, LaTonya | Logan Winn |
|----|---------|--------------|------------------|------------|

|    |         |                      |  |                |
|----|---------|----------------------|--|----------------|
| B. | 22-2605 | 2509 Avenue N Unit A | Alexander, Sandra M<br>Bryant, Charles E (Est) | Gerard Mezzina |
|----|---------|----------------------|--|----------------|

|    |         |                    |                           |                |
|----|---------|--------------------|---------------------------|----------------|
| C. | 22-2732 | 1219 N 22nd Street | Trudeen Multiservices LLC | Gerard Mezzina |
|----|---------|--------------------|---------------------------|----------------|

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|----|--------|-------------------|--------------------|---------------|
| D. | 23-132 | 505 N 25th Street | Espinoza, Humberto | Frank Remling |
|----|--------|-------------------|--------------------|---------------|

|    |        |                        |                       |            |
|----|--------|------------------------|-----------------------|------------|
| E. | 23-148 | 705 S 29th St Unit 12C | Orange Apartments LLC | Logan Winn |
|----|--------|------------------------|-----------------------|------------|

|    |        |                 |                                 |               |
|----|--------|-----------------|---------------------------------|---------------|
| F. | 23-269 | 3550 S US Hwy 1 | Manatee Mobile Home<br>Park LLC | Frank Remling |
|----|--------|-----------------|---------------------------------|---------------|

|    |        |                   |                                   |                |
|----|--------|-------------------|-----------------------------------|----------------|
| G. | 23-277 | 1010 Mayflower Rd | Mas Perfume Management LLC        | Gerard Mezzina |
| H. | 23-384 | 1102 Avenue G     | McElhaney Investments Inc.        | Gerard Mezzina |
| I. | 23-407 | 715 S Ocean Dr    | Boardwalk Condominium Assn., Inc. | Logan Winn     |
| J. | 23-455 | 604 Midway Road   | 169 Delray LLC                    | Logan Winn     |

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

|    |         |                   |                    |            |
|----|---------|-------------------|--------------------|------------|
| A. | 22-983  | 1508 Orange Ave   | Bruce, Leonard     | Shaun Coss |
| B. | 22-2215 | 505 N 25th Street | Espinoza, Humberto | Shaun Coss |

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

|    |         |                         |   |            |
|----|---------|-------------------------|---|------------|
| A. | 20-2525 | 2001 Avenue D Unit 2003 | Assemblee Evangelique Pour Christ, Inc. | Shaun Coss |
| B. | 20-2819 | 1400 Avenue I           | Alix, Ernst                             | Shaun Coss |
| C. | 22-572  | 516 N 22nd St Unit A    | Bustamante, Enoe & Shannon              | Shaun Coss |
| D. | 22-579  | 516 N 22nd St Unit B    | Bustamante, Enoe & Shannon              | Shaun Coss |

8. **OTHER CASES**

|    |        |                 |                                    |                |
|----|--------|-----------------|------------------------------------|----------------|
| A. | 21-665 | 1215 Boston Ave | National Debt Relief Services Inc. | Logan Winn     |
| B. | 23-51  | 1706 Avenue D   | 1706 Ave D Investments LLC         | Gerard Mezzina |

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:** 05/16/2023

**Re:** Case #22-1448 - 902 Avenue E

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

**Information**

**SUBJECT:**

|         |              |                  |            |
|---------|--------------|------------------|------------|
| 22-1448 | 902 Avenue E | Simmons, LaTonya | Logan Winn |
|---------|--------------|------------------|------------|

**CASE INFORMATION:**

|                 |                |                       |         |
|-----------------|----------------|-----------------------|---------|
| Case Initiated: | April 27, 2022 | Type of Presentation: | Regular |
|-----------------|----------------|-----------------------|---------|

**OWNER:**

|  |                     |
|--|---------------------|
| <b>OWNER:</b><br>LaTonya Simmons<br>430 Means Ct<br>Ft Pierce FL 34950 | <b>OCCUPIED BY:</b> |
|--|---------------------|

**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 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 305.1 (2021) General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1 (2021) Component Serviceability- General, IPMC 306.1.1 (2021) Unsafe Conditions

**CORRECTIVE ACTIONS:**

1. 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**

Final Approval Date: 05/09/2023

**Special Magistrate Hearing - Building**

**5. B.**

**Meeting Date:** 05/16/2023

**Re:** Case #22-2605 - 2509 Avenue N Unit A

**Information**

**SUBJECT:**

|         |                      |  |                |
|---------|----------------------|--|----------------|
| 22-2605 | 2509 Avenue N Unit A | Alexander, Sandra M<br>Bryant, Charles E (Est) | Gerard Mezzina |
|---------|----------------------|--|----------------|

**CASE INFORMATION:**

|                 |                   |                       |         |
|-----------------|-------------------|-----------------------|---------|
| Case Initiated: | September 1, 2022 | Type of Presentation: | Regular |
|-----------------|-------------------|-----------------------|---------|

**OWNER:**

|   |                     |
|---|---------------------|
| <b>OWNER:</b><br>Sandra M Alexander<br>Charles E Bryant (Est)<br>2304 Avenue P<br>Ft Pierce, FL 34950 | <b>OCCUPIED BY:</b> |
|---|---------------------|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required

**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: 03/28/2023

Started On: 03/28/2023 01:52 PM

**Special Magistrate Hearing - Building**

**5. C.**

**Meeting Date:** 05/16/2023

**Re:** Case #22-2732 - 1219 N 22nd Street

**Information**

**SUBJECT:**

|         |                    |                           |                |
|---------|--------------------|---------------------------|----------------|
| 22-2732 | 1219 N 22nd Street | Trudeen Multiservices LLC | Gerard Mezzina |
|---------|--------------------|---------------------------|----------------|

**CASE INFORMATION:**

|                 |                   |                       |         |
|-----------------|-------------------|-----------------------|---------|
| Case Initiated: | September 8, 2022 | Type of Presentation: | Regular |
|-----------------|-------------------|-----------------------|---------|

**OWNER:**

|   |  |
|---|--|
| <b>OWNER:</b><br>Trudeen Multiservices LLC<br>1219 N 22nd St<br>Ft Pierce, FL 34950 | <b>REG. AGENT:</b><br>Freddie Anderson |
|---|--|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the addition that was built without a permit including mechanical, electrical, and plumbing if applicable.

**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: 04/19/2023

Started On: 04/19/2023 07:25 AM

**Special Magistrate Hearing - Building**

**5. D.**

**Meeting Date:** 05/16/2023

**Re:** Case #22-2215 - 505 N 25th Street

**Information**

**SUBJECT:**

|        |                   |                    |               |
|--------|-------------------|--------------------|---------------|
| 23-132 | 505 N 25th Street | Espinoza, Humberto | Frank Remling |
|--------|-------------------|--------------------|---------------|

**CASE INFORMATION:**

|                 |                  |                       |         |
|-----------------|------------------|-----------------------|---------|
| Case Initiated: | January 19, 2023 | Type of Presentation: | Regular |
|-----------------|------------------|-----------------------|---------|

**OWNER:**

|   |                     |
|---|---------------------|
| <b>OWNER:</b><br>Humberto Espinoza<br>505 N 25th St<br>Ft Pierce FL 34947 | <b>OCCUPIED BY:</b> |
|---|---------------------|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required

**CORRECTIVE ACTIONS:**

Obtain a permit for the interior demolition 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: 04/17/2023

Started On: 04/17/2023 11:02 AM

**Special Magistrate Hearing - Building**

**5. E.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-148 - 705 S 29th St Unit 12 C

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

**Information**

**SUBJECT:**

|        |                        |                       |            |
|--------|------------------------|-----------------------|------------|
| 23-148 | 705 S 29th St Unit 12C | Orange Apartments LLC | Logan Winn |
|--------|------------------------|-----------------------|------------|

**CASE INFORMATION:**

|                 |                  |                       |         |
|-----------------|------------------|-----------------------|---------|
| Case Initiated: | January 24, 2023 | Type of Presentation: | Regular |
|-----------------|------------------|-----------------------|---------|

**OWNER:**

|  |  |
|--|--|
| <b>OWNER:</b><br>Orange Apartments LLC<br>5403 W Gray St<br>Tampa FL 33609 | <b>REG. AGENT:</b><br>REGISTERED AGENT SOLUTIONS, INC. |
|--|--|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required, IPMC 305.3 (2021) Interior Surfaces

**CORRECTIVE ACTIONS:**

1. Make necessary repairs to any water leaks causing damage to walls. Also make repairs to water damaged walls that are stained, and bubbling.
2. 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: 05/09/2023

Started On: 05/06/2023 03:31 PM

**Special Magistrate Hearing - Building**

**5. F.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-269 - 3550 S US Highway 1

**Information**

**SUBJECT:**

|        |                 |                              |               |
|--------|-----------------|------------------------------|---------------|
| 23-269 | 3550 S US Hwy 1 | Manatee Mobile Home Park LLC | Frank Remling |
|--------|-----------------|------------------------------|---------------|

**CASE INFORMATION:**

|                 |                  |                       |         |
|-----------------|------------------|-----------------------|---------|
| Case Initiated: | February 1, 2023 | Type of Presentation: | Regular |
|-----------------|------------------|-----------------------|---------|

**OWNER:**

|   |  |
|---|--|
| <b>OWNER:</b><br>Manatee Mobile Home Park LLC<br>49 SW Flagler Ave Suite 201<br>Stuart FL 34994 | <b>REG. AGENT:</b><br>Bradley P Dressler |
|---|--|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required

**CORRECTIVE ACTIONS:**

Obtain a permit for cutting and repaving the roadway.

**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: 04/19/2023

Started On: 04/19/2023 07:25 AM

**Special Magistrate Hearing - Building**

**5. G.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-277 - 1010 Mayflower Road

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

**Information**

**SUBJECT:**

|        |                   |                            |                |
|--------|-------------------|----------------------------|----------------|
| 23-277 | 1010 Mayflower Rd | Mas Perfume Management LLC | Gerard Mezzina |
|--------|-------------------|----------------------------|----------------|

**CASE INFORMATION:**

|                 |                  |                       |         |
|-----------------|------------------|-----------------------|---------|
| Case Initiated: | February 3, 2023 | Type of Presentation: | Regular |
|-----------------|------------------|-----------------------|---------|

**OWNER:**

|   |                                    |
|---|------------------------------------|
| <b>OWNER:</b><br>Mas Perfume Management LLC<br>12361 NW 12th St<br>Sunrise FL 33323 | <b>REG. AGENT:</b><br>Mohsin Abbas |
|---|------------------------------------|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required

**CORRECTIVE ACTIONS:**

1. Obtain a permit for the demolition work done and exterior door installed without a permit.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Elizabeth Beck  
 Final Approval Date: 05/09/2023

Started On: 05/08/2023 12:41 PM

**Special Magistrate Hearing - Building**

**5. H.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-384 - 1102 Avenue G

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

**Information**

**SUBJECT:**

|        |               |                           |                |
|--------|---------------|---------------------------|----------------|
| 23-384 | 1102 Avenue G | McElhane Investments Inc. | Gerard Mezzina |
|--------|---------------|---------------------------|----------------|

**CASE INFORMATION:**

|                 |                   |                       |         |
|-----------------|-------------------|-----------------------|---------|
| Case Initiated: | February 13, 2023 | Type of Presentation: | Regular |
|-----------------|-------------------|-----------------------|---------|

**OWNER:**

|  |  |
|--|--|
| <b>OWNER:</b><br>McElhane Investments Inc.<br>1531 SW 63rd Terr<br>N Lauderdale FL 33068 | <b>REG. AGENT:</b><br>WALTER MCELHANEY |
|--|--|

**VIOLATIONS:**

IPMC 309.1 (2021) Infestation, IPMC 305.4 (2021) Stairs and Walking Surfaces, IPMC 304.13 (2021) Windows, Skylights and Door Frames

**CORRECTIVE ACTIONS:**

1. Treat the property for pest infestation, including roaches and rats.
2. Repair all broken floor tiles.
3. Repair/replace the front door, including the threshold, making it weatherproof.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/09/2023

Started On: 05/06/2023 11:41 AM

**Special Magistrate Hearing - Building**

5. I.

**Meeting Date:** 05/16/2023

**Re:** Case #23-407 - 715 S Ocean Drive

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

**Information**

**SUBJECT:**

|        |                |                                   |            |
|--------|----------------|-----------------------------------|------------|
| 23-407 | 715 S Ocean Dr | Boardwalk Condominium Assn., Inc. | Logan Winn |
|--------|----------------|-----------------------------------|------------|

**CASE INFORMATION:**

|                 |                   |                       |         |
|-----------------|-------------------|-----------------------|---------|
| Case Initiated: | February 15, 2023 | Type of Presentation: | Regular |
|-----------------|-------------------|-----------------------|---------|

**OWNER:**

|   |                     |
|---|---------------------|
| <b>OWNER:</b><br>Boardwalk Condominium Association Inc.<br>1100 Ft Pickens Rd Apt A14<br>Gulf Breeze FL 32561 | <b>OCCUPIED BY:</b> |
|---|---------------------|

**VIOLATIONS:**

IPMC 304.6 (2021) Exterior Walls, IPMC 304.2 (2021) Protective Treatment, IPMC 605.1 (2021) Installation, IPMC 605.2 Receptacles

**CORRECTIVE ACTIONS:**

1. Repair/replace wood trim and siding that is rotting, and where paint is chipping, bubbling, and peeling.
2. Make necessary repairs to the cracks in the exterior walls.
3. Make necessary repairs to the electrical disconnect box that is rusted.
4. Make necessary repairs to the rusted pipes on the front of the building.
5. Replace/replace exterior electrical faceplate.
6. Replace the soffit that is missing from the rear building.

**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: Elizabeth Beck  
Final Approval Date: 05/09/2023

Started On: 05/06/2023 01:58 PM

**Special Magistrate Hearing - Building**

**5. J.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-455 - 604 Midway Road

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

**Information**

**SUBJECT:**

|        |                 |                |            |
|--------|-----------------|----------------|------------|
| 23-455 | 604 Midway Road | 169 Delray LLC | Logan Winn |
|--------|-----------------|----------------|------------|

**CASE INFORMATION:**

|                 |                   |                       |         |
|-----------------|-------------------|-----------------------|---------|
| Case Initiated: | February 22, 2023 | Type of Presentation: | Regular |
|-----------------|-------------------|-----------------------|---------|

**OWNER:**

|  |  |
|--|--|
| <b>OWNER:</b><br>169 Delray LLC<br>3201 Lakeview Dr<br>Delray Beach FL 33445 | <b>REG. AGENT:</b><br>BENNET CRAIG LLC |
|--|--|

**VIOLATIONS:**

IPMC 304.1 (2021) Exterior Structure - General

**CORRECTIVE ACTIONS:**

1. Make necessary repairs to make safe the damaged framing and crumbling concrete of the porte corchere area of the building.

**RECOMMENDATION:**

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

**Form Review**

Form Started By: Elizabeth Beck  
 Final Approval Date: 05/09/2023

Started On: 05/06/2023 08:14 PM

**Special Magistrate Hearing - Building**  
**Meeting Date: 05/16/2023**

**6. A.**

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**Information**

**SUBJECT:**

|        |                 |                |            |
|--------|-----------------|----------------|------------|
| 22-983 | 1508 Orange Ave | Bruce, Leonard | Shaun Coss |
|--------|-----------------|----------------|------------|

**CASE INFORMATION:**

|                 |                |                       |        |
|-----------------|----------------|-----------------------|--------|
| Case Initiated: | March 16, 2022 | Type of Presentation: | Massey |
|-----------------|----------------|-----------------------|--------|

**OWNER:**

|   |              |
|---|--------------|
| OWNER:<br>Leonard Bruce<br>1914 Royal Palm Dr<br>Ft Pierce FL 34982 | OCCUPIED BY: |
|---|--------------|

**VIOLATIONS:**

IPMC 304.1.1.7 (2021) Unsafe Conditions - Exterior Walls, IPMC 304.6 (2021) Exterior Walls

**FINDINGS/ORDER:**

Order Determining Violation - July 19, 2022  
Notice of Extension of Time 90 days - September 21, 2022  
Affidavit of Non-Compliance - March 21, 2023

**ACTION DATES:**

1. July 19, 2022 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
2. September 21, 2022 - A Notice of Extension of Time of 90 days was granted.
3. March 21, 2023 - An Affidavit of Non-Compliance was prepared and recorded on March 22, 2023, and a fine of \$100.00 per day began to accrue. As of May 8, 2023 the fine totals \$4,820.00, which includes \$20.00 in recording fees.
4. March 29, 2023 a letter from the owner was received by the Building Department requesting a hearing to contest the accruing fines.

**RECOMMENDATION:**

To be determined.

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**Attachments**

3 Criteria

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**Form Review**

Final Approval Date: 05/10/2023

**MASSEY HEARING**  
**May 16, 2023**  
**Case #22-983**

**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? **The owner hired a contractor and obtained a permit for the repairs. The permit expired without any approved inspection. It was renewed, the work has been completed but to date there have been no approved inspections.**
  
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: 05/16/2023**

**6. B.**

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**Information**

**SUBJECT:**

|         |                   |                    |            |
|---------|-------------------|--------------------|------------|
| 22-2215 | 505 N 25th Street | Espinoza, Humberto | Shaun Coss |
|---------|-------------------|--------------------|------------|

**CASE INFORMATION:**

|                 |               |                       |        |
|-----------------|---------------|-----------------------|--------|
| Case Initiated: | July 12, 2022 | Type of Presentation: | Massey |
|-----------------|---------------|-----------------------|--------|

**OWNER:**

|   |                     |
|---|---------------------|
| <b>OWNER:</b><br>Humberto Espinoza<br>505 N 25th St<br>Ft Pierce FL 34947 | <b>OCCUPIED BY:</b> |
|---|---------------------|

**VIOLATIONS:**

IPMC 304.7 (2018) Roofs and Drainage, IPMC 305.3 (2018) Interior Surfaces, IPMC 304.13 (2018) Windows, Doors & Frames, IPMC 506.2 (2018) Sanitary Drainage System Maintenance, IPMC 309.1 (2018) Infestation, IPMC 704.6.1.1 (2018) Smoke Alarms, Section FBC 105.1 (2020) Permit Required

**FINDINGS/ORDER:**

Order Determining Violation -  
Notice of Extension of Time (60 days) - January 18, 2023  
Affidavit on Non-Compliance - April 4, 2023

**ACTION DATES:**

1. November 16, 2022 - Special Magistrate Hearing - owner provided 60 days to obtain the permit or fines may accrue.
2. January 18, 2023 - A Notice of Extension of Time (60 days) was provided.
3. April 4, 2023 - An Affidavit of Non-Compliance was recorded, and fines began to accrue on this date.
5. April 12, 2023 - Correspondence was received by the Building Department contesting the fines and requesting a hearing.

**RECOMMENDATION:**

To be determined.

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**Attachments**

3 Criteria

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## Form Review

Form Started By: Elizabeth Beck  
Final Approval Date: 05/10/2023

Started On: 05/06/2023 03:05 PM

**MASSEY HEARING**  
**May 16, 2023**  
**Case #22-2215**

**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 purchased this property that had a building violation. The owner has obtained 2 permits to rehabilitate this property. One permit application, to address the remaining issues is currently in plan review.**
  
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: 05/16/2023**

**7. A.**

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**Information**

**SUBJECT:**

|         |                            |  |               |
|---------|----------------------------|--|---------------|
| 20-2525 | 2001 Avenue D Unit<br>2003 | Assemblee Evangelique Pour Christ,<br>Inc. | Shaun<br>Coss |
|---------|----------------------------|--|---------------|

**CASE INFORMATION:**

|                 |                  |                       |                |
|-----------------|------------------|-----------------------|----------------|
| Case Initiated: | November 2, 2020 | Type of Presentation: | Lien Reduction |
|-----------------|------------------|-----------------------|----------------|

**OWNER:**

|  |  |
|--|--|
| <b>OWNER:</b><br>Assemblee Evangelique Pour Christ Inc.<br>PO Box 51<br>Ft Pierce FL 34954 | <b>REG. AGENT:</b><br>Odil Deroches<br>409 SE Skipper Ln<br>Port St Lucie FL 34983 |
|--|--|

**VIOLATIONS:**

FBC 105.1 (2017) Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - April 21, 2021  
Notice of Extension of Time (90 days) - July 14, 2021  
Affidavit of Non-Compliance - June 30, 2022  
Order Assessing Fine and Imposing Lien - August 16, 2022  
Affidavit of Compliance - January 25, 2023

**ACTION DATES:**

1. April 20, 2021 - The Special Magistrate provided the owner 60 days to get a permit or fines may accrue.
2. July 14, 2021 - A Notice of Extension (90 days) was recorded
3. June 30, 2022 - An Affidavit of Non-Compliance was recorded and fines began to accrue on this date.
4. August 16, 2022 - An Order Assessing Fine and Imposing Lien was prepared and recorded on August 19, 2022.
5. December 2, 2022 - An Affidavit of Compliance was prepared and recorded January 25, 2023. Fines accrued from June 30, 2022 to December 2, 2022, and total \$15,550.00, including \$50.00 in recording fees.
6. April 25, 2023 - A Lien Reduction Request was received by the Building Department.

**RECOMMENDATION:**

To be determined.

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## Attachments

7 Criteria

Lien Reduction Request

Admin Costs

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## Form Review

Form Started By: Elizabeth Beck

Started On: 05/06/2023 09:57 AM

Final Approval Date: 05/10/2023

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

**Case No: 20-2525**

**Date: May 16, 2023**

|   |  |
|---|--|
| 1.) The gravity or seriousness of the violation:  | Moderate   |
| 2a.) Any and all actions taken by the violator to correct the violations; OR  | The permit was applied for in May, 2021 and finally issued in December 2021. It originally expired without any inspections. It was renewed in September 2022 and finally received the final inspection in December 2022. Due to the delay in work and inspections being completed, fines accrued and a lien was imposed. |
| 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 year, 1 month  |
| 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:  | 1, the permit and inspections were eventually obtained.  |
| 6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:  | The contractor encountered difficulties obtaining the necessary drawings due to the illness of the engineer. He subsequently struggled to complete the job due to the owner's difficulty in paying for the work.   |
| 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:                                  | 1 (one)  |



REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 BUILDING VIOLATION LIENS

|  |   |                                       |  |
|--|---|---------------------------------------|--|
| Date:                                      | 4/25/2023   |                                       |  |
| Property address:                          | 2001 AVENUE D Fort Pierce FL 34950                                  |                                       |  |
| Owner(s) of record:                        | Assemblee Evangelique Pour Christ Inc                               |                                       |  |
| Mailing address:                           | PO Box 51 Fort Pierce, FL 34954                                     |                                       |  |
| Property tax ID #:                         | 2409-603-0038-000-7   |                                       |  |
| Original purchase date:                    |   | Original purchase price:              |  |
| Property is used for:                      | <input type="checkbox"/> Single Family                              | <input type="checkbox"/> Multi-family | <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot |
| Name of person requesting reduction:       | Rod Waller  | Relationship to owner(s)              | Contractor   |
| Telephone #:                               | 772-201-2850  | Mobile phone #:                       | 772-201-2850   |
| E-mail:                                    | rodwaller1@gmail.com  | Preferred contact method:             | email  |
| What are owner(s) intentions for property: | Church meetings   |                                       |  |
| 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 \$ 15,550.00  
 DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 15,550.00  
 DOLLAR AMOUNT I AGREE TO PAY \$ 0.00

Rodrick Waller 4/29/23  
 Signature of Owner or Representative 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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 2001 Avenue D Fort Pierce FL 34950  
Property Owner: Assemblée Evangelique Pour Christ Inc  
Mailing Address: PO Box 51 Fort Pierce, FL 34954  
Telephone #: \_\_\_\_\_ Cell Phone #: 786-985-3709  
E-Mail Address: odilderoches10@gmail.com

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

I, Roderick Waller, 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:

An application was applied for on 5/3/21. The permit required engineer plans to correct violation which took several months. We received comments on 7/30/21 to provide detailed description of all work that has been completed without permit and provide corridor measurements for exit access. On 9/14/21 we were asked to provide use and occupancy classification for each room and identify area on plan. During this process the engineer caught Covid. After recovering, on 10/3/22 Engineer was able to visit jobsite and do an inspection of work requested by the city. Permit was issued on 9-26-22 and received final inspection on 12-02-22. In closing, delays were not due to customer and being a small congregation funds are not available to pay.

Signed: Roderick Waller Date: 4/29/2023  
Print Name: Roderick Waller

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority  
Roderick Waller who acknowledged before me that the information contained herein is true and correct. He or She is / is not personally known to me and has produced FL DL \_\_\_\_\_ as identification.

SWORN TO AND SUBSCRIBED before me this 29th day of April, 2023.

Eric Harrell

Notary Public, State of Florida



**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 2001 Avenue D Fort Pierce FL 34950

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.

Roderick Waller  
Signature of Owner or Representative

4/26/23  
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:

SC  
Shaun Coss, Building Department Coordinator

5/4/23  
Date

# Administrative Cost Estimator

5/5/2023

Property Address: 2001 Avenue D Unit 2003

Date case originated: 11/2/2020

Date case complied: 12/2/2022

Total time: 25 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 |
|--------------------|--------|----------|--------|

|                 |        |          |         |
|-----------------|--------|----------|---------|
| Certified Mail: | \$7.25 | <u>2</u> | \$14.50 |
|-----------------|--------|----------|---------|

|                        |        |          |        |
|------------------------|--------|----------|--------|
| Photographs (per page) | \$0.50 | <u>5</u> | \$2.50 |
|------------------------|--------|----------|--------|

|             |         |          |         |
|-------------|---------|----------|---------|
| Filing Fees | \$10.00 | <u>5</u> | \$50.00 |
|-------------|---------|----------|---------|

|             |         |           |            |
|-------------|---------|-----------|------------|
| Months Open | \$50.00 | <u>25</u> | \$1,250.00 |
|-------------|---------|-----------|------------|

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 | <u>1</u> | \$150.00 |
|----------------------|----------|----------|----------|

|                         |         |                   |        |
|-------------------------|---------|-------------------|--------|
| Each additional Hearing | \$75.00 | <u>          </u> | \$0.00 |
|-------------------------|---------|-------------------|--------|

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

|                            |         |          |         |
|----------------------------|---------|----------|---------|
| Building Dept. Coordinator | \$75.00 | <u>1</u> | \$75.00 |
|----------------------------|---------|----------|---------|

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

|                          |          |          |          |
|--------------------------|----------|----------|----------|
| City Attorney (per hour) | \$125.00 | <u>1</u> | \$125.00 |
|--------------------------|----------|----------|----------|

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

|          |          |          |          |
|----------|----------|----------|----------|
| Hearings | \$150.00 | <u>1</u> | \$150.00 |
|----------|----------|----------|----------|

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 |
|------------------------------------|----------|----------|----------|

**Total Estimated Cost: \$2,071.20**

**Special Magistrate Hearing - Building**  
**Meeting Date: 05/16/2023**

**7. B.**

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**Information**

**SUBJECT:**

|         |               |             |            |
|---------|---------------|-------------|------------|
| 20-2819 | 1400 Avenue I | Alix, Ernst | Shaun Coss |
|---------|---------------|-------------|------------|

**CASE INFORMATION:**

|                 |                   |                       |                        |
|-----------------|-------------------|-----------------------|------------------------|
| Case Initiated: | December 28, 2020 | Type of Presentation: | Lien Reduction Request |
|-----------------|-------------------|-----------------------|------------------------|

**OWNER:**

|   |                     |
|---|---------------------|
| <b>OWNER:</b><br>Ernst Alix<br>4476 NW Albion Ave<br>Port St Lucie FL 34983 | <b>OCCUPIED BY:</b> |
|---|---------------------|

**VIOLATIONS:**

FBC 105.1 (2017) Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - April 21, 2021  
Notice of Extension of Time (90 days) - July 12, 2021  
Affidavit of Non-Compliance - December 30, 2021  
Order Assessing Fine and Imposing Lien - August 16, 2022  
Affidavit of Compliance - March 21, 2023

**ACTION DATES:**

1. April 20, 2021 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. July 12, 2021 - A Notice of Extension of Time (90 days) was recorded
3. December 30, 2021 - An Affidavit of Non-Compliance was recorded January 3, 2022 and fines began to accrue.
4. August 16, 2021 - Order Assessing Fine and Imposing Lien.
5. March 21, 2023 - Affidavit of Compliance - Fines ran from December 30, 2021 to March 21, 2023 and totals \$44,650.00 including \$50.00 in recording fees.
6. April 5, 2023 - Lien Reduction Request was received.

**RECOMMENDATION:**

To be determined.

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**Attachments**

7 Criteria  
Admin Costs  
Lien Reduction Request

---

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/09/2023

Started On: 05/05/2023 08:07 PM

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

**Case No: 20-2819**

**Date: May 16, 2023**

|   |   |
|---|---|
| 1.) The gravity or seriousness of the violation:  | Moderate  |
| 2a.) Any and all actions taken by the violator to correct the violations; OR  | The permits, for all unpermitted work, were finally obtained and received the necessary 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, 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: | 1   |
| 5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:  | 5 – 4 violations were complied before having to go to a hearing.<br>1- 7 permits were obtained for all the work that was being done and received all necessary inspections. |
| 6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:  | No explanation was provided for the length of time it took to comply this violation. The owner states that he is unable to afford the amount of the lien.                   |
| 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:                                  | 1 (one)   |

# Administrative Cost Estimator

5/5/2023

Property Address: 1400 Avenue I

Date case originated: 12/28/2020

Date case complied: 3/21/2023

Total time: 27 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 |
| Certified Mail:    | \$7.25 | <u>1</u> | \$7.25 |

|                        |        |          |        |
|------------------------|--------|----------|--------|
| Photographs (per page) | \$0.50 | <u>4</u> | \$2.00 |
|------------------------|--------|----------|--------|

|             |         |          |         |
|-------------|---------|----------|---------|
| Filing Fees | \$10.00 | <u>5</u> | \$50.00 |
|-------------|---------|----------|---------|

|             |         |           |          |
|-------------|---------|-----------|----------|
| Months Open | \$50.00 | <u>12</u> | \$600.00 |
|-------------|---------|-----------|----------|

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 | <u>1</u>          | \$150.00 |
| Each additional Hearing | \$75.00  | <u>          </u> | \$0.00   |

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

|                            |         |          |         |
|----------------------------|---------|----------|---------|
| Building Dept. Coordinator | \$75.00 | <u>1</u> | \$75.00 |
|----------------------------|---------|----------|---------|

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

|                          |          |          |          |
|--------------------------|----------|----------|----------|
| City Attorney (per hour) | \$125.00 | <u>1</u> | \$125.00 |
|--------------------------|----------|----------|----------|

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

|          |          |          |          |
|----------|----------|----------|----------|
| Hearings | \$150.00 | <u>1</u> | \$150.00 |
|----------|----------|----------|----------|

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 |
|------------------------------------|----------|----------|----------|

**Total Estimated Cost: \$1,413.45**



REQUEST FOR A REDUCTION OR RESCINDMENT OF  
BUILDING VIOLATION LIENS

|  |   |  |   |
|--|---|--|---|
| Date:                                      | 04/05/2023  |  |   |
| Property address:                          | 1400 AVE I, FORT PIERCE, FL 34950                                   |  |   |
| Owner(s) of record:                        |   |  |   |
| Mailing address:                           | 4476 NW ALBION AVE, PORT ST LUCIE, FL 34983                         |  |   |
| Property tax ID #:                         | 2404 812 0002 0003  |  |   |
| Original purchase date:                    | 08/29/2016  | Original purchase price:                         |   |
| Property is used for:                      | <input type="checkbox"/> Single Family                              | <input checked="" type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot |
| Name of person requesting reduction:       | ERNST, ALIX   | Relationship to owner(s):                        |   |
| Telephone #:                               | 954-867-4056  | Mobile phone #:                                  |   |
| E-mail:                                    | ernst.alix@yahoo.com  | Preferred contact method:                        | PHONE NUMBER  |
| 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

\$ 44,650.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 40,650.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 4,000.00

Ernst Alin  
Signature of Owner or Representative

04/05/2023  
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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1400 AVE I, FORT PIERCE, FL 34950  
Property Owner: ERNST, ALIX  
Mailing Address: 4476 N WALBION AVE, PORT ST LUCIE, FL 34983  
Telephone #: 354-867-4056 Cell Phone #: \_\_\_\_\_  
E-Mail Address: ernstlax@yahoo.com  
Is the property in compliance? NO If not, please explain in the narrative of your request.

I, ERNST ALIX, 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:

MY REQUEST FOR A REDUCTION OF THE PENALTY IS BECAUSE I CAN AFFORD THIS MONEY. THE REPAIR OF MY HOUSE COST ME A LOT OF MONEY. I BORROWED FROM PEOPLE TO DO THE JOB. I'M RETIRED I GOT ONLY \$900 FROM SOCIAL SECURITY. I HAVE TO HELP BECAUSE SHE IS GOING IN COLLEGE THIS YEAR. NOW LIFE IS VERY HARD FOR ME, I'M 69 YEARS OLD.

Signed: Ernst Alin Date: 04/05/2023

Print Name: ERNST ALIX

STATE OF FLORIDA

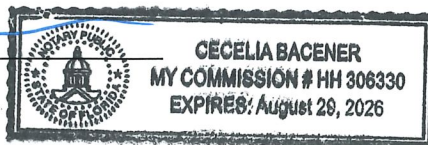
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority

Ernst Alin 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 FDL as identification.

SWORN TO AND SUBSCRIBED before me this 5th day of April, 2023

C. Bacener  
Notary Public, State of Florida



**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 1400 AVE I, FORT PIERCE, FL 34950

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.

*Erin Alin*  
Signature of Owner or Representative

04/05/2023  
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:

Reduction amount cannot be less than admin fees.

*SC*  
Shaun Coss, Building Department Coordinator

4/24/23  
Date

Rule 15: Requests for Reduction of Liens.

- A. All requests to reduce a lien imposed by the City must meet the following requirements:
- (1) For liens imposed pursuant to Fla. Stat. § 162.09, a Respondent may request a reduction of the lien only after the original violation is in compliance and the Department has issued an Affidavit of Compliance.
  - (2) The request must be in writing in a form provided by the Department.
  - (3) The request must be made by the owner. If the request is made by any other interested party, written proof of permission to act on behalf of the owner must be provided.
  - (4) A copy of the deed, showing title transfer to the current owner, must be provided.
    - i. If the property was conveyed via Special Warranty Deed or Warranty Deed, the owner must provide proof of their attempt to have the guaranteeing party take responsibility for the debt without success.
  - (5) A statement or explanation as to why the City should consider the request for reduction. The request should include a narrative with any supporting documentation to be considered in furtherance of such request.
  - (6) There shall be established an application fee of \$250.00 for all requests to reduce a lien that must be heard by the Special Magistrate. Such fee shall be assessed by the Special Magistrate following consideration of the request and is in addition to any other administrative fees assessed. Any reduction or waiver of such fee may only be granted upon proof of sufficient cause by the Requestor.
- B. If any of the following conditions are met, the Department has the authority to process a lien reduction request and issue a Release of Lien:
- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$5000 or more and is payable in less than 30 days.
  - (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial, or zoned industrial is \$10,000 or more and is payable in less than 30 days.
  - (3) The settlement is based upon the receipt of excess tax sale proceeds that have been received by the City and respectively cover the administrative costs incurred.
  - (4) The amount of settlement for requests of partial lien releases due to a spreading lien as provided for in Fla. Stat. § 162.09(3) is equal to or more than 3% of the lien to be released and the property receiving the benefit of the lien reduction is located outside the Fort Pierce city limits.
  - (5) The amount of settlement for nuisance abatement and demolition liens is equal to or greater than the hard costs for service plus 50% of the interest, penalties, and administration fees assessed by the City.

The Department shall forward the request to the Special Magistrate if additional review is required, if a hearing is specifically requested, or in the best interest of the City. The Department and Requestor may enter into an agreement to settle the lien reduction. Any written agreement

between the requesting party and the Department to settle the lien reduction shall constitute a waiver of hearing by the Special Magistrate by both parties.

C. If the request does not meet the criteria outlined in Section (B), the Department has determined the request requires additional review, or the requesting party chooses to not waive his or her right to a hearing, the Department shall schedule a hearing on the request before the Special Magistrate, with notice to the Requestor. After hearing both sides, the Special Magistrate shall make a determination that the request for reduction of the lien be denied, granted, or granted with conditions. The determination will be based upon evidence, upon consideration of the following criteria:

- (1) The gravity or seriousness of the violation;
- (2) Any and all actions taken by the violator to correct the violations or, if the violation was not corrected by the original violator, what action was taken by any other owner or party in interest to bring the property into compliance;
- (3) The length of time necessary to bring the property into compliance;
- (4) The number of times the violator was previously found in violation by either the Code Enforcement Board, Special Magistrate, or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding;
- (5) The number of violation notices the violator has received in the past as well as their nature and the final disposition of each such notice;
- (6) Whether and to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether and to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the Requestor.

D. If the Special Magistrate determines that the request for reduction be approved and the following conditions are met, they may order the Department, once payment is received and any other conditions are met, to issue a Release of Lien:

- (1) For liens imposed pursuant to Fla. Stat. § 162.09, in a reduced amount that is no less than the amount sufficient to cover the administration costs for processing the case plus the \$250.00 application fee.
- (2) For nuisance abatement liens, in a reduced amount that is no less than the amount sufficient to cover the following conditions:
  - i. The reduced amount must include the hard costs for services.
  - ii. The reduced amount must include the \$250.00 application fee.
  - iii. The City imposed interest and penalties may be waived in full if the Special Magistrate determines that it is in the best interest of the City.
  - iv. The consideration of administration fees must include any outstanding hard costs to the City including, but not limited to, recording fees.
  - v. The administration fees for liens imposed in the Requestor's name shall not be waived or reduced unless the Requestor can provide sufficient cause for such fee

to be waived or reduced, and the Special Magistrate determines it is in the best interest of the City.

vi. All other administrative fees may be waived or reduced as determined by the Special Magistrate.

E. An appeal of the Special Magistrate's decision may be made to the City Commission. Any such request for appeal must be in writing and received by the City Clerk's office no later than 30 days from the written determination of the Special Magistrate.

F. There shall be established an appeal fee of \$250.00 for any requests that must be heard by the City Commission. Such fee may be imposed after consideration by the City Commission.

**Special Magistrate Hearing - Building**  
**Meeting Date: 05/16/2023**

**7. C.**

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**Information**

**SUBJECT:**

|        |                      |                            |            |
|--------|----------------------|----------------------------|------------|
| 22-572 | 516 N 22nd St Unit A | Bustamante, Enoe & Shannon | Shaun Coss |
|--------|----------------------|----------------------------|------------|

**CASE INFORMATION:**

|                 |                   |                       |                |
|-----------------|-------------------|-----------------------|----------------|
| Case Initiated: | February 14, 2022 | Type of Presentation: | Lien Reduction |
|-----------------|-------------------|-----------------------|----------------|

**OWNER:**

|  |                     |
|--|---------------------|
| <b>OWNER:</b><br>Enoe & Shannante Bustamante<br>316 Payne Dr<br>Miami FL 33166 | <b>OCCUPIED BY:</b> |
|--|---------------------|

**VIOLATIONS:**

FBC 105.1 (2017) Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - August 16, 2022  
Notice of Extension of Time - October 20, 2022  
Affidavit of Non-Compliance - February 7, 2023  
Order Assessing Fine and Imposing Lien - March 7, 2023  
Affidavit of Compliance - March 23, 2023

**ACTION DATES:**

1. August 16, 2022 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. October 20, 2022 - A Notice of Extension of Time (90 days from the expiration of the Order Determining Violation) was recorded.
3. February 7, 2023 - An Affidavit of Non-Compliance was recorded and fines began to accrue.
4. March 7, 2023 - An Order Assessing Fine and Imposing Lien was prepared and recorded on March 13, 2023.
5. March 23, 2023 - An Affidavit of Compliance for this date was prepared and recorded on April 20, 2023. Fines ran from February 7, 2023 until March 23, 2023 and total \$4,450.00.
6. April 24, 2023 - a lien reduction request was received by the Building Department.

**RECOMMENDATION:**

To be determined.

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## Attachments

7 Criteria

Admin Costs

Lien Reduction Request

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## Form Review

Form Started By: Elizabeth Beck

Final Approval Date: 05/09/2023

Started On: 05/05/2023 11:07 AM

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

**Case No: 22-572**

**Date: May 16, 2023**

|   |   |
|---|---|
| 1.) The gravity or seriousness of the violation:  | Moderate  |
| 2a.) Any and all actions taken by the violator to correct the violations; OR  | The permit for the majority of the work initially expired with no inspections. The permit was renewed twice and finally received all necessary inspections. Separate permits for plumbing and AC were also obtained and received necessary 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:   | 1 year, 1 month   |
| 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: | 2   |
| 5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:  | 2, both cases pertain to this duplex. Permits were obtained and necessary inspections were completed. The delay in this process caused fines to accrue and a lien to be recorded.   |
| 6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:  | Owner was under the impression that the permits were closed and received the necessary inspections.   |
| 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:                                  | 1 (one)   |

# Administrative Cost Estimator

5/4/2023

Property Address: 516 N 22nd St Unit A

Date case originated: 2/14/2022

Date case complied: 3/23/2023

Total time: 13 months

## Number of Hearings

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

## Mailing Expense

|                    |        |          |        |
|--------------------|--------|----------|--------|
| Regular 1st Class: | \$0.60 | <u>8</u> | \$4.80 |
| Certified Mail:    | \$7.25 | <u>1</u> | \$7.25 |

|                        |        |          |        |
|------------------------|--------|----------|--------|
| Photographs (per page) | \$0.50 | <u>4</u> | \$2.00 |
|------------------------|--------|----------|--------|

|             |         |          |         |
|-------------|---------|----------|---------|
| Filing Fees | \$10.00 | <u>5</u> | \$50.00 |
|-------------|---------|----------|---------|

|             |         |           |          |
|-------------|---------|-----------|----------|
| Months Open | \$50.00 | <u>13</u> | \$650.00 |
|-------------|---------|-----------|----------|

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 | <u>1</u>          | \$150.00 |
| Each additional Hearing | \$75.00  | <u>          </u> | \$0.00   |

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

|                            |         |          |         |
|----------------------------|---------|----------|---------|
| Building Dept. Coordinator | \$75.00 | <u>1</u> | \$75.00 |
|----------------------------|---------|----------|---------|

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

|                          |          |          |          |
|--------------------------|----------|----------|----------|
| City Attorney (per hour) | \$125.00 | <u>1</u> | \$125.00 |
|--------------------------|----------|----------|----------|

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

|          |          |          |          |
|----------|----------|----------|----------|
| Hearings | \$150.00 | <u>1</u> | \$150.00 |
|----------|----------|----------|----------|

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 |
|------------------------------------|----------|----------|----------|

**Total Estimated Cost: \$1,464.05**



REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 BUILDING VIOLATION LIENS

|  |   |  |                                     |                                     |                                     |
|--|---|--|-------------------------------------|-------------------------------------|-------------------------------------|
| Date:                                      | 4/24/2023                               |  |                                     |                                     |                                     |
| Property address:                          | 516 N 22nd Street Fort Pierce FL Unit A |  |                                     |                                     |                                     |
| Owner(s) of record:                        | Shannon Bustamante                      |  |                                     |                                     |                                     |
| Mailing address:                           | 316 Payne DR Miami Springs, FL 33166    |  |                                     |                                     |                                     |
| Property tax ID #:                         | 2409-602-0181-000-1                     |  |                                     |                                     |                                     |
| Original purchase date:                    |   | Original purchase price:                         |                                     |                                     |                                     |
| Property is used for:                      | <input type="checkbox"/> Single Family  | <input checked="" type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input type="checkbox"/> Vacant Lot |
| Name of person requesting reduction:       | Shannon                                 |  | Relationship to owner(s)            | Owner                               |                                     |
| Telephone #:                               |   |  | Mobile phone #:                     | 786-266-6527                        |                                     |
| E-mail:                                    | sb3properties@gmail.com                 |  | Preferred contact method:           | email                               |                                     |
| What are owner(s) intentions for property: | Rental Units                            |  |                                     |                                     |                                     |
| 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 \$ 4,500.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 4250.00

DOLLAR AMOUNT I AGREE TO PAY \$ 250.00

  
 Signature of Owner or Representative

4/24/23  
 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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 516 N 22nd ST  
Property Owner: Shannon Bustamonte  
Mailing Address: 316 Payne Dr Miami Springs, FL 33166  
Telephone #: \_\_\_\_\_ Cell Phone #: 786-266-6527  
E-Mail Address: sb3properties@gmail.com

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

I, Shannon Bustamonte, 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:

516 N 22nd Street was one of my first properties purchased in Fort Pierce. I was under the impression that the permit was closed and violations complied with. I received an electrical final inspection and I thought it was a complete. Mr Waller Informed me that a building final inspection was needed as well. I quickly schedule the inspection. I am asking for leniency and understanding in regards to these liens. I am not fiancially able to absorb the cost of the liens. Thank you for your consideration in this matter.

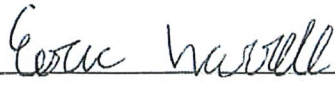
Signed:  Date: 4/12/2023  
Print Name: Shannon Bustamonte

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority  
Shannon Bustamonte who acknowledged before me that the information contained herein is true and correct. He or She is / is not personally known to me and has produced FL DL \_\_\_\_\_ as identification.

SWORN TO AND SUBSCRIBED before me this 24th day of April, 2023.

  
Notary Public, State of Florida



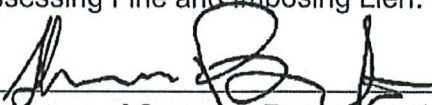
**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 516 N 22nd Street Fort Pierce FL Unit A

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.

  
\_\_\_\_\_  
Signature of Owner or Representative

5/2/23


\_\_\_\_\_  
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

5/4/23  
\_\_\_\_\_  
Date

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**Information**

**SUBJECT:**

|        |                      |                            |            |
|--------|----------------------|----------------------------|------------|
| 22-579 | 516 N 22nd St Unit B | Bustamante, Enoe & Shannon | Shaun Coss |
|--------|----------------------|----------------------------|------------|

**CASE INFORMATION:**

|                 |                   |                       |                |
|-----------------|-------------------|-----------------------|----------------|
| Case Initiated: | February 14, 2022 | Type of Presentation: | Lien Reduction |
|-----------------|-------------------|-----------------------|----------------|

**OWNER:**

|  |                     |
|--|---------------------|
| <b>OWNER:</b><br>Enoe & Shannon Bustamante<br>316 Payne Dr<br>Miami FL 33166 | <b>OCCUPIED BY:</b> |
|--|---------------------|

**VIOLATIONS:**

FBC 105.1 (2017) Permit Required

**FINDINGS/ORDER:**

Order Determining Violation - August 16, 2022  
Notice of Extension of Time - October 20, 2022  
Affidavit of Non-Compliance - February 7, 2023  
Order Assessing Fine and Imposing Lien - March 7, 2023  
Affidavit of Compliance - March 23, 2023

**ACTION DATES:**

1. August 16, 2022 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. October 20, 2022 - A Notice of Extension of Time (90 days from the expiration of the Order Determining Violation) was recorded.
3. February 7, 2023 - An Affidavit of Non-Compliance was recorded and fines began to accrue.
4. March 7, 2023 - An Order Assessing Fine and Imposing Lien was prepared and recorded on March 13, 2023.
5. March 23, 2023 - An Affidavit of Compliance for this date was prepared and recorded on April 20, 2023. Fines ran from February 7, 2023 until March 23, 2023 and total \$4,450.00.
6. April 24, 2023 - a lien reduction request was received by the Building Department.

**RECOMMENDATION:**

To be determined.

---

**Attachments**

7 Criteria  
Admin Costs  
Lien Reduction Request

---

**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/09/2023

Started On: 05/05/2023 04:08 PM

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

**Case No: 22-579**

**Date: May 16, 2023**

|   |   |
|---|---|
| 1.) The gravity or seriousness of the violation:  | Moderate  |
| 2a.) Any and all actions taken by the violator to correct the violations; OR  | The permit for the majority of the work initially expired with no inspections. The permit was renewed twice and finally received all necessary inspections. Separate permits for plumbing and AC were also obtained and received necessary 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:   | 1 year, 1 month   |
| 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: | 2   |
| 5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:  | 2, both cases pertain to this duplex. Permits were obtained and necessary inspections were completed. The delay in this process caused fines to accrue and a lien to be recorded.   |
| 6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:  | Owner was under the impression that the permits were closed and received the necessary inspections.   |
| 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:                                  | 1 (one)   |

# Administrative Cost Estimator

5/4/2023

Property Address: 516 N 22nd St Unit B

Date case originated: 2/14/2022

Date case complied: 3/23/2023

Total time: 13 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings:           

Lien Reduction Hearings: 1

## Mailing Expense

|                    |        |          |        |
|--------------------|--------|----------|--------|
| Regular 1st Class: | \$0.60 | <u>8</u> | \$4.80 |
|--------------------|--------|----------|--------|

|                 |        |          |        |
|-----------------|--------|----------|--------|
| Certified Mail: | \$7.25 | <u>1</u> | \$7.25 |
|-----------------|--------|----------|--------|

|                        |        |          |        |
|------------------------|--------|----------|--------|
| Photographs (per page) | \$0.50 | <u>6</u> | \$3.00 |
|------------------------|--------|----------|--------|

|             |         |          |         |
|-------------|---------|----------|---------|
| Filing Fees | \$10.00 | <u>5</u> | \$50.00 |
|-------------|---------|----------|---------|

|             |         |           |          |
|-------------|---------|-----------|----------|
| Months Open | \$50.00 | <u>13</u> | \$650.00 |
|-------------|---------|-----------|----------|

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 | <u>1</u> | \$150.00 |
|----------------------|----------|----------|----------|

|                         |         |                   |        |
|-------------------------|---------|-------------------|--------|
| Each additional Hearing | \$75.00 | <u>          </u> | \$0.00 |
|-------------------------|---------|-------------------|--------|

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

|                            |         |          |         |
|----------------------------|---------|----------|---------|
| Building Dept. Coordinator | \$75.00 | <u>1</u> | \$75.00 |
|----------------------------|---------|----------|---------|

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

|                          |          |          |          |
|--------------------------|----------|----------|----------|
| City Attorney (per hour) | \$125.00 | <u>1</u> | \$125.00 |
|--------------------------|----------|----------|----------|

Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

|          |          |          |          |
|----------|----------|----------|----------|
| Hearings | \$150.00 | <u>1</u> | \$150.00 |
|----------|----------|----------|----------|

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 |
|------------------------------------|----------|----------|----------|

**Total Estimated Cost: \$1,465.05**




REQUEST FOR A REDUCTION OR RESCINDMENT OF  
 BUILDING VIOLATION LIENS

|  |   |  |   |
|--|---|--|---|
| Date:                                      | 4/24/2023                               |  |   |
| Property address:                          | 516 N 22nd Street Fort Pierce FL Unit B |  |   |
| Owner(s) of record:                        | Shannon Bustamante                      |  |   |
| Mailing address:                           | 316 Payne DR Miami Springs, FL 33166    |  |   |
| Property tax ID #:                         | 2409-602-0181-000-1                     |  |   |
| Original purchase date:                    |   | Original purchase price:                         |   |
| Property is used for:                      | <input type="checkbox"/> Single Family  | <input checked="" type="checkbox"/> Multi-family | <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot |
| Name of person requesting reduction:       | Shannon                                 | Relationship to owner(s)                         | Owner   |
| Telephone #:                               |   | Mobile phone #:                                  | 786-266-6527  |
| E-mail:                                    | sb3properties@gmail.com                 | Preferred contact method:                        | email   |
| What are owner(s) intentions for property: | Rental Units                            |  |   |
| 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 \$ 4,500.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 4,250.00

DOLLAR AMOUNT I AGREE TO PAY \$ 250.00

  
 Signature of Owner or Representative

4/24/23  
 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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 516 N 22nd ST  
Property Owner: Shannon Bustamonte  
Mailing Address: 316 Payne Dr Miami Springs, FL 33166  
Telephone #: \_\_\_\_\_ Cell Phone #: 786-266-6527  
E-Mail Address: sb3properties@gmail.com

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

I, Shannon Bustamonte, 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:

516 N 22nd Street was one of my first properties purchased in Fort Pierce. I was under the impression that the permit was closed and violations complied with. I received an electrical final inspection and I thought it was a complete. Mr Waller Informed me that a building final inspection was needed as well. I quickly schedule the inspection. I am asking for leniency and understanding in regards to these liens. I am not fiancially able to absorb the cost of the liens. Thank you for your consideration in this matter.

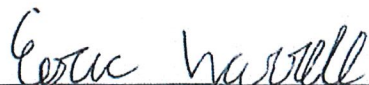
Signed:  Date: 4/12/2023  
Print Name: Shannon Bustamonte

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority  
Shannon Bustamonte who acknowledged before me that the information contained  
herein is true and correct. He or She is / is not personally known to me and has produced  
FL DL \_\_\_\_\_ as identification.

SWORN TO AND SUBSCRIBED before me this 24th day of April, 2023.





Notary Public, State of Florida

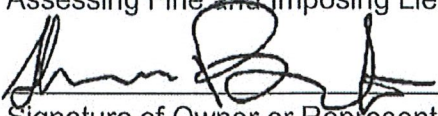
**OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION**

Property Address: 516 N 22nd Street Fort Pierce FL Unit B

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.

  
\_\_\_\_\_  
Signature of Owner or Representative


5/2/23  
\_\_\_\_\_  
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

5/4/23  
\_\_\_\_\_  
Date

**Special Magistrate Hearing - Building**  
**Meeting Date: 05/16/2023**

**8. A.**

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**Information**

**SUBJECT:**

|        |                 |                                    |            |
|--------|-----------------|------------------------------------|------------|
| 21-665 | 1215 Boston Ave | National Debt Relief Services Inc. | Logan Winn |
|--------|-----------------|------------------------------------|------------|

**CASE INFORMATION:**

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

**OWNER:**

|  |                                       |
|--|---------------------------------------|
| <b>OWNER:</b><br>National Debt Relief Services, Inc.<br>12856 SW 31 Court<br>Pembroke Pines FL 33027 | <b>REG. AGENT:</b><br>Belinda Villoch |
|--|---------------------------------------|

**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.
6. July 19, 2022 - Special Magistrate Lien Hearing - Special Magistrate stopped the fines until November 15, 2022 hearing - issued permit requires necessary inspections.
7. November 15, 2022 - Special Magistrate Lien Hearing - fines remain stopped and case continued to December 20, 2022 hearing.
8. December 20, 2022 - Special Magistrate Lien Hearing - case continued to March 21, 2023 hearing.

9. March 21, 2023 - Special Magistrate Lien Hearing - Fines were restarted and the case was continued to May 16. 2023 hearing.

**RECOMMENDATION:**

Impose a lien on the property and possibly restart fines.

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**Form Review**

Form Started By: Elizabeth Beck

Started On: 05/04/2023 05:01 PM

Final Approval Date: 05/04/2023

**Special Magistrate Hearing - Building**

**8. B.**

**Meeting Date:** 05/16/2023

**Re:** Case #23-51 - 1706 Avenue D

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**Information**

**SUBJECT:**

|       |               |                            |                |
|-------|---------------|----------------------------|----------------|
| 23-51 | 1706 Avenue D | 1706 Ave D Investments LLC | Gerard Mezzina |
|-------|---------------|----------------------------|----------------|

**CASE INFORMATION:**

|                 |                  |                       |         |
|-----------------|------------------|-----------------------|---------|
| Case Initiated: | January 10, 2023 | Type of Presentation: | Regular |
|-----------------|------------------|-----------------------|---------|

**OWNER:**

|  |                                    |
|--|------------------------------------|
| <b>OWNER:</b><br>1706 Ave D Investments LLC<br>2024 SE 19th St<br>Homestead FL 33035 | <b>REG. AGENT:</b><br>Josiah Abreu |
|--|------------------------------------|

**VIOLATIONS:**

FBC 105.1 (2020) Permit Required, IPMC 304.10 (2021) Stairways, Decks, Porches and Balconies

**CORRECTIVE ACTIONS:**

Obtain a permit and make necessary repairs to stair stringers, steps, and railings that are splitting and cracked

**RECOMMENDATION:**

This case was not properly posted for the April Special Magistrate Hearing and the Order issued from that hearing should be vacated.

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**Form Review**

Form Started By: Elizabeth Beck  
Final Approval Date: 05/03/2023

Started On: 05/03/2023 10:13 AM