

City of Port St. Lucie

Special Magistrate Hearing

Meeting Minutes

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Wednesday, November 13, 2024

9:00 AM

City Hall, Council Chambers

1. Meeting Called to Order

A Special Magistrate Hearing of the City of Port St. Lucie was called to order by Special Magistrate Keith Davis at 9:09 AM on November 13, 2024, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Present:

Keith Davis, Special Magistrate
Aaron Biehl, Code Compliance Supervisor
Wesley Armstrong, Code Compliance Manager
Charles Cerami, Code Compliance Specialist
Anastasia Diaz, Code Compliance Specialist
Michael Dickerson, Code Compliance Specialist
Rogue Gomez, Code Compliance Specialist
Tyler Herzog, Code Compliance Specialist
Melissa Huskstable, Code Compliance Specialist
Jeremy Kashatus, Code Compliance Specialist
Rachel Knaggs, Code Compliance Specialist
Miguel Mendoza, Code Compliance Specialist
Steve Owens, Code Compliance Specialist
Mishla Pierre, Code Compliance Specialist
Brandon Wise, Code Compliance Specialist
Sara Brown, Project Coordinator
Camille Wallace, Deputy Director
Richard Shiller, Deputy City Attorney
Traci Mehl, Deputy City Clerk

2. Pledge of Allegiance

Special Magistrate Davis led the assembly in reciting the Pledge of Allegiance.

3. Swearing in Code Specialist and/or Building Investigators

The Deputy City Clerk administered the Oath of Testimony to City staff.

4. Approval of Minutes

4.a Hear Approval of Minutes for 8/14/2024 Cases and Approve
the Staff Recommendation

[2024-1003](#)

Special Magistrate Davis approved the minutes of the August 14, 2024, Special Magistrate Hearing as submitted.

4.b Hear Approval of Minutes for 8/21/2024 and 9/18/2024

[2024-1120](#)

Cases and Approve the Staff Recommendation

Special Magistrate Davis approved the minutes of the August 21, 2024 and September 18, 2024 Special Magistrate Hearings as submitted.

5. Late Abatements and/or Postponements

Sara Brown, Project Coordinator, indicated Cases #24-11742, #24-05534, #24-14851, #24-15642, and #24-12779 were abated; and Cases #24-14158, #24-12036, #24-15059, #24-14993, #24-02784, and #24-12992 were postponed.

6. Approval of Agenda

Special Magistrate Davis approved the agenda as revised.

7. Introduction of Cases

Special Magistrate Davis reviewed the process and procedures for the Special Magistrate Hearing.

8. Solid Waste Certification of Fines

8.a Hear Solid Waste Certification of Fines Cases and Approve the Staff Recommendation

[2024-1004](#)

Project Coordinator Brown read the following into the record: A Notice of Hearing or Notice of Certification of Fine was sent to the violator by Certified Mail Return Receipt Requested to the address listed in the Tax Collector's Office for tax notices or to the address listed in the County Property Appraiser's database. If the green card was returned, it was placed in the file and was either signed, unsigned, or unclaimed. Ten days before the hearing, the Agenda was posted on the bulletin board in the lobby of Port St. Lucie City Hall. Also, a Notice of Hearing was posted on the property in question, along with an Affidavit of Posting, which included a copy of the notice posted and the date and places of its posting. If the certification card was not returned to the Office of Solid Waste within ten days before the Hearing, posting was completed in the same manner as if the card was returned unclaimed as stated above. Any photos shown at today's hearing are kept and maintained as public records of the City of Port St. Lucie's Solid Waste Department.

Project Coordinator Brown read Case Numbers #24-14201, #24-11522, #24-13932, and #24-14245 into the record, as the respondents were not present. Special Magistrate Davis indicated he would sign the appropriate orders.

9. Code Violations

9.a Hear Code Violations Cases and Approve the Staff Recommendation[2024-1005](#)

#27. DICKERSON / CASE NO. 24-16356 / 2056 SE JUNE PARK DR

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the HOA tot lot playground, which is now a lake; sidewalks with mildew, stains, and standing water; big rocks laying around the property, hazardous to kids - taken at the time of the inspections. Code Compliance Specialist Dickerson also reviewed the site plan and pointed out the landscaping violations.

Attorney Jacob Ensor stated he was representing the Homeowners Sub Association of East Lake Village. He indicated Robert Hewitt, Property Manager, was in attendance as well. The Deputy City Clerk swore in Mr. Hewitt at this time.

Attorney Ensor explained most violations have been resolved and the tot lot will be replaced, as they are in the process of getting bids and hope to have a proposal approved by the Board of Directors by November 25, 2024. Mr. Hewitt indicated that a special assessment needs to be approved as well and that will take approximately six months.

Attorney Ensor inquired about the landscaping requirements for the tot lot and presented a photo of the tot lot taken twelve years ago, which Special Magistrate Davis included as part of the record without objection from the City.

Attorney Ensor expressed that he was unable to determine what specific violations had occurred from just looking at the violation notice received. He stated he spoke with Code Compliance Specialist Dickerson and explained it takes more time to resolve these issues with an association, but they are willing to work with the City.

Special Magistrate Davis stated he will continue this case until 1/15/2025, when the Respondent will provide an update on the progress of the tot lot, landscaping, and site plan.

#13. DIAZ / CASE NO. 24-12828 / 874 SW DEL RIO BLVD

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of an

unregistered boat and the posted notice - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Daniel Dilozenzo, who indicated the boat has been there for three years and he is getting rid of the boat.

Special Magistrate Davis stated he will allow the Respondent to resolve the violation by 12/18/2024. If the Respondent is not in compliance by 12/18/2024, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, will be assessed and City administrative costs of \$411 will be due and payable.

#16. DIAZ / CASE NO. 24-14846 / 2474 SW MONTERREY LN

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, trailer on property, commercial vehicle, open storage, inoperative vehicle, enclosed trailers, and posted notice - taken at the time of the inspections. She stated this was a residentially zoned property.

Code Compliance Specialist Rachel Knaggs explained that parking and storing are considered the same in this situation. She stated commercial vehicles and equipment are not permitted in a residential area at any time, unless they are currently working at that property.

The Deputy City Clerk swore in Respondent Frank Blavignac, who indicated the dump truck is still on the property and will be moved next week. He presented a photo to the City and Special Magistrate Davis showing the current status of his property. Respondent Blavignac inquired about a small tank on the property, to which Code Compliance Specialist Knaggs stated it would have to be removed as well.

Special Magistrate Davis stated the property remains in violation and set a compliance date of 12/18/2024. He requested that the Respondent call the City to inspect the property and verify the violations have been resolved. If the Respondent is not in compliance by 12/18/2024, daily fines in the amount of \$125/day, up to the maximum accrual of \$12,500, will be assessed and City administrative costs of \$411 will be due and payable.

#23. DICKERSON / CASE NO. 24-15239 / 2699 SW DOMINA RD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented

photos - of the subject property, commercial vehicle, overflow parking by surrounding businesses, undeveloped residential lot in a commercial zone, landscaping pebbles for parking along the right of way, vehicles and overgrowth blocking sight line, swale and right-of-way destroyed - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Clarens Severe, who indicated the lot is vacant and the vehicles do not belong to him. He stated he does not know what to do about it and he missed the meeting with the City because he hurt his back.

Special Magistrate Davis continued the case until 1/15/2025, so the City can meet with the Respondent to come up with a solution, as he did not believe entering an order finding violation would solve the problem.

#24. DICKERSON / CASE NO. 24-15241 / 2073 SW HAYWORTH RD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, commercial vehicle, overflow parking by surrounding businesses, undeveloped residential lot in a commercial zone, landscaping pebbles for parking along the right of way, vehicles and overgrowth blocking sight line, swale and right of way destroyed - taken at the time of the inspections.

Respondent Clarens Severe stated his name for the record, as this property is connected to the property in Case No. 24-15239.

Special Magistrate Davis continued the case until 1/15/2025, so the City can meet with the Respondent to come up with a solution.

#25. DICKERSON / CASE NO. 24-15245 / 2049 SW HAYWORTH RD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, commercial vehicle, overflow parking by surrounding businesses, undeveloped residential lot in a commercial zone, landscaping pebbles for parking along the right of way, vehicles and overgrowth blocking sight line, swale and right of way destroyed - taken at the time of the inspections.

Respondent was not present, but the property is connected to the property in Case No. 24-15241.

Special Magistrate Davis continued the case until 1/15/2025.

Commercial Supervisor Steve Owens noted that parking tickets were issued by the City. He stated they need some help from the owner to maintain the property and will schedule to meet with the owner today.

#26. DICKERSON / CASE NO. 24-16194 / 2000 SE PORT ST. LUCIE BLVD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, damaged to parking lot and stops, dumpster corrals and locations, open storage/debris and wood pallets, missing hedging - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Mark Gudim, who indicated he removed the storage accumulation. He explained the dumpster corrals have not been moved and the building has not had hedges for at least ten years, but the building is well maintained. Respondent Gudim stated he needed clarification on which cracks to patch as it is a large parking lot.

Code Compliance Specialist Dickerson stated the cracks can be filled with sealant. Special Magistrate Davis suggested walking the site to determine which cracks need to be patched.

Regarding the dumpster corral, Code Compliance Specialist Dickerson stated the Respondent may need submit for a permit to comply with the 2016 site plan.

Code Compliance Specialist Owens stated the shrubs would have to be continuous along the front of the property. He indicated they will provide the Respondent with a copy of the site plan and landscaping plan.

Special Magistrate Davis stated the property remains in violation as cited and set a compliance date of 3/19/2025. If the Respondent is not in compliance by 3/19/2025, daily fines in the amount of \$125/day, up to the maximum accrual of \$12,500, will be assessed and City administrative costs of \$411 will be due and payable.

At this time, Respondent Gudim inquired as to what would happen if he just paid the \$12,500 fine, to which Special Magistrate Davis stated City staff will explain the lien process to him.

#28. GOMEZ / CASE NO. 24-11231 / 1202 SW SANTIAGO AVE

Code Compliance Specialist Rogue Gomez read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, crushed culvert in secondary driveway, erosion issue - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Jeffrey Rivera, who stated he dug the area out where the water could flow without backing up, as he could not do anything financially. He stated the lot behind him was being cleared and maybe he could get them to take out the end piece that is crushed.

Special Magistrate Davis stated the property remains in violation as cited and set a compliance date of 3/19/2025. If the Respondent is not in compliance by 3/19/2025, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, will be assessed and City administrative costs of \$411 will be due and payable. He stated he would consider extending the time if the Respondent indicates/shows he needs more time.

#32. GOMEZ / CASE NO. 24-15465 / 1226 SW EMERALD AVE

Code Compliance Specialist Rogue Gomez read the Case Presentation and Staff recommendations into the record. He presented photos - of an inoperative vehicle, where the exterior windows were fixed, and where the open storage was removed - taken at the time of the inspections.

The Deputy City Clerk swore in Respondents Stanley and Brenda Woghiren, who stated this is a rental property and the vehicle belongs to a young man who is living there and riding a scooter to work. Respondent Brenda Woghiren requested an extension until the end of December, to allow the renter more time to fix his vehicle.

Special Magistrate Davis stated the property is in compliance with the exception of the inoperative vehicle, for which he set a compliance date of 12/31/2024. If the Respondent is not in compliance by 12/31/2024, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, will be assessed and City administrative costs of \$411 will be due and payable.

At this time, Respondent Brenda Woghiren inquired for clarification if the car had to be operable or removed by 12/31/2024, to which Code Compliance Specialist Gomez stated that was correct.

(Clerk's Note: Special Magistrate Davis called for a break at 11:25 AM and

the hearing resumed at 11:37 AM.)

#34. HERZOG / CASE NO. 24-09993 / 1334 SW BRIARWOOD DR

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of an inoperative vehicle without a tag and the posted notice - taken at the time of the inspections. He stated he provided some extra time for the Respondents to come into compliance, but nothing has changed.

The Deputy City Clerk swore in Respondents Laquisha and Lucmise Janvier, who explained they buy and sell cars, and someone is buying the vehicle in a week or two.

Special Magistrate Davis stated that based on the testimony and evidence, the property is in violation as cited and set a compliance date of 11/20/2024. If the Respondent is not in compliance by 11/20/2024, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, will be assessed and City administrative costs of \$411 will be due and payable.

#41. KASHATUS / CASE NO. 24-15884 / 962 SE BROWNING AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the overgrowth in the backyard - taken at the time of the inspections. He indicated this was a 1PSL complaint submitted by a neighbor and he took the photos from the neighbor's property.

The Deputy City Clerk swore in Respondents Cristina Fernandez and Logan Fernandez, who explained the yellow flowers and vines were planted for privacy. She presented photos to the City and Special Magistrate Davis from her phone and stated the trees in the back did not belong to her. Respondent Cristina Fernandez indicated she authorized her neighbor to put mesh at the bottom of the fence since her neighbor was concerned about critters. She stated there are no weeds growing through the fence.

Special Magistrate Davis inquired about the difference between grass and weeds. Aaron Biehl, Code Compliance Supervisor, explained the violation was regarding overgrowth of high grass and weeds and indicated the need for a healthy and orderly appearance at all times.

At this time, Special Magistrate Davis, Respondent Cristina Fernandez,

and Code Compliance Specialist Kashatus discussed at length the weeds, high grass, and vines in the backyard. Special Magistrate Davis warned Respondent Cristina Fernandez several times for talking over him and speaking out of turn.

Special Magistrate Davis found the property was in violation of City Code 154.05(c) and found the property was not in violation of City Code 41.08(b) regarding high grass and weeds over 12 inches, as the evidence was not clear. He set a compliance date of 2/19/2025 and suggested the Respondent meet with the City to determine how to bring the violation into compliance. If the Respondent is not in compliance by 2/19/2025, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, will be assessed and City administrative costs of \$411 will be due and payable.

#61. WISE / CASE NO. 24-14006 / 1067 SW PAAR DR

Code Compliance Specialist Brandon Wise read the Case Presentation and Staff recommendations into the record. He presented photos - of the cracked driveway and posted notice - taken at the time of the inspections. Aaron Biehl explained that a permit would be required from engineering for anything below the swale liner and requested that the case be postponed, so they can work with Public Works regarding the culvert.

The Respondents agreed to work with the City and Special Magistrate Davis did not enter an order for this case.

Respondent Brown inquired if the pipe was the City's problem since it is near the road, to which Aaron Biehl explained it was the homeowners responsibility.

10. Code Violations Special Requests

- 10.a** Hear Code Violations Special Requests Cases and Approve the Staff Recommendation

[2024-1006](#)

#67. GOMEZ / CASE NO. 24-15340 / 1809 SW CAPEHART AVE

Code Compliance Specialist Rogue Gomez read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, leaning fence, shed, high grass and weeds, unmaintained culvert, soffits needing replaced, posted notice - taken at the time of the inspections. Code Compliance Specialist Gomez explained the property previously had tenants and is currently vacant, as it was sold to a management group in October 2024 and they are aware of the violations. He stated the high grass and weeds constitute a threat to the public health,

safety, and welfare.

The Deputy City Clerk swore in Natalie Afremov, who attended via Zoom. She requested a 60-day extension to come into compliance and take care of the violations. Code Compliance Specialist Gomez indicated Staff recommends 11/20/2024 as the compliance date for the high grass and weeds, and 60 days for the remaining issues with regular compliance inspections every two weeks to determine progress.

Special Magistrate Davis stated, based on the testimony and evidence, the property remains in violation as cited. He found that violation of City Code 41.08(b) regarding the high grass and weeds constitutes a threat to the public health, safety, and welfare. For violations 41.08(d), 41.10(a) and 41.08(g)(1) regarding the swale and culvert, exterior structure, and unmaintained accessory structure, he set a compliance date of 1/15/2025.

Special Magistrate Davis accepted Staff's recommendations for the high grass and weeds, and set a compliance of no later than 11/20/2024. If the Respondent is not in compliance by 11/20/2024, the City is authorized to enter the property, abate the violation, and assess the costs.

Special Magistrate Davis stated if the compliance dates are not met, daily fines in the amount of \$100/day, up to the maximum accrual of \$10,000, will be assessed and the City administrative costs of \$411 will be due and payable.

#64. CERAMI / CASE NO. 24-12428 / 436 SW CRAWFISH DR

Code Compliance Specialist Charles Cerami read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, mildew on front of residence, and high grass - taken at the time of the inspections. He stated he issued a citation and is still waiting for the grass to be cut.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation as cited and granted the relief requested by the City.

#65. DIAZ / CASE NO. 24-15979 / 1866 SW DAVIS ST

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, open storage, inoperable vehicles, unregistered recreational vehicle, high grass and weeds, and fence - taken at the time

of the inspections. She stated the property is occupied and has been issued several citations.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation as cited and violation 41.08(b) constitutes a threat to the public health, safety, and welfare. Special Magistrate Davis granted the relief requested by the City.

#66. DIAZ / CASE NO. 24-16184 / 1949 SW CYCLE ST

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property and open storage/matresses - taken at the time of the inspections. She stated the complaint came in through the Q-alert system.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation as cited and constitutes a threat to the public health, safety and welfare. Special Magistrate Davis granted the relief requested by the City.

#68. HERZOG / CASE NO. 24-15814 / 1843 SE VESTHAVEN CT

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, high grass and weeds, and posted notice - taken at the time of the inspections. Code Compliance Specialist Herzog stated he believed the property is vacant, as he has received no correspondence.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. Special Magistrate Davis granted the relief requested by the City.

#69. KASHATUS / CASE NO. 24-10813 / 1633 SE SHEPARD LN

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, house burned by fire, wasp infestation, electrical wires exposed, grass and overgrowth, and no garage door - taken at the time of the inspections. He stated he had contact with the new owners initially, but has not heard back from them.

Special Magistrate Davis indicated the Respondent is not present and the

City has proper notice. He found that the property remains in violation as cited and the violation regarding overgrowth and high grass & weeds constitutes a threat to the public health, safety, and welfare. Special Magistrate Davis granted the relief requested by the City.

#70. PIERRE / CASE NO. 24-15343 / 2928 SE BELLA RD

Code Compliance Specialist Mishla Pierre read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, high grass and weeds - taken at the time of the inspections. Code Compliance Specialist Pierre stated the neighbor informed her the owner had passed away and the property is not occupied.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. Special Magistrate Davis certified the fine and granted the relief requested by the City.

11. Vacant Lot Violations

11.a Hear Vacant Lot Violations Cases and Approve the Staff Recommendation

[2024-1007](#)

#71. HUCKSTABLE / CASE NO. 24-09848 / 991 SE CANDLE AVE

Code Compliance Specialist Melissa Huckstable read the Case Presentation and Staff recommendations into the record. She presented photos - of the vacant lot with branches, overgrowth, and debris - taken at the time of the inspections. Code Compliance Specialist Huckstable explained the property owner submitted paperwork stating that the property is considered a wetland, so no permits have been received to clear the lot. She stated the property owner has contacted a landscaper to cut the lot.

The Deputy City Clerk swore in Tatina G. Haro, who attended via Zoom for the Respondent. She stated the comments made by Code Compliance Specialist Huckstable are correct. Ms. Haro explained the owner is trying to sell the property, but has been unable to since it is a wetland. She stated they cannot build or clear the land, but the owner is trying to comply and will cut as much as they can per the law.

Special Magistrate Davis inquired about the definition of a wetland, as the lot is surrounded by residentially developed property. Wesley Armstrong stated the City does not regulate or determine what is or what is not a wetland, so any requirements would be per the regulatory authority.

Ms. Haro indicated she has documentation regarding the property being a wetland and that other properties drain to this property.

Special Magistrate Davis inquired about clearing 10-feet on each side per City Code. Ms. Haro stated she understood that the landscaper will be doing just that this week.

Special Magistrate Davis found that the property remains in violation as cited and set a compliance date of 11/28/2024 for the cutting of a 10-foot perimeter. If the Respondent is not in compliance by 11/28/2024, a status hearing will be held on 12/11/2024 to determine if a Certification of Fines need to be set, if more work needs to be done, or if more information is available regarding the wetland issue.

12. Certification of Fines

12.a Hear Certification of Fines Cases and Approve the Staff Recommendation

[2024-1008](#)

#86. DICKERSON / CASE NO. 23-12873 / 2732 SW CASELLA ST

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He spoke to the status of the case regarding a site plan and landscaping plan.

The Deputy City Clerk swore in Respondent James Freese, who attended via Zoom and explained the zoning history of his property, how it will be utilized, and the cost of a site plan. He stated he believes the property is in compliance and a site plan is not needed for a vacant lot that is not being utilized.

Wesley Armstrong, Code Compliance Manager, explained in the City of Port St. Lucie, a vacant lot is a completely undeveloped lot with no improvements. He stated any commercial property needs a site plan if the lot has been cleared, fenced, has an apron, etc. Code Compliance Manager Armstrong indicated the lot could be returned to its vacant state if the driveway, asphalt, fencing, and apron are removed.

Code Compliance Specialist Dickerson presented photos - of the vacant lot, asphalt, drive/apron, and fencing - taken at the time of the inspections.

Respondent James Freese stated he would appreciate a written order detailing the steps he needs to take. He indicated the lot was cleared, filled, fenced and the gravel driveway and culvert were done when he purchased the property in 2008, except for the concrete apron which the

City requested. Respondent Freese stated the fencing in the front and back was installed 2005 or 2006 and belongs to him. He said he would appreciate an indemnification or hold harmless if his neighbor sues him for removing the fencing. Respondent Freese stated he does not want to resod the lot or remove the poured concrete, when the City insisted he have it.

Special Magistrate Davis stated he would never enter and order that would require him to touch what is on a neighboring property. Special Magistrate Davis inquired about the concrete, to which Code Compliance Manager Armstrong stated that Staff could confer with Planning and Zoning to see if the apron would be allowed to remain.

Respondent James Freese stated he is not receiving clear communication from the City and he would like to have clear and adequate notice regarding any violations. Special Magistrate Davis stated the concrete slab is not illegal, but any commercial lot with any improvements requires a site plan.

Special Magistrate Davis allowed the Respondent until 1/15/2025 to apply for a site plan for the improvements that remain, the fence on his property, concrete slab, and milling surface, or revert the property back to vacant land status by 1/15/2025, which means removing his fences, removing the concrete slab unless the City decides it can stay, and taking care of the milled surface. If the Respondent is not in compliance by 1/15/2025, the fine in the amount of \$50.00/day, up to the maximum of \$5,000, will be certified and the City administrative costs of \$411 due and payable at that time.

#84. DICKERSON / CASE NO. 22-05436 / 356 SW PORT ST. LUCIE BLVD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of dumpster corrals - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Jeffrey Bobo, who provided an update on the case and indicated they were on their third submission with the Building Department for a permit.

Special Magistrate Davis continued the case until 1/15/2025, when the Respondent will provide an update on their progress.

#85. DICKERSON / CASE NO. 22-08027 / 207 SW PORT ST. LUCIE

BLVD

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the site plan, dumpster issue, dumpster out of corral - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Neal Patel, who explained their landscaping was being done in two phases, as they were starting phase two and working on irrigation issues.

Special Magistrate Davis continued the case until 2/12/2025, when the Respondent will provide an update on his progress, unless compliance has been achieved prior to this date.

#87. DICKERSON / CASE NO. 24-03436 / 750 NW ENTERPRISE DR

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He presented photos - of the landscaping strip, parking lot with storage of concrete beams, site plan, dumpsters, illegal handicap parking, and posted notice - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Matt Murphy, who reviewed the amount of work that has been completed on the property. He stated they were on the second phase and requested a site visit by the City to clarify what is needed to satisfy the remaining violation(s). He indicated the dumpsters have never been gated.

Code Compliance Manager Armstrong explained the site plan process for Planning and Zoning and indicated it is the resident's responsibility to hire an architect. He stated the dumpster corral requires gates.

Special Magistrate Davis set a compliance date of 11/20/2024 for the handicap parking violation. If the Respondent is not in compliance by 11/20/2024, a fine in the amount of \$25.00 per day, up to the maximum of \$2,500, will be certified. If the Respondent is not in compliance by 3/19/2025 on the remaining violations, a fine in the amount of \$75.00 per day, up to the maximum of \$7,500, and the City's administrative costs of \$411 will be due and payable. Special Magistrate Davis requested that the Respondent stay in touch with the City. Code Compliance Manager Armstrong suggested the Respondent take care of the handicap parking immediately and not break up the compliance dates. Special Magistrate Davis agreed to continue all violations to 3/19/2025.

#89. DICKERSON / CASE NO. 24-06690 / 2130 SW HAYWORTH AVE

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff recommendations into the record. He stated nothing has changed with the property. Code Compliance Specialist Dickerson presented photos - of the subject property, driveway, vehicle near the swale, landscaping plan and posted notice - taken at the time of the inspection(s). He explained the vehicle was currently not at the location, but the vehicle has been parked there during prior inspections.

The Deputy City Clerk swore in Respondents Zarmina and Chester Archer. Ms. Archer indicated they cleaned the swale and since then the car has not been parked there. She stated she does not understand the general landscaping. Code Compliance Specialist Dickerson explained a site visit was done by the Planning and Zoning department who provided the Respondents the information regarding their property.

Aaron Biehl reminded everyone that this was a certification of fine. Special Magistrate Davis stated the violations were noted at the hearing on 7/10/2024 and the Respondents were required to be in compliance by 7/17/2024. If not, the City was entitled to have the fine certified.

The Respondents stated they do not understand the landscaping, as they have added shrubs but have never removed anything. Ms. Archer indicated they were trying to work with Planning and Zoning regarding the site plan and open storage, as they do not have \$30,000 to pay an engineer. Mr. Archer stated their plan was to knock down the current building and build a larger building.

Aaron Biehl indicated there is a detailed landscaping plan from 1987 and there are items parked in areas meant for landscaping.

Special Magistrate Davis, Code Compliance Specialist Dickerson, and the Respondents discussed the right of way violation and outside storage.

Wesley Armstrong, Code Compliance Manager stated he was not familiar with what took place with Planning and Zoning when Mr. Rosenthal refunded the Respondents money.

Special Magistrate Davis continued this case to 12/11/2024 and found that violation 72.01(d) was in compliance. He requested an inspection on violation 41.08(g)(2) right-of-way, an understanding of what happened with the site plan application and refund, and a complete explanation on what

needs to be done to cure the general landscape requirement. Special Magistrate Davis stated the outside storage is still in violation and he will certify that fine on 12/11/2024.

#91. GOMEZ / CASE NO. 24-05020 / 1349 SW PATRICIA AVE

Code Compliance Specialist Roque Gomez read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, fence, and gates - taken at the time of the inspections. Code Compliance Specialist Gomez stated some of the fence paneling has been fixed and is probably 90% complete.

The City Clerk swore in Respondent Ricardo Hernandez, who requested more time as he received an extension on his permit to 12/23/2024.

Special Magistrate Davis stated the property remains in violation and he will certify the fine on 1/1/2025, if the Respondent is not in compliance by this date. He suggested that the Respondent stay in touch with the City.

#97. MENDOZA / CASE NO. 24-07544 / 268 SW CRESCENT AVE

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, pool enclosure, mold and mildew on outside of house, open storage, and high grass - taken at the time of the inspections. Code Compliance Specialist Mendoza stated no progress has been made by the Respondents.

The City Clerk swore in Respondent Jerald Lockhart, who indicated someone is coming to remove the tree since hurricane Milton. He stated they took care of the front porch and the garage area, but still need to power wash the house to remove the dirt and paint it. Respondent Lockhart reiterated his personal issues involving his disabled children.

Special Magistrate Davis stated the property remains in violation and he will certify the fine on 1/1/2025. If the Respondent is not in compliance by this date, daily fines in the amount of \$75.00/day, up to the maximum of \$7,500, will be assessed and \$411 in City administrative costs will be due and payable.

#100. OWENS / CASE NO. 23-18392 / 247 SW PORT ST. LUCIE BLVD

Code Compliance Specialist Steve Owens read the Case Presentation and Staff recommendations into the record. He presented photos - of the

subject property, grease trap for a restaurant sitting in a parking spot, dumpsters not corralled, open storage - taken at the time of the inspections.

The City Clerk swore in Respondents Steven Darby and Mark Kirk, Treasure Coast Asphalt, who explained the vendor was supposed to move the grease trap equipment but instead brought more containers, and they are trying to get it resolved as soon as possible. The Respondents indicated most of the open storage has been removed but it changes daily with the grocery store and the dollar store. They stated their day porter will take care of the cardboard. The Respondents also indicated they are submitting plans through Planning and Zoning for site plan approval for the dumpster enclosures.

Special Magistrate Davis stated he will certify the fine on 3/19/2025. If the Respondents are not in compliance by this date, the amount of \$75.00/day, up to the maximum of \$7,500, will be assessed and \$411 in administrative costs will be due and payable. He requested that the dollar store cardboard be taken care of immediately.

#101. PIERRE / CASE NO. 23-04164 / 396 SW RIDGECREST DR

Code Compliance Specialist Mishla Pierre read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property and roof - taken at the time of the inspections and indicated the Respondent was asking for more time.

The City Clerk swore in Respondent Ann Marie Cooper-Ellis, who explained the hurricane blew the tarp off the roof. She stated she has secured the property with a new tarp and is in the process of getting a loan to repair the roof.

Special Magistrate Davis stated the property remains in violation and he will certify the fine on 3/19/2025. If the Respondent is not in compliance by this date, the amount of \$25.00/day, up to the maximum of \$2,500, will be assessed and \$411 in City administrative costs will be due and payable. He requested that the Respondent stay in touch with the City.

13. Certification of Fines Special Requests

- 13.a** Hear Certification of Fines Special Requests Cases and
Approve the Staff Recommendation

[2024-1009](#)

#105. HERZOG / CASE NO. 24-08818 / 1101 SE MENORES AVE

Code Compliance Specialist Tyler Herzog read the Case Presentation and

Staff recommendations into the record. He presented photos - of the subject property, open storage, torn screens, posted notice, covered and secured pool after abated by the City - taken at the time of the inspections.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found that the property remains in violation, and stated he will certify the fine and grant the relief requested by the City.

#106. HERZOG / CASE NO. 24-15080 / 5423 NW MILNER DR

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, unmaintained pool, no fencing, torn screens, missing screen panels, and posted notice - taken at the time of the inspections. He stated the City's vendor will be covering the pool within the next few days.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He stated the violations involving the pool constitute a major threat to the public safety, health, and welfare, and that he will certify the fine and grant the relief requested by the City. Special Magistrate Davis requested that the pool be covered as soon as possible.

14. Vacant Lot Certification of Fines

14.a Hear Vacant Lot Certification of Fines Cases and Approve the Staff Recommendation

[2024-1010](#)

There were no cases scheduled to be heard.

15. How Parties are Notified

Project Coordinator Brown read the following into the record: A Notice of Hearing or Notice of Certification of Fine was sent to the violator by Certified Mail Return Receipt Requested to the address listed in the Tax Collector's Office for tax notices or to the address listed in the County Property Appraiser's database. If the green card was returned, it was placed in the file and was either signed, unsigned, or unclaimed. Ten days before the hearing, the Agenda was posted on the bulletin board in the lobby of Port St. Lucie City Hall. Also, a Notice of Hearing was posted on the property in question, along with an Affidavit of Posting, which included a copy of the notice posted and the date and places of its posting. If the certification card was not returned to the Neighborhood Services Department within ten days before the Hearing, posting was completed in the same manner as if the card was returned unclaimed as stated above. Any photos shown at today's hearing are kept and maintained as public records of the City of Port St. Lucie's Neighborhood Services Department.

16. Introduction of Cases Without Parties Present

Project Coordinator Brown requested that the City Clerk enter the cases into the record and inquired if Special Magistrate Davis had any questions regarding the cases where the party was not present, to which Special Magistrate Davis stated he did not have any questions. He indicated he will find proper notice for all remaining cases and sign the appropriate orders.

Project Coordinator Brown read the cases without a party present into the record:

CODE VIOLATIONS

#24-15235 - 123 NW Dorchester St
#24-15328 - 797 SW Dorchester St
#24-15443 - 317 NW Granadeer St
#24-15444 - 349 NW Friar St
#24-14884 - 2264 SW Halissee St
#24-10506 - 3533 SW Rosardo St
#24-08055 - 1901 SW Sunglow St
#24-14370 - 1777 SW Erie St
#24-14802 - 1762 SW Bonfire Ter
#24-14924 - 1423 SW Herder Rd
#24-15252 - 1757 SW Desert Ave
#24-15284 - 1773 SW Ruiz Ter
#24-15299 - 2051 SW Villanova Rd
#24-09754 - 2780 SE Morningside Blvd
#24-12513 - 2717 SW Edgarce St
#24-13943 - 1655 SW Escobar Ln
#24-14190 - 3118 SW Blackmur St
#24-15495 - 1086 SW Placetas Ave
#24-15176 - 1585 SE Sinbad Ave
#24-15811 - 1413 SE Vesthaven Cir
#24-06291 - 3453 SW Darwin Blvd
#24-14757 - 825 SE Cavern Ave
#24-14975 - 722 SE Sweetbay Ave
#24-14812 - 1985 SW Capeador St
#24-14814 - 1526 SW Paar
#24-14815 - 1874 SE Mantua St
#24-14174 - 119 SW Cashmere Blvd
#24-16290 - 149 NW Bayshore Blvd
#24-05658 - 108 SW Eyerly Ave
#24-15121 - 1149 SW Curtis St
#24-16172 - 1001 SW Curtis St
#24-16483 - 293 SW Pagoda Ter
#24-14408 - 10585 S US Highway 1
#24-07346 - 1525 SE Faculty Ct

#24-15263 - 2782 SE Melaleuca Blvd
#24-10977 - 3614 SW Viceroy St
#24-11766 - 1018 SW Alcantarra Blvd
#24-13611 - 1173 SW Kickaboo Rd
#24-13651 - 3802 SW Laidlow St
#24-15381 - 4000 SW Balleto St

VACANT LOT VIOLATIONS

#24-14220 - 1002 SW Locke Ave
#24-15090 - 1161 SW London Ln
#24-15215 - 5302 NW South Lanett Cir
#24-15604 - 1041 SW Janar Ave
#24-16015 - 372 SW Feldman Ave
#24-16016 - 1965 SE Floresta Dr
#24-16419 - 3622 SW Voyager St

CERTIFICATION OF FINES

#24-06838 - 3831 SW Ridley
#24-12906 - 253 NW Floresta Dr
#24-10725 - 749 NW Cardinal Dr
#24-03939 - 3199 SW Port St. Lucie Blvd
#24-10098 - 2100 SE Hillmoor Dr
#24-10805 - 3202 SW Collins Dr
#24-10059 - 755 SE Albatross Ave
#24-10947 - 2141 SE Floresta Dr
#23-06113 - 194 SW Exmore Ave
#23-19096 - 568 SW Carter Ave
#24-13183 - 365 SW Todd Ave
#24-09867 - 425 SW Bradshaw Cir
#24-11727 - 2362 SE Mariola Ave

VACANT LOT CERTIFICATION OF FINES

#24-08002 - 3792 SW Kakopo St
#24-08083 - 2673 SE Mariposa Ave
#24-08269 - 1473 SW Oriole Ln

Special Magistrate Davis stated he would sign the appropriate orders.

17. Public to be Heard

There were no comments from the public.

18. Adjourn

There being no further business, the hearing was adjourned at 2:11 PM.

Traci Mehl, Deputy City Clerk