

**SPECIAL MAGISTRATE
BOARD AGENDA**

Special Magistrate Hearing - Thursday, June 13, 2024 - 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 - CITATION APPEALS**
6. **PUBLIC HEARINGS - VIOLATION CASES**

A.	23-1981	715 S Ocean Dr	Boardwalk Condominium Assn Inc.	Anthony Jetmore
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B.	24-117	1708 S 8th St	Godinez, Marco & Martinez, Sylvia	Frank Remling
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C.	24-200	225 Orange Ave	KDK Properties LLC	Joel Smith
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D.	24-211	1109 N 27th St Bldg 9-70	SP Pine Creek Village LP	Frank Remling
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E.	24-212	1109 N 27th St Bldg 9-69	SP Pine Creek Village LP	Frank Remling
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G.	24-256	1806 N 16th Court	CarmI Group LLC	Kevin Young
H.	24-297	2408 Ave G Apt A	Hall, Christopher	Frank Remling
K.	24-436	2400 S Ocean Dr Golf Villas	Golf Villas Inc.	Logan Winn
M.	24-438	308 Hernando St	Kroll (TR), Joyce A Cohen	Logan Winn
N.	24-447	2607 Booker St	1 EZ Buildings LLC	Miles Keller

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

B.	23-52	429 N 20th St Unit A	Johnson, Sharon	Shaun Coss
C.	23-54	429 N 20th St Unit B	Johnson, Sharon	Shaun Coss
D.	23-2840	917 N 9th St	Mitchell, Barry & Wendy	Shaun Coss

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

A.	22-854	605 Delaware Ave	A & F Investment LLC	Shaun Coss
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9. **OTHER CASES**

A.	17-898	1450 Bell Avenue	TSPN 19 LLC 1450 Bell Ave Owner LLC	Shaun Coss
B.	22-3397	712 Cedar Place	Jarantow, Daniel	Shaun Coss

10. **NEW BUSINESS**

11. **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

6. A.

Meeting Date: 06/13/2024

Re: Case #23-1981 - 715 S Ocean Drive

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

Information

SUBJECT:

23-1981	715 S Ocean Dr	Boardwalk Condominium Assn Inc.	Anthony Jetmore
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CASE INFORMATION:

Case Initiated:	July 5, 2023 February 7, 2024 - 1st Rev. March 4, 2024 - 2nd Rev.	Type of Presentation:	Regular
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OWNER:

OWNER: Boardwalk Condominium Association Inc. 1111 SE Federal Hwy Suite 100 Stuart, FL 34994	REG. AGENT: Barbara Shea
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VIOLATIONS:

IPMC 301.10 (2021) Stairways, Decks, Porches and Balconies, IPMC 304.2 (2021) Protective Treatment, IPMC 304.6 (2021) Exterior Walls, IPMC 304.15 (2021) Doors, IPMC 603.1 (2021) Mechanical Equipment and Appliances, IPMC 304.12 (2021) Handrails and Guards, IPMC 505.2 (2021) Contamination

CORRECTIVE ACTIONS:

1. Obtain a permit to repair the numerous cracks on the exterior walls, balconies, stairways, columns, ceilings, etc. Please note that signed and sealed repair drawings, prepared by a licensed design professional will be required in order to obtain a permit.
2. Obtain a permit for the infill of the west wall above the landscape/rock bed. Please note that signed and sealed drawings, prepared by a licensed design professional will be required in order to obtain a permit.
3. Repair and/or replace the coating on the 2nd floor walkway allowing water intrusion between the coating and concrete.
4. Patch and paint all holes and cracks on the building that are not specified in the signed and sealed repair drawings.
5. Reroute the condensate drain that is undermining the foundation on the northwest side of the building.
6. Repair and/or replace all rotten wood and exterior doors.

7. Improper hardware was used to repair the handrail on the east side of the building. Replace with proper hardware and seek guidance from a licensed design professional if necessary.
8. Install vacuum breaker hose bibb backflow prevention on all exterior hose bibbs.

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: 06/10/2024

Started On: 06/09/2024 08:00 PM

Special Magistrate Hearing - Building

6. B.

Meeting Date: 06/13/2024

Re: Case 24-17 - 1708 S 8th Street

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

Information

SUBJECT:

24-117	1708 S 8th St	Godinez, Marco & Martinez, Sylvia	Frank Remling
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CASE INFORMATION:

Case Initiated:	January 16, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: Marco Godinez Sylvia Martinez 1708 S 8th St Ft Pierce, FL 34950	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the installation of an asphalt driveway.

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: 06/08/2024 11:21 PM

Final Approval Date: 06/10/2024

Special Magistrate Hearing - Building

6. C.

Meeting Date: 06/13/2024

Re: Case #24-200 - 225 Orange Avenue

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

Information

SUBJECT:

24-200	225 Orange Ave	KDK Properties LLC	Joel Smith
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CASE INFORMATION:

Case Initiated:	January 25, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: KDK Properties LLC 4315 Thousand Pines Dr Ft Pierce FL 34981	REG. AGENT: Derrick Gibbons 1920 Rio Vista Dr Ft Pierce FL 34949
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the mechanical, electrical and any other renovation work 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: 06/10/2024

Started On: 06/09/2024 09:41 AM

Special Magistrate Hearing - Building

6. D.

Meeting Date: 06/13/2024

Re: Case #24-211 - 1109 N 27th St Bldg 9-70

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

Information

SUBJECT:

24-211	1109 N 27th St Bldg 9-70	SP Pine Creek Village LP	Frank Remling
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CASE INFORMATION:

Case Initiated:	January 25, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: SP Pine Creek Village LP 31899 Del Obispo St Suite 150 San Juan Capistrano, CA 92675	REG. AGENT: Registered Agent Solutions, Inc. 2894 Remington Green Lane, Suite A Tallahassee, FL 32308
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the windows replaced without a permit.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/10/2024

Started On: 06/09/2024 06:49 PM

Special Magistrate Hearing - Building

6. E.

Meeting Date: 06/13/2024

Re: Case #24-212 - 1109 N 27th St Bldg 9-69

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

Information

SUBJECT:

24-212	1109 N 27th St Bldg 9-69	SP Pine Creek Village LP	Frank Remling
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CASE INFORMATION:

Case Initiated:	January 25, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: SP Pine Creek Village LP 31899 Del Obispo St Suite 150 San Juan Capistrano, CA 92675	REG. AGENT: Registered Agent Solutions, Inc. 2894 Remington Green Lane, Suite A Tallahassee, FL 32308
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the water heater 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: 06/10/2024

Started On: 06/09/2024 07:43 PM

Special Magistrate Hearing - Building

6. G.

Meeting Date: 06/13/2024

Re: Case 24-256 - 1806 N 16th Court

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

Information

SUBJECT:

24-256	1806 N 16th Court	CarmI Group LLC	Kevin Young
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CASE INFORMATION:

Case Initiated:	February 7, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: CarmI Group LLC 4351 Weston Rd #215 Weston FL 33327	REG. AGENT: Anthony Martinez
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 604.3 (2021) Electrical System Hazards

CORRECTIVE ACTIONS:

1. Obtain a permit for enclosing the carport, bathroom remodel, and any other work being done without a permit.
2. Make necessary electrical repairs to the non-working outlets and switches and to the tripping breakers.
3. Replace the missing light cover.

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: 06/10/2024

Started On: 06/08/2024 10:11 PM

Special Magistrate Hearing - Building

6. H.

Meeting Date: 06/13/2024

Re: Case 24-297 - 2408 Avenue G Apt A

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

Information

SUBJECT:

24-297	2408 Ave G Apt A	Hall, Christopher	Frank Remling
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CASE INFORMATION:

Case Initiated:	February 1, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: Christopher Hall 1509 N 24th St Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 504.1 (2021) General, IPMC 305.3 (2021) Interior Surfaces

CORRECTIVE ACTIONS:

1. Make necessary plumbing repairs to the kitchen sink that is leaking, the shower that leaks and does not turn off and the tub valve that leaks.
2. Make necessary repairs to the wall and baseboard that is rotted and water damaged from the leaking tub.
3. Repair all holes in the walls.

RECOMMENDATION:

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

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/10/2024

Started On: 06/08/2024 10:53 PM

Special Magistrate Hearing - Building

6. K.

Meeting Date: 06/13/2024

Re: Case #24-436 - 2400 S Ocean Drive - Golf Villas

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

Information

SUBJECT:

24-436	2400 S Ocean Dr Golf Villas	Golf Villas Inc.	Logan Winn
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CASE INFORMATION:

Case Initiated:	February 14, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: Golf Villas Inc. 2400 S Ocean Dr GV Ft Pierce FL 34949	REG. AGENT: Ross Earle Bonan & Ensor, P.A. 1701 Highway A1A, Suite 200 Vero Beach FL 32963
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (2021) Unsafe Structures, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.4 (2020) Structural Members, IPMC 304.5 (2021) Foundation Walls, IPMC 304.6 (2021) Exterior Walls, IPMC 306.1.1 (2021) Unsafe Conditions

CORRECTIVE ACTIONS:

Obtain a permit to make all necessary repairs to rehabilitate this property. Any structural repairs 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: 06/10/2024

Started On: 06/09/2024 11:00 AM

Special Magistrate Hearing - Building

6. M.

Meeting Date: 06/13/2024

Re: Case 24-438 - 308 Hernando Street

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

Information

SUBJECT:

24-438	308 Hernando St	Kroll (TR), Joyce A Cohen	Logan Winn
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CASE INFORMATION:

Case Initiated:	February 15, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: Joyce A Cohen Kroll (TR) 1881 SW Buttercup Ave Port St Lucie FL 34953	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 304.1 (2021) Exterior Structure - General, IPMC 304.10 (2021) Stairways, Decks, Porches and Balconies

CORRECTIVE ACTIONS:

1. Obtain a permit for the balcony built at the rear of the building.
2. Make necessary repairs to the concrete under the stairs and make any necessary repairs to the stairs and steps.

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: 06/10/2024

Started On: 06/08/2024 09:48 PM

Special Magistrate Hearing - Building

6. N.

Meeting Date: 06/13/2024

Re: Case 24-447 - 2607 Booker Street

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

Information

SUBJECT:

24-447	2607 Booker St	1 EZ Buildings LLC	Miles Keller
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CASE INFORMATION:

Case Initiated:	February 11, 2024	Type of Presentation:	Regular
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OWNER:

OWNER: 1 EZ Buildings LLC 3991 SW 54th Ct Ft Lauderdale FL 33312	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020 Permit Required)

CORRECTIVE ACTIONS:

Obtain a permit for the renovation work including but not limited to the roof, siding, framing, sub-floor, joists, windows, doors, along with electrical and plumbing work 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

Started On: 06/07/2024 04:01 PM

Final Approval Date: 06/10/2024

Special Magistrate Hearing - Building
Meeting Date: 06/13/2024

7. B.

Information

SUBJECT:

23-52	429 N 20th St Unit A	Johnson, Sharon	Shaun Coss
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CASE INFORMATION:

Case Initiated:	January 10, 2023	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Sharon Johnson 4268 Lake Tahoe Cir West Palm Beach FL 33409	OCCUPIED BY:
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VIOLATIONS:

FBC105.1 (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 304.2 (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 304.13 (2021) Windows, Skylight and Door Frames, IPMC 304.13.1 (2021) Glazing, IPMC 304.15 (2021) Doors, IPMC 304.18 (2021) Building Security, IPMC 304.18.1 (2021) Doors, IPMC 305.1 General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 305.4 (2021) Stairs and Walking Surfaces, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.3 (2021) Electrical System Hazards, IPMC 604.3.1 (2021) Abatement of Electrical Hazards Associated with Water Exposure, IPMC 604.3.1.1 (2021) Electrical Equipment, IPMC 604.3.2.1 (2021) Electrical Equipment

FINDINGS/ORDER:

Order Determining Violation - April 19, 2023
Notice of Extension of Time 90 days - December 19, 2023
Affidavit of Non-Compliance - March 27, 2024

ACTION DATES:

1. April 19, 2023 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
2. December 19, 2023 - A Notice of Extension of time (90 days) was granted.
3. March 27, 2024 - An Affidavit of Non-Compliance was prepared, recorded and fines began.
4. April 16, 2024 - a letter from the owner was received contesting the fines.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/10/2024

Started On: 05/28/2024 03:43 PM

MASSEY HEARING

June 13, 2024

Case #23-52

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 who obtained a for interior demolition due to a fire that occurred in December 2022. No inspections were requested and the permit expired. No substantial work to improve this property has been completed since the original violation in 2020.**

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? **5 (five).**

Special Magistrate Hearing - Building
Meeting Date: 06/13/2024

7. C.

Information

SUBJECT:

23-54	429 N 20th St Unit B	Johnson, Sharon	Shaun Coss
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CASE INFORMATION:

Case Initiated:	January 10, 2023	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Sharon Johnson 4268 Lake Tahoe Cir West Palm Beach FL 33409	OCCUPIED BY:
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VIOLATIONS:

FBC105.1 (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 304.2 (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 304.13 (2021) Windows, Skylight and Door Frames, IPMC 304.13.1 (2021) Glazing, IPMC 304.15 (2021) Doors, IPMC 304.18 (2021) Building Security, IPMC 304.18.1 (2021) Doors, IPMC 305.1 General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 305.4 (2021) Stairs and Walking Surfaces, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.3 (2021) Electrical System Hazards, IPMC 604.3.1 (2021) Abatement of Electrical Hazards Associated with Water Exposure, IPMC 604.3.1.1 (2021) Electrical Equipment, IPMC 604.3.2.1 (2021) Electrical Equipment

FINDINGS/ORDER:

Order Determining Violation - April 19, 2023
Notice of Extension of Time 90 days - December 19, 2023
Affidavit of Non-Compliance - March 27, 2024

ACTION DATES:

1. April 19, 2023 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
2. December 19, 2023 - A Notice of Extension of time (90 days) was granted.
3. March 27, 2024 - An Affidavit of Non-Compliance was prepared, recorded and fines began.
4. April 16, 2024 - a letter from the owner was received contesting the fines.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/10/2024

Started On: 05/29/2024 12:45 PM

MASSEY HEARING
June 13, 2024
Case #23-54

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 who obtained a for interior demolition due to a fire that occurred in December 2022. No inspections were requested and the permit expired. No substantial work to improve this property has been completed since the original violation in 2020.

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? 5 (five).

Special Magistrate Hearing - Building
Meeting Date: 06/13/2024

7. D.

Information

SUBJECT:

23-2840	917 N 9th St	Mitchell, Barry & Wendy	Shaun Coss
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CASE INFORMATION:

Case Initiated:	October 19, 2023	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Barry & Wendy Mitchell 3664 Thomasson Crossing Dr Triangle VA 22172	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.13 (2021) Window, Skylight and Door Frames, IPMC 304.15 (2021) Doors

FINDINGS/ORDER:

Order Determining Violation - February 9, 2024
Affidavit of Non-Compliance - May 1, 2024
Affidavit of Compliance - May 7, 2024

ACTION DATES:

1. February 9, 2024 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get a permit/correct the violations or fines may accrue.
2. May 1, 2024 - An Affidavit of Non-Compliance was prepared and recorded on May 2, 2024.
3. May 7, 2024 - An Affidavit of Compliance was prepared and recorded on May 8, 2024.
Fines accrued from May 1, 2024 to May 7, 2024 and total \$630.00 including \$30.00 of recording fees.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria
Fine Reduction Request
Admin Costs

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 06/10/2024

Started On: 06/06/2024 12:14 PM

MASSEY HEARING

June 13, 2024

Case #23-2840

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 property manager had the property inspected after the original hearing. All violations were corrected with the exception of one item. On 4/23/24 a voice message was left at the number provided to our department at the hearing, asking if the last item had been repaired. There was no response and fines began on 5/1/24. The property manager called our office on 5/4/24 (a Saturday) and left a message. On 5/6/24 a reinspection was scheduled and the case was complied on 5/7/24.

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? 3 (three).




REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION FINES

Date:	May 17, 2024		
Property address:	917 North 9th Street Apt B		
Owner(s) of record:	Barry Mitchell Wendy Mitchell		
Mailing address:	3664 THOMASSON CROSSING DR, TRIANGLE, VA 22172		
Property tax ID #:	2403-710-0009-000-6		
Original purchase date:		Original purchase price:	\$50,000.00
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Fannie Mitchell Shanteneka Rolle	Relationship to owner(s)	Mother/Property Manager Niece/Assistant
Telephone #:	(571) 229-2021	Mobile phone #:	(772) 708-6746
E-mail:	BMITCH2052@AOL.COM	Preferred contact method:	MOBILE PHONE/EMAIL
What are owner(s) intentions for property:	RENTAL 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 \$ 630.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 630.00

DOLLAR AMOUNT I AGREE TO PAY \$ 0



 Signature of Owner or Representative

05/21/2024

 Date

REQUEST FOR REDUCTION OF PENALTY FOR BUILDING VIOLATIONS

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

INSTRUCTIONS:

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

Property Address: 917 North 9th Street Apt B, Fort Pierce, FL 34950

Property Owner: Barry & Wendy Mitchell

Mailing Address: 3664 Thomasson Crossing Dr, Triangle, VA 22172

Telephone #: 571-229-2021 Cell Phone #: 772-708-6746

E-Mail Address: Bmitch2052@aol.com

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

I, Shanteneka Rolle, 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:

All violations were brought up to the code standards in the allotted amount of time. There was a miscommunication
between Fannie Mitchell and Elizabeth Beck as Fannie understood the case had been closed until we received a follow-up
letter of noncompliance to include the said fines. Several attempts were made to Ms. Beck as well as the inspector "Miles" to
to no avail. After several weeks of attempts, Shanteneka was able to schedule a re-inspection conducted by "Miles" in
which the violations were marked as complete/repared.

Signed: [Signature] Date: 5/21/2024

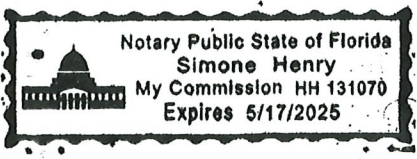
Print Name: SHANTENKA ROLLE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority
Shanteneka Rolle 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
license as identification.

SWORN TO AND SUBSCRIBED before me this 21st day of May, 2024.

[Signature]
Notary Public, State of Florida



Property Address: 917 N 9th Street

Date case originated: 10/19/2023

Date case complied: 5/7/2024

Total time: 6 months

Number of Hearings

Violation Hearings: 1

Massey Hearings: 1

Lien Reduction Hearings:

Mailing Expense

Regular 1st Class: \$0.60 5 \$3.00

Certified Mail: \$7.25 1 \$7.25

Photographs (per page) \$0.50 10 \$5.00

Filing Fees \$10.00 4 \$40.00

Follow up and Inspections \$50.00 5 \$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 1 \$150.00

Each additional Hearing \$75.00 \$0.00

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

Assistant Director of Building \$75.00 1 \$75.00

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

City Attorney (per hour) \$125.00 1 \$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 1 \$150.00

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

Lien Reduction Request Hearing \$250.00 \$0.00

Total Estim \$805.25

Special Magistrate Hearing - Building
Meeting Date: 06/13/2024

8. A.

Information

SUBJECT:

22-854	605 Delaware Ave	A & F Investment LLC	Shaun Coss
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CASE INFORMATION:

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

OWNER: A & F Investment LLC PO Box 615 Richlands VA 24641	REG. AGENT: Linda G Whaley 1715 Sunset Isles Road Ft Pierce FL 34949
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - July 19, 2022
Affidavit of Non-Compliance - September 22, 2022
Order Assessing Fine and Imposing Lien - October 18, 2022
Affidavit of Compliance - April 12, 2024

ACTION DATES:

1. July 19, 2022 - Special Magistrate Hearing - the owner wa provided 60 days to get the permit or fines may accrue.
3. September 22, 2022 - An Affidavit of Non-Compliance was prepared and recorded on September 27, 2022, and a fine of \$100.00 per day began to accrue.
4. October 18, 2022 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on October 20, 2022.
5. December 4 2023 - A permit for the cited work was issued.
6. April 12,2024 - A final inspection on the permit was approved. An Affidavit of Compliance was prepared and recorded on May 16, 2024. Fines stopped on April 12, 2024 and total \$56,840.00 which includes \$40.00 in recording fees.
7. May 21, 2024 - a request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Final Approval Date: 06/10/2024

Started On: 05/29/2024 01:14 PM

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

Case No: 22-854

Date: June 13, 2024

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's representative, once made aware of the violation, contacted the contractor to try to get the work and the necessary inspections completed.
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 tenant at this property initiated the work but did not make sure that the work and the inspections were complete. The owner's representative had to follow up and make sure the necessary steps were completed to comply this case.
3.) The length of time necessary to bring the property into compliance:	25 months
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	0
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	10 cases – 9 complied before going to a hearing; 1 – this case before the Magistrate for a lien reduction.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The original owners died. Their son, who represented the property, also fell ill. The current representative of the property, more recently discovered the violation and has worked since to resolve the issue.
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

5/29/2024

Property Address: 605 Delaware Ave

Date case originated: 3/3/2022

Date case complied: 4/12/2024

Total time: 25 months

Number of Hearings

Violation Hearings: 1

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>5</u>	\$3.00
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Certified Mail:	\$7.25	<u>1</u>	\$7.25
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Photographs (per page)	\$0.50	<u>1</u>	\$0.50
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Follow up and Inspections	\$50.00	<u>7</u>	\$350.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
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Each additional Hearing	\$75.00	<u> </u>	\$0.00
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Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Assistant Director of Building	\$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>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Lien Reduction Request Hearing	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$1,150.75



REQUEST FOR A REDUCTION OR RESCINDMENT OF
BUILDING VIOLATION LIENS

Date:	MAY 21, 2024		
Property address:	605 DELAWARE AVE, FORT PIERCE, Fla		
Owner(s) of record:	A & F INVESTMENTS LLC		
Mailing address:	P.O. BOX 615, RICHMOND VA 24641		
Property tax ID #:	UNKNOWN 2410-342-001-000-3		
Original purchase date:	5-25-2003 5-25-2003	Original purchase price:	525,000 525,000
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:	DAVID WHALEY LINDA WHALEY	Relationship to owner(s):	son-in-law & daughter of the deceased owners
Telephone #:	804-241-2523	Mobile phone #:	804-241-2523
E-mail:	whaley18@verizon.net	Preferred contact method:	EMAIL
What are owner(s) intentions for property:	Trying to sell the 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	

5/23
2003

AMOUNT OF FINE / LIEN

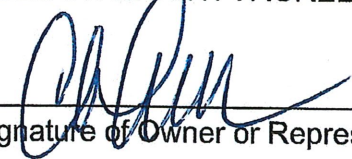
\$ 56,840 - FINANCED

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 55,000 -

DOLLAR AMOUNT I AGREE TO PAY

\$ 2,840 -


Signature of Owner or Representative

5-21-24
Date

FOR LESS than ~~(current)~~ the current Rent. asking price is 1.1 million MUST foregive

over 100,000 in back payments and owner insurance @ 30%

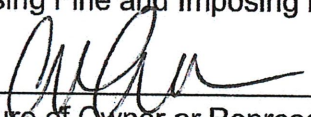
OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	
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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

5-24-24

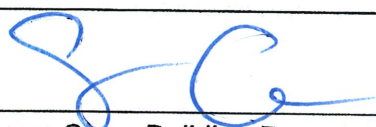
Date

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

5/24/24

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: 605 DELAWARE

Property Owner: A&F INVESTMENTS LLC

Mailing Address: new address:
3921 VICTORIA LANE, MIDLOTHIAN, VA 23113

Telephone #: 804-241-2523 Cell Phone #: 804-241-2523

E-Mail Address: Whaley18@verizon.net

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

I, David Whaley, 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 deceased in-laws, Allen & Francis Gray, owners of A&F Investments, LLC both suffered from dementia and alzheims disease. When they passed several years ago, Wayne Gray took over their estate. Unfortunately, he begin to develop issues. About 7 months ago, Wayne Gray, sent me a file box full of mail. I went thru the mail and discovery this problem. I got in contact with Mrs. Beck and she explained the problem. The tenant, Ascend Grocery, hired a contractor to replace the A.C. units. The contractor never got the work inspected, they told Wayne Gray that they did everything. Finally, I forced the contractor to do the inspection (after 7 months) and after he ^{had} said everything was completed. The work is finally finished please reduce the ~~amount~~ ^{amount} or forgive the govt. We did the best we could.

Signed: David Whaley Date: 5-20-24

Print Name: David Whaley

STATE OF ~~FLORIDA~~ Virginia
CITY OF Richmond
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority DAVID WHALEY 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 VA DRIVER'S License as identification.

SWORN TO AND SUBSCRIBED before me this 20th day of May, 2024.

[Signature]
Notary Public, State of ~~Florida~~ Virginia



Special Magistrate Hearing - Building

9. A.

Meeting Date: 06/13/2024

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:

The Code of Ordinances has been recodified since the Order Determining Violation was entered. Below are the section numbers originally cited and the replacement section numbers:

Previous Section: 5-1.101.2.1 Unsafe Building

Current Section: IPMC 111.1.1 (2021) Unsafe Structure

Previous Section: 5-1.105.1 Permit Required

Current Section: FBC 105.1 (2023) Permit Required

Previous Section: 5-1.105.4.1.2 Expired Permit

Current Section: FBC 105.4.1.2 (2023) Expired Permit

Previous Section: 22-79 Compliance with Conditions of Approval

Current Section: 125-240 Compliance with Conditions of Approval

CORRECTIVE ACTIONS:

**Order Determining Violation August 3, 2017, nunc pro tunc August 2, 2017:
Status of violations updated June 11, 2024, except as noted below.**

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. Renew permit 16-1785 for the site work permit. ****COMPLIED****
3. **a) 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 ****OUTSTANDING as of 12/27/2023 - Notice provided during review of DPCR 23-20001369**** **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 as of 2/11/2019 - Email sent to SLC on 6/11/24 to verify if still 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. **COMPLIED****
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; **WITHDRAWN**** **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 as of 6/11/24****
6. **Renew expired permits intended to cure the above violations including but not limited to permits 18-4329, 19-1905, 19-1906, 23-1209 and 23-3153 **Previously cited for this violation, these are permits that have expired since Order Determining Violation was entered as of 6/11/24****

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.
 16. July 18, 2023 - Special Magistrate Massey Hearing - Respondent provided action plan and timeline with first phase plans prepared within 160 to 200 days, construction 60 to 120 days following the preparation of plans. SM continued the case to the February 8, 2024 hearing with discretion to staff to pull if the applicant is compliant with the timeline.
 17. December 4, 2023 - DPCR application 23-20001369 for renovations submitted. Staff agreed that the plan was compliant with the timeline for phase one renovations and the item was pulled from the February 8, 2024 hearing.
 18. December 27, 2023 - DPCR application 23-20001369 was rejected by Engineering. Revisions have not been submitted as of 6/11/24.
 19. June 2, 2024 - Action plan and timeline agreed upon at the July 18, 2023 SM Hearing, 320 total days, has expired and case is rescheduled for June 13 SM Hearing.
 19. June 6, 2024 - DPCR application 24-20000654 for sitework for parking lot, drainage, dry detention submitted. Pending review as of 6/11/24.

Recommendation to be determined at the hearing.

Form Review

Final Approval Date: 06/06/2024

Special Magistrate Hearing - Building
Meeting Date: 06/13/2024

9. B.

Information

SUBJECT:

22-3397	712 Cedar Place	Jarantow, Daniel	Shaun Coss
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CASE INFORMATION:

Case Initiated:	December 8, 2022	Type of Presentation:	Extension Request
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OWNER:

OWNER: Daniel R. Jarantow 831 Hollywood Blvd Hollywood FL 33019	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - March 22, 2023
Notice of Extension of Time (90 days) - May 15, 2023

ACTION DATES:

1. March 21, 2023 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. May 15, 2023 - Notice of Extension of Time (90 days) was granted, and recorded on May 17, 2023.
3. August 22, 2023 - A DPCR (application for approvals needed prior to applying for a building permit) application was received.
4. August 29, 2023 - A letter from the owner was received requesting a further extension of time to comply the violation.
5. September 5, 2023 - a rejection of the DPCR by the Planning Department.
6. September 19, 2023 - Special Magistrate Extension Hearing - the case was continued to the October 17, 2023 hearing.
7. October 4, 2023 - DPCR approval granted.
8. October 30, 2023 - a permit was applied for. The permit is currently rejected in building, plumbing and electrical plan review.
9. December 19, 2023 - prior to the hearing - the case was continued to January 11, 2024 hearing.
10. January 11, 2023 - Special Magistrate Massey Hearing - the case was continued to March 14, 2024 hearing. The March hearing was canceled and the case was continued to April 11, 2024 hearing.

11. April 11, 2024 - Special Magistrate Massey Hearing - the owner was not present but this case was continued to the June 13,2024 hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria

Form Review

Form Started By: Elizabeth Beck

Started On: 05/29/2024 03:04 PM

Final Approval Date: 05/29/2024

MASSEY HEARING
January 11, 2024
Case #22-3397

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 permit to comply this case was applied for on October 30, 2023 is currently rejected in building, electrical and plumbing 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).**