



REQUEST TO APPEAR TELEPHONICALLY FOR SPECIAL MAGISTRATE HEARING

All fields must be completed for your request to be processed.

Contact Information

Name:	Michael Appell
Address:	6 Willowbrook Ave Bay Shore NY 11706
Secondary Address:	
Phone Number:	631-704-4903
Alternative Phone Number:	
E-mail Address:	Mappell@appelstriping.com
Reason for Request:	Located in NY with newborn, and unable to attend FL in person at this time

Case Information

Case # / Citation # :	Case 24-717
Address of Violation:	5550 Okeechobee Road Ft Pierce FL
Hearing Date / Time:	May 8th, 2025- 9AM EST

- I respectfully request to appear before the Special Magistrate via telephone for the reason stated above.
- I understand that I must be available to receive a phone call at the date and time assigned for this matter to be heard.
- I understand and agree that failure to answer the phone call will constitute a waiver of my right to appear at the Special Magistrate Hearing, and the Special Magistrate may conduct the hearing and rule on the matter in my absence.
- I have provided a valid email address at which I agree to receive photographs or other evidence from the City regarding the Special Magistrate Hearing.
- I understand it is my sole responsibility to provide any evidence or documentation I wish presented at the Special Magistrate Hearing in support of my defense to the violation(s).
- I have provided a copy of my state issued driver's license or identification card to this request.

04/22/2025

 Signature

 Date




THE SUNRISE CITY
FORT PIERCE
 CODE ENFORCEMENT
Florida

REDUCTION OF LIEN APPLICATION

A separate application must be submitted for each lien type.

Date:	April 11, 2025		
Property address:	5550 Okeechobee Rd, Fort Pierce, FL 34947		
Owner(s) of record:	7978 Associates IX, LLC		
Mailing address:	7978 Cooper Creek Blvd, University Park, FL 34201		
Property tax ID #:	2419-601-0039-000-9		
Original purchase date:	12/18/2018	Original purchase price:	\$672,500
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:	Michael Appell	Relationship to owner(s)	Agent
Telephone #:	631-704-4903	E-Mail:	mappell@appellstriping.com
Type of Lien	<input checked="" type="checkbox"/> Code Enforcement	<input type="checkbox"/> Lot Clearing / Nuisance abatement	<input type="checkbox"/> Demolition

TYPE OF FEE	AMOUNT DUE	AMOUNT OFFERED
Daily fine total (CODE LIENS ONLY)	\$ _____	\$ _____
Recording Fees	\$ _____	\$ _____
City incurred fees (MAY NOT BE REDUCED)	\$ _____	\$ _____
Administrative Fees	\$ _____	\$ _____
Interest	\$ _____	\$ _____
Penalties	\$ _____	\$ _____
TOTAL AMOUNT	\$ _____	\$ _____


 Signature of Owner or Representative

4/16/25
 Date

Michael Appell, Agent
 Printed Name



REQUEST FOR REDUCTION OF PENALTY

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.

All requests for a reduction of a lien must comply with the following:

1. All code enforcement liens must be complied prior to the Department accepting the request.
2. 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 the owner's behalf must be provided.
3. You must provide a copy of your deed. If title was transferred via Special Warranty Deed or Warranty Deed, you are responsible for contacting the guaranteeing party to have the lien addressed.
4. Be specific when completing your statement. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income). Use extra pages if necessary.
5. Complete the application form and attach to your request. Multiple applications may be submitted with each request.
6. If requesting a hearing, an application fee of \$250.00 per request shall be paid to the Finance Department prior to submitting your request.
7. Requests for reduction of all liens imposed by the City of Fort Pierce are governed by Part 5 of the City's Rules & Regulation for the Special Magistrate. A copy of the rule is attached to the application for your reference. A full copy of the Rules & Regulations can be found on the City's website or can be provided upon request.

Property Address: 5550 Okeechobee Rd, Fort Pierce, FL 34947

Parcel ID #: 2419-601-0039-000-9

Property Owner: 7978 Associates IX, LLC

Mailing Address: 7978 Cooper Creek Blvd, University Park, FL 34201

Telephone #: 941-359-8303 Cell Phone #: _____

E-Mail Address: jrd@benderson.com mappell@appellstriping.com

Number of Applications: One

REQUEST FOR REDUCTION OF PENALTY –STATEMENT

I, Michael Appell, as Agent, do hereby affirm that I am the owner of the property identified on this request or have provided proof from the owner to act on his/her behalf. I submit this statement in request for a reduction of the penalty imposed and in support offer the following:

See attached statement.

PLEASE INITIAL:

- MA I acknowledge that I have been provided a copy of Part 5.4 of the Rules of Procedure for the Special Magistrate.
- I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 5.4. I understand the requirements to be met and that I waive my right to a hearing before the Special Magistrate.
- MA I am requesting that my application for lien reduction be considered, and a determination made by the Special Magistrate

Signature: 

Date: 04/16/2025

FOR OFFICE USE ONLY:	RECEIVED DATE: <u>04/16/2025</u>
OWNERSHIP INFORMATION:	
<input type="checkbox"/> Copy of deed provided	<input type="checkbox"/> Proof of proxy YES / NO
REDUCTION TYPE:	
<input type="checkbox"/> Code lien # _____	<input type="checkbox"/> Nuisance abatement lien # _____
<input type="checkbox"/> Demolition lien # _____	
REQUEST TYPE:	
<input type="checkbox"/> Fast Track	<input type="checkbox"/> Special Magistrate Review / Hearing date: _____

**Subject: Request for Reduction of Penalty – 5550 Okeechobee Road, Fort Pierce, Florida,
Parcel No. 241960100390009**

Dear Special Magistrate:

We respectfully request your consideration for a reduction of the penalty imposed in connection with sealcoating and restriping work performed at the property located at 5550 Okeechobee Road, Fort Pierce, Florida (Parcel Number 241960100390009), owned by 7978 Associates IX, LLC, a Florida limited liability company.

Starbucks Corporation, as tenant, engaged Appell Stripping to perform sealcoating and restriping of the existing parking lot. Importantly, the work was limited to routine maintenance—no changes were made to the parking layout, and there was no alteration of the structure, occupancy, or use of the property.

The violation occurred due to a misunderstanding by Appell Stripping regarding which types of services require permitting. The company failed to inform the tenant or owner that a permit was necessary for this type of work, and both parties relied in good faith on the company's professional knowledge and judgment. There was no intent to circumvent permitting requirements. Had the owner or tenant been properly advised, the appropriate permit would have been obtained prior to the commencement of work.

Upon learning of the violation, Appell Stripping acted quickly and responsibly to correct the issue. Permit No. CBLDG-2025-00104 was applied for on January 29, 2025, and subsequently issued on March 13, 2025.

Furthermore, the owner, tenant, and Appell Stripping have established internal review procedures to ensure that all future work, regardless of scope, is properly evaluated for permitting requirements. These measures are intended to prevent recurrence by strengthening oversight and fostering clearer communications with all service providers and contractors.

It is also important to highlight that:

- The work was purely maintenance in nature, with no impact to the structure, safety, or code compliance of the site.
- This was a first-time, isolated occurrence resulting from a misunderstanding, not negligence or disregard for the permitting process.
- Corrective action was taken immediately and cooperatively, demonstrating a strong commitment to compliance and partnership with the City of Fort Pierce.

In light of these mitigating factors, we respectfully request your favorable consideration in reducing the lien on the property from \$11,640.00 to the amount of actual fees and costs incurred. We greatly appreciate your time and understanding, and we remain fully committed to maintaining compliance going forward.

①

This Document Prepared by
Return to:
Benderson Development Company
Attn: Alicia H. Gayton
7978 Cooper Creek Blvd.
University Park, Florida 34201

Parcel ID Numbers: 2419-601-0042-000/3
2419-601-0041-000/6
2419-601-0040-000/9
2419-601-0039-000/9

Acc: 35.50
D.S: 4707.50

WARRANTY DEED

THIS INDENTURE, made this 14th day of December, 2018, by KAREN GELETY, a/k/a KAREN S. GELETY whose address is 2507 Lazy Hammock Lane, Fort Pierce, FL 34981 ("GRANTOR"), to 7978 ASSOCIATES IX, LLC, a Florida limited liability company, whose address is 7978 Cooper Creek Blvd., University Park, FL 34201 ("GRANTEE"), as further set forth on Schedule 1 attached hereto and by this reference made a part hereof.

WITNESSETH: That the GRANTOR, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, releases, conveys and confirms unto the GRANTEE and GRANTEE'S heirs, successors and assigns forever, all of the following described land, situate, lying and being in the County of ST. LUCIE, State of FLORIDA, to wit:

SEE ATTACHED EXHIBIT "A" - LEGAL DESCRIPTION.

The property described on Exhibit A is not the homestead of the Grantor or Grantor's spouse nor is it contiguous to the homestead of the Grantor or Grantor's spouse.

SUBJECT TO easements, restrictions and reservations of record, and real property taxes and assessments for the year 2019 and subsequent years, which are not yet due and payable.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the GRANTOR hereby covenants with GRANTEE that GRANTOR is lawfully seized of said land in fee simple; that GRANTOR has good right and lawful authority to sell and convey said land; and that GRANTOR hereby fully warrants the title to said land and will defend the same against any and all lawful claims.

SIGNATURE(S) OF FOLLOWING PAGE

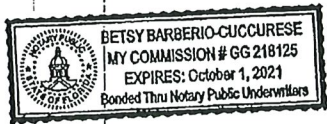
IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

Betsy Barberio-Cuccurese
Witness Printed Name: Betsy Barberio-Cuccurese

Guantha Hooghkirk Karen Gelety
Witness Printed Name: Guantha Hooghkirk KAREN GELETY

STATE OF Florida)
COUNTY OF Indian River) SS:

The foregoing instrument was acknowledged, sworn to and subscribed before me this 14th day of December, 2018 by KAREN GELETY. She is personally known to me, or has produced Dr. License as identification.



Betsy Barberio-Cuccurese
Printed Name: Betsy Barberio-Cuccurese
Notary Public State of Florida
My Commission Expires: 10/1/2021

EXHIBIT "A"
Legal Description

PARCEL 1:

Lots 1 and 2, Block 3, Seminole Park Subdivision, according to the Plat thereof as recorded in Plat Book 10, Page 11, Public Records of St. Lucie County, Florida, LESS AND EXCEPT the North 80 feet thereof. ALSO LESS AND EXCEPT, that portion of the above property described in Order of Taking filed by the State of Florida Department of Transportation recorded 05/07/1990 in Official Records Book 787, Page 88, of the Public Records of ST. Lucie County, Florida.

PARCEL 2:

The North 80 feet of Lots 1 and 2, Block 3, Seminole Park Subdivision, according to the Plat thereof as recorded in Plat Book 10, Page 11, Public Records of St. Lucie County, Florida.

PARCEL 3:

Lot 3, Block 3, Seminole Park Subdivision, according to the Plat thereof recorded in Plat Book 10, Page 11, of the Public Records of St. Lucie County, Florida.

PARCEL 4:

Lot 4, Block 3, Seminole Park Subdivision, according to the Plat thereof recorded in Plat Book 10, page 11, of the Public Records of St. Lucie County, Florida.

Schedule 1 to Warranty Deed

7978 ASSOCIATES IX, LLC as tenant in common with an undivided 78.2206% interest

7978 ASSOCIATES IX, LLC as tenant in common with an undivided 13.5943% interest

7978 ASSOCIATES IX, LLC as tenant in common with an undivided 8.1851% interest