

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, June 20, 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.	22-3458	4999 S US Hwy 1	STD, LTD.	Logan Winn
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B.	23-132	505 N 25th Street	Espinoza, Humberto	Frank Remling
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C.	23-524	1008 N 17th Street	Shazier, Maurice	Logan Winn
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D.	23-525	1006 N 17th Street	Ventresco, John F & Sallie	Logan Winn
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E.	23-578	5206 Jovial Court	ET-12 LP	Logan Winn
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F.	23-646	702 Dundas Court	Bridges, Andrew, Wanda & Richard	Frank Remling
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G.	23-669	1008 Bell Ave	Bell Avenue Warehouse Complex	Logan Winn
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H.	23-1423	709 Easter Ave	Reveal, Alyssa	Frank Remling
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	20-850	4815 S US Highway 1	Sutherlin Nissan of Ft. Pierce	Shaun Coss
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B.	22-2215	505 N 25th Street	Espinoza, Humberto	Shaun Coss
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C.	22-2489	527 N 10th Street Unit B	Seamons, Jacob A	Shaun Coss
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

8. **OTHER CASES**

9. **NEW BUSINESS**

10. **OLD BUSINESS**

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

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the 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: 06/20/2023

Re: Case # 22-3458 - 4999 S US Highway 1

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

22-3458	4999 S US Hwy 1	STD, LTD.	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 15, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: STD LTD C/O CVS #3689-02 1 CVS DR MC2320 WOONSOCKET RI 02895	REG. AGENT: GILBERT E HYATT III
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the damaged storefront being replaced.

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: 06/14/2023

Started On: 06/13/2023 10:32 AM

Special Magistrate Hearing - Building

5. B.

Meeting Date: 06/20/2023

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

Information

SUBJECT:

23-132	505 N 25th Street	Espinoza, Humberto	Frank Remling
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CASE INFORMATION:

Case Initiated:	January 19, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Humberto Espinoza 505 N 25th St Ft Pierce FL 34947	OCCUPIED BY:
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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: 06/12/2023

Started On: 06/12/2023 05:11 PM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 06/20/2023

Re: Case #23-524 - 1008 N 17th Street

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-524	1008 N 17th Street	Shazier, Maurice	Logan Winn
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CASE INFORMATION:

Case Initiated:	February 28, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Maurice Shazier 2513 S 17th St Building 2 #101 Ft Pierce FL 34982	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the shed that was built 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

Started On: 06/13/2023 12:54 PM

Final Approval Date: 06/14/2023

Special Magistrate Hearing - Building

5. D.

Meeting Date: 06/20/2023

Re: Case #23-525 - 1006 N 17th Street

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-525	1006 N 17th Street	Ventresco, John F & Sallie	Logan Winn
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CASE INFORMATION:

Case Initiated:	February 28, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: John F & Sallie Ventresco 2005 SE Kimallie Ct Port St Lucie FL 4952	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the shed built 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: 06/14/2023

Started On: 06/13/2023 03:50 PM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 06/20/2023

Re: Case #23-578 - 5206 Jovial Court

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-578	5206 Jovial Court	ET-12 LP	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 2, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: ET-12 LP 1170 Kane Concourse 400 Bay Harbour Islands FL 33154	OCCUPIED BY:
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VIOLATIONS:

IPMC 605.1 (2021) Installation

CORRECTIVE ACTIONS:

Repair/replace the front entry light.

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: 06/14/2023

Started On: 06/13/2023 01:06 PM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 06/20/2023

Re: Case #23-646 - 702 Dundas Court

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-646	702 Dundas Court	Bridges, Andrew, Wanda & Richard	Frank Remling
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CASE INFORMATION:

Case Initiated:	March 9, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Andrew Bridges Wanda Bridges Richard Bridges 1111 Avenue G Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1 (2021) Unsafe Structures, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure -General, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.3 (2021) Address Identification, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.9 (2021) Overhang Extensions, IPMC 304.13 (2021) Window, Skylight and Door Frames, IPMC 306.1 (2021) Component Serviceability -General, IPMC 306.1.1 (2021) Unsafe Conditions

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace all damaged wiring, electrical fixtures, drywall, soffit and fascia, and any other necessary repairs. 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: 06/14/2023

Started On: 06/13/2023 02:02 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 06/20/2023

Re: Case #23-669 - 1008 Bell Avenue

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-669	1008 Bell Ave	Bell Avenue Warehouse Complex	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 13, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Bell Avenue Warehouse Complex LLC 626 Old Dixie Hwy Vero Beach FL 32962	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the seal coating and striping of the parking lot 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

Started On: 06/13/2023 02:36 PM

Final Approval Date: 06/14/2023

Special Magistrate Hearing - Building

5. H.

Meeting Date: 06/20/2023

Re: Case #23-1423 - 709 Easter Avenue

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1423	709 Easter Ave	Reveal, Alyssa	Frank Remling
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CASE INFORMATION:

Case Initiated:	May 18, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Alyssa Reveal 709 Easter Ave Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy

CORRECTIVE ACTIONS:

Restore utilities or vacate the property immediately.

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: 06/14/2023

Started On: 06/13/2023 02:56 PM

Special Magistrate Hearing - Building**6. A.****Meeting Date:** 06/20/2023

Information**SUBJECT:**

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

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

OWNER: Sutherlin Nissan of Ft Pierce 946 S US Highway 1 Vero Beach FL 32962	REG. AGENT: Michael D Randolph, Esq. 1400 Dean St, Suite 300 Ft Myers FL 33901
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VIOLATIONS:

FBC 105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - April 21, 2021

Notice of Extension of Time - June 15, 2021

Affidavit of Non-Compliance - September 29, 2021

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

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

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

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

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

ACTION DATES:

1. Special Magistrate Hearing - April 20, 2021 - the owner was provided 60 days to get a permit or fines may accrue.
2. Notice of Extension of Time providing an additional 90 day was granted on June 15, 2021.
3. An Affidavit of Non-Compliance was recorded on September 29, 2021, and a fine of \$100.00 per day began to accrue.
4. Special Magistrate Massey Hearing - October 19, 2021 to request an extension of time. An additional 90 day extension was granted and fines were stopped on October 20, 2021. The permit application is still pending.
5. Special Magistrate Massey Hearing - February 15, 2022 to request an extension of time. An additional 90 day extension was granted. Scheduling for the June 21, 2022 hearing.
6. Special Magistrate Massey Hearing - June 21, 2022 to request an extension of time. An additional 90 day extension was granted. Scheduling for the September 20, 2022 hearing.

7. June 24, 2022 - A meeting between the architect for the project and City Departments of Building, Planning and Engineering occurred. It was determined that a site plan would have to be applied for that includes lighting, stormwater drainage, and striping. No submissions for a permit have been received in over a year.
8. Special Magistrate Massey Hearing - September 20, 2022 - Order Approving Respondent's Request for Extension of Time - A final 90 day extension of time was granted.
9. Special Magistrate Massey Hearing - December 20, 2022 - Order Approving Respondent's Request for Extension of Time (90 days with a status update at 60 days).
10. Special Magistrate Massey Hearing - March 21, 2023 - Order Approving Respondent's Request for Extension of Time (90 days).

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 03/28/2023

Started On: 03/28/2023 01:56 PM

MASSEY HEARING
February 15, 2022
Case #20-850

CONTESTING OF FINE/NON-COMPLIANCE

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

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

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

Special Magistrate Hearing - Building
Meeting Date: 06/20/2023

6. B.

Information

SUBJECT:

22-2215	505 N 25th Street	Espinoza, Humberto	Shaun Coss
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CASE INFORMATION:

Case Initiated:	July 12, 2022	Type of Presentation:	Massey
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OWNER:

OWNER: Humberto Espinoza 505 N 25th St Ft Pierce FL 34947	OCCUPIED BY:
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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.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/12/2023

Started On: 06/12/2023 05:19 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: 06/20/2023

6. C.

Information

SUBJECT:

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

Case Initiated:	August 18, 2022	Type of Presentation:	Massey Hearing
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OWNER:

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

IPMC 305.3 (2021) Interior Surfaces, IPMC 309.1 (2021) Infestation

FINDINGS/ORDER:

Order Determining Violation - December 20, 2022
Affidavit of Non-Compliance - February 23, 2023

ACTION DATES:

1. December 20, 2022 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. February 23, 2023 - An Affidavit of Non-Compliance was recorded and fines began to accrue. On April 3, 2023 the fines total \$4,020.00

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 04/19/2023

Started On: 04/19/2023 07:26 AM

MASSEY HEARING
April 18, 2023
Case #22-2489

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? **Three items cited in the violation letter have been addressed. The property manager is trying to address the 2 remaining items.**

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).**