

SPECIAL MAGISTRATE

BOARD AGENDA

Special Magistrate Hearing - Tuesday, July 18, 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
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B.

23-738	900 W Weatherbee Rd	Rangel, Teresa M & Saundra B	Anthony Jetmore
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C.

23-867	1102 Beach Ct	Garcia, Alberto G	Logan Winn
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D.

23-884	710 Beach Court	Pelick-Jones, Rosemarie	Shaun Coss
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E.

23-888	5900 Tedder Rd	Synergy School of Tomorrow Inc.	Frank Remling
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F.

23-897	1510 G Terrace	Jackson-Lowe, Patricia	Shaun Coss
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G.	23-917	738 Delaware Ave	Van Winkle, Jean	Logan Winn
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H.	23-984	1615 Ave E Apt A	George and Family Inc.	Logan Winn
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I.	23-994	1230 Easter Ave	De Leon, Jose	Anthony Jetmore
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J.	23-1412	1706 Avenue D	Best-Mako, Lily	Logan Winn
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	17-898	1450 Bell Avenue	TSPN 19 LLC 1450 Bell Ave Owner LLC	Shaun Coss
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B.	19-3145	4060 Selvitz Road	Johnson, Bobby & Wanda	Shaun Coss
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C.	22-326	2650 S Kings Hwy	Ft Pierce So Kings Hwy LLC	Logan Winn
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D.	22-847	1237 Grose Road	KR Jem Plant LLC	Logan Winn
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E.	22-2215	505 N 25th Street	Espinoza, Humberto	Shaun Coss
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F.	22-2294	2514 Avenue Q	AG & JM LLC	Logan Winn
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G.	22-2489	527 N 10th Street Unit B	Seamons, Jacob A	Shaun Coss
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H.	22-2697	515 Palm Ave Unit B	Martin Co. Properties LLC	Logan Winn
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I.	22-3135	119 Maple Ave	Muniz, Sonia	Logan Winn
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	14-2183	1001 Ave I	Drummond, Kenneth	Shaun Coss
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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: 07/18/2023

Re: Case #22-1448 - 902 Avenue E

Information

SUBJECT:

22-1448	902 Avenue E	Simmons, LaTonya	Logan Winn
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CASE INFORMATION:

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

OWNER: LaTonya Simmons 430 Means Ct Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1.1 (2021) Unsafe Structure, IPMC 111.1.2. (2021) Unsafe Equipment, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure- General, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.4 (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

Form Started By: Elizabeth Beck

Started On: 07/07/2023 10:34 AM

Final Approval Date: 07/07/2023

Special Magistrate Hearing - Building

5. B.

Meeting Date: 07/18/2023

Re: Case #23-738 - 900 W Weatherbee Road

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

Information

SUBJECT:

23-738	900 W Weatherbee Rd	Rangel, Teresa M & Sandra B	Anthony Jetmore
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CASE INFORMATION:

Case Initiated:	March 16, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Teresa M & Sandra B Rangel 900 W Weatherbee Rd Ft Pierce FL 34982	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (2021) Unsafe Structures, IPMC 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) Window, Skylight and Door Frames, IPMC 305.3 (2021) Interior Surfaces, 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. 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 Started By: Elizabeth Beck
Final Approval Date: 07/11/2023

Started On: 07/11/2023 09:12 AM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 07/18/2023

Re: Case #23-867 - 1102 Beach Court

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

Information

SUBJECT:

23-867	1102 Beach Ct	Garcia, Alberto G	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 27, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Alberto G Garcia 1102 Beach Ct Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for framing/blocking the wall in and installing a smaller window 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: 07/11/2023

Started On: 07/10/2023 09:51 PM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 07/18/2023

Re: Case #23-884 - 710 Beach Court

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

Information

SUBJECT:

23-884	710 Beach Court	Pelick-Jones, Rosemarie	Shaun Coss
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CASE INFORMATION:

Case Initiated:	March 27, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Rosemarie Pelick Jones 710 Beach Ct Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 1051 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the sewer pipe replaced without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

Started On: 07/10/2023 04:59 PM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 07/18/2023

Re: Case #23-888 - 5900 Tedder Road

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

Information

SUBJECT:

23-888	5900 Tedder Rd	Synergy School of Tomorrow Inc.	Frank Remling
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CASE INFORMATION:

Case Initiated:	March 27, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Synergy School of Tomorrow Inc. 2810 S US Hwy 1 Ft Pierce FL 34982	REG. AGENT: Tanya Bower, Esq. c/o Tripp Scott, P.A. 110 SE 6th St., 15th Floor Ft Lauderdale FL 33301
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for seal coating and striping the parking lot 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: 07/11/2023

Started On: 07/11/2023 08:59 AM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 07/18/2023

Re: Case #23-897 - 1510 G Terrace

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

Information

SUBJECT:

23-897	1510 G Terrace	Jackson-Lowe, Patricia	Shaun Coss
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CASE INFORMATION:

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

OWNER: Patricia Jackson-Lowe 1510 G Terrace Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 604.1 (2021) Facilities Required

CORRECTIVE ACTIONS:

Restore the utilities or vacate the property.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

Started On: 07/10/2023 03:35 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 07/18/2023

Re: Case #23-917 - 738 Delaware Avenue

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

Information

SUBJECT:

23-917	738 Delaware Ave	Van Winkle, Jean	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 30, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Jean Van Winkle 738 Delaware Ave Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (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 304.6 (2021) Exterior Walls, IPMC 304.10 (2021) Stairways, Decks, Porches, and Balconies, IPMC 304.13 (2021) Window, Skylight and Door Frames, IPMC 304.13.1 (2021) Glazing, IPMC 304.15 (2021) Doors, IPMC 305.1 (2021) General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.3(2021) Electrical System Hazards, IPMC 604.3.2.1 (2021) Electrical Equipment, IPMC 704.6.1 (2021) Smoke Alarm – Where 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: 07/11/2023

Started On: 07/10/2023 10:09 PM

Special Magistrate Hearing - Building

5. H.

Meeting Date: 07/18/2023

Re: Case #23-984 - 1615 Avenue E Apt A

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

Information

SUBJECT:

23-984	1615 Ave E Apt A	George and Family Inc.	Logan Winn
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CASE INFORMATION:

Case Initiated:	April 6, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: George and Family Inc. 20830 NW 7th Ave Miami FL 33169	REG. AGENT: Broderick Taylor 233 E Bay St Suite 905 Jacksonville FL 32202
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VIOLATIONS:

IPMC 305.3 (2021) Interior Surfaces, IPMC 704.2.1.2 (2021) Smoke Alarms- Group R-2, R-3, R-4 and I-1

CORRECTIVE ACTIONS:

1. Make necessary repairs to the ceiling that has collapsed in the bedroom. Also make repairs to any other holes, cracks, bubbling surfaces of the ceiling.
2. Replace the missing smoke detector.

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: 07/11/2023

Started On: 07/11/2023 07:39 AM

Special Magistrate Hearing - Building

5. I.

Meeting Date: 07/18/2023

Re: Case #23-994 - 1230 Easter Avenue

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

Information

SUBJECT:

23-994	1230 Easter Ave	De Leon, Jose	Anthony Jetmore
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CASE INFORMATION:

Case Initiated:	April 10, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Jose R. De Leon 1230 Easter Ave Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the interior demolition, drywall, and electrical work 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: 07/11/2023

Started On: 07/11/2023 09:07 AM

Special Magistrate Hearing - Building

5. J.

Meeting Date: 07/18/2023

Re: Case #23-1412 - 1706 Avenue D

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

Information

SUBJECT:

23-1412	1706 Avenue D	Best-Mako, Lily	Logan Winn
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CASE INFORMATION:

Case Initiated:	May18, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Lily Best-Mako 10707 NE 89th St Vancouver WA 98660	OCCUPIED BY:
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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:

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: 07/11/2023

Started On: 07/10/2023 09:17 PM

Special Magistrate Hearing - Building

6. A.

Meeting Date: 07/18/2023

Re: Case #17-898 - 1450 Bell Avenue

Information

SUBJECT:

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

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

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

VIOLATIONS:

Section(s) 5-1.101.2.1 Unsafe Building

Section(s) 5-1.105.1 Permit Required

Sections(s) 5-1.105.4.1.2 Expired Permit

Section(s) 22-79 Compliance with Conditions Approval

CORRECTIVE ACTIONS:

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

Statuses of violations updated June 15, 2022.

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

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

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

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

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

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

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

RECOMMENDATION:

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

January 16, 2019.

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

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

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

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

10. April 9, 2020, Lien was filed

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

12. Property was sold on May 17, 2022.

13. June 21, 2022 - the Special Magistrate approved an extension of 90 days, removed the former owner of responsibility for the violation and named the current owner as the responsible party. The owner was to return to the Special Magistrate in September for an update and to determine if fines should begin.

14. October 18, 2022 - Special Magistrate Massey Hearing - This case was continued 90 days.

15. January 17, 2023 - Special Magistrate Massey Hearing - This case was continued to the July 18, 2023 hearing.

Recommendation to be determined at the hearing.

Form Review

Form Started By: Elizabeth Beck

Started On: 07/07/2023 10:54 AM

Final Approval Date: 07/07/2023

Special Magistrate Hearing - Building
Meeting Date: 07/18/2023

6. B.

Information

SUBJECT:

19-3145	4060 Selvitz Road	Johnson, Bobby & Wanda	Shaun Coss
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CASE INFORMATION:

Case Initiated:	November 20, 2019	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Bobby & Wanda Johnson 4767 Selvitz Rd Ft Pierce FL 34981	OCCUPIED BY:
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VIOLATIONS:

Section 5-1.105.1 (2017) Permit Required, Section 105.4.1.2 (2017) Expired Permit

FINDINGS/ORDER:

Order Determining Violation - April 21, 2021
Notice of Extension of Time - October 18, 2021
Affidavit of Non-Compliance - January 20, 2022
Order Approving Respondent's Request for Extension of Time (1 year) - April 19, 2022
Affidavit of Non-Compliance - May 11, 2023

ACTION DATES:

1. April 20, 2021 - Special Magistrate Hearing - the owner was provided 180 days to obtain/renew permits or fines may accrue.
2. October 18, 2021 - A Notice of Extension of Time (90 days) was granted.
3. January 20, 2022 - An Affidavit of Non-Compliance was recorded on and a fine of \$100.00 per day began to accrue. The fines total \$4,130.00 (\$30.00 of which is recording fees) as of March 1, 2022.
4. April 19, 2022 - Special Magistrate Massey Hearing - An Order Approving an Extension of Time (1 year) and the fines that started on January 20, 2022 will be allowed to accumulate for 1 day to January 21, 2022, but can restart after the extension period if the violation is not complied.
5. May 11, 2023 - An Affidavit of Non-Compliance was recorded and fines began to accrue.
6. May 31, 2023 - A letter was received from Attorney Shayna Baer contesting the fines.
7. June 20, 2023 - A letter from the owner verifying that Attorney Shayna Baer can represent the owner regarding this case was signed.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck

Started On: 07/07/2023 11:03 AM

Final Approval Date: 07/07/2023

MASSEY HEARING
July 18, 2023
Case #19-3145

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? A permit for electrical service was obtained and closed. The permit application for the temporary trailer was rejected by the Engineering Dept. in October , 2021 and was finally closed in September, 2022 due to inactivity. The permit application for the Container already installed was rejected in the Planning Dept. in October 2019 and never received approval.

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: 07/18/2023

6. C.

Information

SUBJECT:

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

Case Initiated:	January 25, 2022	Type of Presentation:	Request for Extension
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OWNER:

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

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - January 18, 2023
Notice of Extension of Time (90 days) - March 21, 2023

ACTION DATES:

1. December 20, 2022 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. March 21, 2023 - Notice of Extension of Time (90 days) was recorded.
3. June 16, 2023 - Letter from the project manager requesting that the fines not start and that another extension be granted.

RECOMMENDATION:

To be determined.

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

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

Information

SUBJECT:

22-847	1237 Grose Road	KR Jem Plant LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 3, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: KR Jem Plant LLC 5600 Mariner St Suite 200 Tampa FL 33609	REG. AGENT: Bharati Shah
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VIOLATIONS:

FBC 1051 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - July 19, 2022
Notice of Extension of Time (90 days) - September 15, 2022
Affidavit of Non-Compliance - December 21, 2022

ACTION DATES:

1. July 19, 2022 - Special Magistrate Hearing - 60 days provided to obtain the permit or fines may accrue.
2. September 15, 2022 - A Notice of Extension of Time (90 days) was provided and recorded.
3. December 21, 2022 - An Affidavit of Non-Compliance was recorded and fines began on this date. As of February 14, 2023 the fines total \$5,530.00
4. January 6, 2023 - A DPCR for a Change of Use was submitted. Final approval for the DPCR was given on January 24, 2023. No subsequent building permit has been applied for.
5. January 9, 2023 - a letter from the owner's representative was received, contesting the fines.
6. February 21, 2023 - Massey Hearing, the fines were stopped and the case continued to April 18, 2023. The fines currently total \$6,230.00, including \$30.00 in recording fees.
7. April 18, 2023 - Massey Hearing - the case was continued to the July 18, 2023 hearing with fines remaining stopped.
8. May 31, 2023 - met with the owners and design team to go over requirements. No official submittals have been made to date.

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 08:06 AM

MASSEY HEARING
April 18, 2023
Case #22-847

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? A DPCR application for a Change of Use was approved on January 24, 2023. On March 10, 2023 an permit application was submitted for Change of Use. It was rejected in building plan review on March 20, 2023, with no reply to review comments.

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

Special Magistrate Hearing - Building

6. E.

Meeting Date: 07/18/2023

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 Hearing
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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.
6. June 20, 2023 - the case was continued to the July Special Magistrate and the fines were stopped in this case as of May 16, 2023.
7. June 28, 2023 - met with the owner and engineer to discuss submittal requirements.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/07/2023

Started On: 07/07/2023 10:18 AM

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).

Information

SUBJECT:

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

Case Initiated:	July 20, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: AG & JM 5141 NW Dunn Rd Ft Pierce, FL 34981	REG. AGENT: Segundo Maldonado
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VIOLATIONS:

IPMC 111.1.1 (2021) Unsafe Structure, IPMC 111.1.2 (2021) Unsafe Equipment, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5(3) (2021) Dangerous Structure or Premises, IPMC 111.1.5(6) (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure, IPMC 304.1.1(5) (2021) Unsafe Conditions (Structure Members), IPMC 304.1.1(7) (2021) Unsafe Conditions (Exterior Walls), IPMC 304.2 (2021) Protective Treatment, IPMC 304.3 (2021) Premises Identification, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 304.13.1 (2021) Glazing, IPMC 305.1 (2021) Interior Structure, IPMC 305.1.1(4) (2021) Interior Structure – Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.1 (2021) Facilities Required, IPMC 604.3.2.1 (2021) Fire Damaged Electrical Equipment

FINDINGS/ORDER:

Order Determining Violation - December 20, 2022
Affidavit of Non-Compliance - June 1, 2023

ACTION DATES:

1. December 20, 2022 - Special Magistrate Hearing - owner provided 60 days to get a permit or fines may accrue.
2. June 1, 2023 - Affidavit of Non-Compliance was prepared and recorded on June 2, 2023. Fines began on June 1, 2023 and as of July 10, 2023 total \$3,920.00 including \$20.00 in recording fees.
3. June 12, 2023 - Letter from the registered agent contesting the fines and requesting a hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

Started On: 07/09/2023 05:59 PM

MASSEY HEARING
July 18, 2023
Case #22-2294

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 current owner bought the home with an existing violation due to a fire. Approximately 10 months after purchasing the property, a hired contractor started the DPCR process. A building permit was applied for on April 28, 2023 and has had a number of rejections and review comments, but is now in the final stages of being reviewed and nearing issuance.**

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: 07/18/2023

6. G.

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.
3. March 17, 2023 - a letter from the owner was received contesting the fines.
4. April 18, 2023 - Special Magistrate Massey Hearing - the fines were stopped and 60 days provided to obtain a permit for the roof.
5. June 20, 2023 - Special Magistrate Massey Hearing - the case was continued to the July Special Magistrate hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/07/2023

Started On: 07/07/2023 10:18 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? **The property manager provided proof of pest control, A permit for the roof was issued on June 2, 2023.**

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: 07/18/2023

6. H.

Information

SUBJECT:

22-2697	515 Palm Ave Unit B	Martin Co. Properties LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	September 7, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Martin Co. Properties LLC 265 Bermuda Beach Dr Ft Pierce FL 34949	REG. AGENT: J B Jones, Jr. 540 SW Siesta Way Stuart FL 34994
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 304.13 Window, Skylight & Door Frames

FINDINGS/ORDER:

Order Determining Violation - March 7, 2023
Affidavit of Non-Compliance - May 7, 2023

ACTION DATES:

1. March 7, 2023 - Special Magistrate Hearing - owner provided 60 days to get a permit or fines may accrue.
2. May 17, 2023 - Affidavit of Non-Compliance was recorded. Fines began on this date and as of July 10th fines total \$5,420.00 including \$20.00 in recording fees.
3. June 13, 2023 - Letter from the owner contesting the fines and requesting a hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

Started On: 07/09/2023 07:16 PM

MASSEY HEARING
July 18, 2023
Case #22-2697

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 permits for the cited violations. The permits expired without any inspections. The permits were recently renewed and received final approved inspections. A re-inspection of the cited item not requiring a permit is needed to comply the case.

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? 2 (two).

Special Magistrate Hearing - Building
Meeting Date: 07/18/2023

6. I.

Information

SUBJECT:

22-3135	119 Maple Ave	Muniz, Sonia	Logan Winn
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CASE INFORMATION:

Case Initiated:	October 26, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Sonia Muniz 2728 Oleander Blvd Ft Pierce FL 34982	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.1 (2021) Exterior Structure – General, IPMC 304.7 (2021) Roofs and Drainage

FINDINGS/ORDER:

Order Determining Violation - March 7, 2023
Affidavit of Non-Compliance - May 10, 2023

ACTION DATES:

1. March 7, 2023 - Special Magistrate Hearing - owner provided 60 days to get a permit or fines may accrue.
2. May 10, 2023 - Affidavit of Non-Compliance was prepared and recorded on May 11, 2023. Fines began on May 10th and as of July 10th, fines total \$6,120.00 including \$20.00 in recording fees.
3. May 30, 2023 - Letter from the owner contesting the fines and requesting a hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 07/10/2023

Started On: 07/09/2023 09:43 PM

**MASSEY HEARING
July 18, 2023
Case #22-3135**

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? **There have been no actions to date to comply the violations. The owner would like more time to bring the property into compliance.**

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**7. A.****Meeting Date:** 07/18/2023

Information**SUBJECT:**

14-2183	1001 Ave I	Drummond, Kenneth	Shaun Coss
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CASE INFORMATION:

Case Initiated:	January 8, 2015	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Kenneth Drummond (Life Est) 4900 Matanzas Ave Fort Pierce FL 34946	OCCUPIED BY:
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VIOLATIONS:

Sections 5-1.101.2.1 Unsafe Building, 5-1.05.1 Permit Required, 5-368 Property Maintenance, IPMC 108.1.1 Unsafe Structure, IPMC 108.1.3 Structure Unfit for Human Occupancy, IPMC 304.10 Stairways, Decks, Porches & Balconies, IPMC 304.13 Window & Door Frames, IPMC 304.13.2 Openable Windows, IPMC 304.14 Insect Screens, IPMC 304.15 Exterior Doors, IPMC 403.2 Bathrooms and Toilet Rooms Ventilation, IPMC 503.1 Toilet Room Privacy, IPMC 504.1 Plumbing Fixtures, IPMC 602.2 Residential Heat Supply, IPMC 603.1 Mechanical Equipment, IPMC 605.1 Electrical Equipment, IPMC 605.2 Electrical Receptacles, IPMC 704.1 Fire Protection Systems

FINDINGS/ORDER:

Order Determining Violation - August 14, 2015
Affidavit of Non-Compliance - October 20, 2015
Order Assessing Fine and Imposing Lien - June 27, 2016

ACTION DATES:

1. August 12, 2015 - Special Magistrate Hearing - owner provided 60 days to obtain a permit or fines may accrue.
2. October 20, 2015 - Affidavit of Non-Compliance was prepared (recorded October 27, 2015) and fines began on this date.
3. June 27, 2016 - Order Assessing Fine and Imposing Lien was signed (recorded June 28, 2016).
4. The City of Fort Pierce had the house demolished - the case was complied on December 7, 2016. The lien totals \$47,890.00 which includes \$40.00 of recording fees.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Final Approval Date: 07/11/2023

Started On: 07/10/2023 01:31 PM

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

Case No: 14-2183

Date: July 18, 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 owner did not take action to correct the violations since the tenant was not paying rent. Eventually the City of Fort Pierce had the structure demolished.
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:	The City of Fort Pierce had the structure demolished.
3.) The length of time necessary to bring the property into compliance:	2 year, 2 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:	4
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	68, 24 lot clearing cases were involuntarily complied; 24 lot clearing case were complied by owner; 15 misc. code cases were complied promptly; 1 code case is active, 2 code cases complied within the time provided by the Special Magistrate, 1 building violation complied with permits obtained, 1 building violation complied with the demolition of the structure
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	Family health challenges
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

7/11/2023

Property Address: 1001 Avenue I

Date case originated: 10/28/2014

Date case complied: 12/7/2016

Total time: 26 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

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>6</u>	\$3.00
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>26</u>	\$1,300.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u>1</u>	\$75.00

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

City Attorney (per hour)	\$125.00	<u>1</u>	\$125.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

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

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$2,346.70



REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	06/15/23			
Property address:	1011 AVENUE I			
Owner(s) of record:	Drummond, Javan			
Mailing address:	1701 NW 16 th ST. Ft. Lauderdale, FL 33311			
Property tax ID #:	2404 - 818 - 0006 - 000 - 9			
Original purchase date:	1988	Original purchase price:	\$27,000	
Property is used for:	<input type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Drummond, Javan		Relationship to owner(s)	son
Telephone #:	772-284-2004		Mobile phone #:	772-284-2004
E-mail:	javan.drummond@gmail.com		Preferred contact method:	Phone or Email
What are owner(s) intentions for property:	Land Development			
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

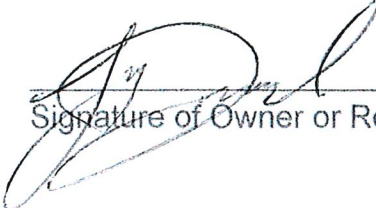
\$ 47,890.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 47,890.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 0


 Signature of Owner or Representative

06/15/23
 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: 1001 AVENUE I

Property Owner: JAVAN DRUMMOND

Mailing Address: 1701 NW 16th STREET FT. LAUDERDALE, FL 33311

Telephone #: 772-284-2004 Cell Phone #: 772-284-2004

E-Mail Address: javan.drummond@gmail.com

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

I, Javan Drummond, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

See attached...

Signed: [Signature] Date: 06/15/23

Print Name: Javan Drummond

STATE OF FLORIDA

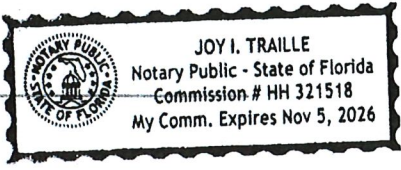
COUNTY OF ~~ST. LUCIE~~ BROWARD

PERSONALLY APPEARED before me, the undersigned authority JAVAN DRUMMOND 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. DRIVER LICENSE as identification.

SWORN TO AND SUBSCRIBED before me this 15 day of JUNE, 2023.

[Signature]

Notary Public, State of Florida



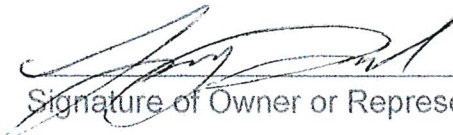
OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 1001 Aviano I

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

06/15/23

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:

Schedule for Special Magistrate in accordance w/ Rules



Shaun Coss, Building Department Coordinator

6/15/23

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.