

City of Port St. Lucie

Special Magistrate Hearing

Meeting Minutes - Final

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

Wednesday, November 20, 2024

9:00 AM

City Hall, Council Chambers

Addition of Item 10A

1. Meeting Called to Order

A SPECIAL MAGISTRATE HEARING of the City of Port St. Lucie was called to order by Special Magistrate Claudette Pelletier on November 20, 2024, at 9:00 a.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Present:

Claudette Pelletier, Special Magistrate
Isa Alvarez, Contractor Licensing Coordinator
Evelyn Rojas, Finance
Jennifer Sayre, Licensing Investigator
James LaPonza, Licensing Investigator
Richard Schiller, Deputy City Attorney
Rya Theriault, Police Officer
Daisy Ruiz, Deputy City Clerk

2. Pledge of Allegiance

The Special Magistrate 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 the Building Investigators and all parties present who would be testifying.

4. Approval of Minutes

4.a Approval of Hearing Minutes October 2nd, 2024

[2024-1144](#)

The Special Magistrate approved the October 2, 2024, and October 23, 2024, Special Magistrate Hearing Minutes.

4.b Approval of Hearing Minutes October 23rd, 2024

[2024-1146](#)

5. Late Abatements and/or Postponements

Ms. Alvarez announced the following cases were postponed: Case No. 31543, VHP Holdings LLC; Case No. 31572, Alexander Ginarte Gonzalez & Mailin

Alfonso Bermudez; and Case No. 31589, Bayshore Industrial Properties Inc; Case No. 31584, Elite Medical Providers LLC; Case No. 30995, Marlon Teles Da Silva Jr. & Pricilla Brito Da Silva; Case No. 31417, Jepeth Paul Black & Faithlyn E. Black; and Case No. 31294, MERCPL LLC.

Ms. Alvarez advised the following cases were late abatements: Case No. 31531, White Family Ltd Partnership; Case No. 31529, Local Strip LLC; and Case No. 09-TR-0070, Massimo and Anna Scarogni.

6. Approval of Agenda

The Special Magistrate approved the agenda as submitted.

7. Introduction of Cases

8. Violation/Compliance

8.a Hear Violation/Compliance Cases and Approve the Staff
Recommendation

2024-1148

SAYRE - CASE # 31590 - LOCAL STRIP LLC - 10842 SW TRADITION
PKWY

Jennifer Sayre, Building Licensing Investigator previously sworn, read the case presentation and Staff's recommendation into the record. She presented photos that were taken at the time of the inspections showing the subject property.

Victor Rodriguez advised he was previously sworn in and stated he was the tenant. He explained he was working with the owner to comply with the violations. Mr. Rodriguez requested an extension of time to be able to complete the necessary work to bring the property to compliance.

Investigator Sayre indicated that the owner needed to apply for compliance review.

The Special Magistrate found that the Respondent remained in violation and was ordered to comply by December 18, 2024. She stated that if compliance was not met by the above deadline, the Respondent would be required to pay a daily fine in the amount of \$100, not to exceed \$10,000, as well as the City's administrative costs in the amount of \$510.

9. Certification of Fine/Lien

9.a Hear Certification of Fine/Lien Cases and Approve the Staff
Recommendation

2024-1147

LAPONZA- CASE # 31409- INNOVO PSL OFFICE LLC- 10513 SW

MEETING ST. UNIT 104

James LaPonza, Building Licensing Investigator previously sworn, read the case presentation and Staff's recommendation into the record. He presented the photos that were taken at the time of the inspection showing the subject property and violation.

Michael Roberts, previously sworn, explained he was one of the owners of the hair salon. He advised that they received bad advice from a contractor that could have prevented the issues. Mr. Roberts indicated that they had a new contractor, and plans were currently in the review process at the Planning and Zoning Department. He requested a 30-day extension, to which Investigator LaPonza stated there was no objection from the City.

Special Magistrate Pelletier indicated the property remained in violation and granted the Respondent a 30-day extension to bring the property into compliance.

**LAPONZA- CASE # 31326- MD 2 GO LLC – 1700 SE HILMOOR DR.
102**

James LaPonza, Building Licensing Investigator previously sworn, read the case presentation and Staff's recommendation into the record. He presented the photos that were taken at the time of the inspection showing the subject property and violation.

The Special Magistrate inquired if there had been any progress made based on the Joint Stipulation Agreement previously signed, to which Investigator LaPonza responded in the negative.

The Respondent, Dr. Dwight Dawkins, previously sworn, advised he did not understand the full process. He indicated that he had an engineer complete the drawings but was recently told he needed to submit a permit for the work. Dr. Dawkins advised he was now working towards submitting a permit and requested a 30-day extension, to which Investigator LaPonza stated there was no objection from the City and requested a 60-day extension.

Special Magistrate Pelletier indicated the property remained in violation and granted the Respondent a 60-day extension to bring the property into compliance.

**LAPONZA- CASE # 31469-R- BRIAN & KAREN COTTIN - 1034 SW
MCCALL RD.**

James LaPonza, Building Licensing Investigator previously sworn, read the case presentation and Staff's recommendation into the record. He presented the photos that were taken at the time of the inspection showing the subject property and violation.

The Respondent, Brian Cottin previously sworn indicated that he did not apply for a permit and recognized that was incorrect. He stated a permit was issued for the roof and he applied for a variance. Mr. Cottin advised that the permit would be issued by the 21st of December. He requested an extension after that date, to which Investigator LaPonza advised the permit was issued but the shed violation would need to go through Planning and Zoning for a variance request. Investigator LaPonza stated that the Respondent would benefit from a 60-day extension.

Special Magistrate Pelletier granted the Respondent a 60-day extension.

SAYRE- CASE # 31452– KEVIN & BERLYNE HARRIS – 556 NW CRUZAN AVE.

Jennifer Sayre, Building Licensing Investigator previously sworn, read the case presentation and Staff's recommendation into the record. She presented the photos that were taken at the time of the inspection showing the subject property and violation.

The Respondent, Kevin Harris previously sworn, indicated that he hired a contractor to complete the job. He stated they were waiting for the load calculations. Mr. Harris stated once the load calculations were completed his contractor would apply for the permit. He requested a 30-day extension to apply for the permit, to which Investigator Sayre indicated there was no issue with the request.

Special Magistrate Pelletier granted the Respondent a 30-day extension. Mr. Harris inquired about the fine previously mentioned, to which Investigator Sayre advised that it was only to be paid in the event the fine was certified.

10. Lien Modification and Vacate

Evelyn Rojas, Finance, Lien Services, stated that the modification request on today's agenda, Case #23-15809, William Thompson, 723 SE Forgal Street, had been agreed upon and required an order to be signed by the Special Magistrate.

She indicated that the vacate request was, Case #01-09-0175, Oscar Nunez & Eric Salazar, 2372 SW Lajune Street had come from citizens or City staff, had been found by the City to be invalid, and required the Special Magistrate's

signature.

She advised that there was a late abatement for Case #Case #24-131192-BL, 1049 SW Shakespeare Avenue.

10.a Hear Lien Modification and Vacate Requests

2024-1194

Ms. Alvarez stated that a Notice of Hearing or Notice of the 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, an 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 Building Department, then within ten days before the Hearing, posting was completed in the same manner as if the card was returned unclaimed as stated above. The photos shown at the hearing were kept and maintained as public records of the City of Port St. Lucie's Building Department. The Special Magistrate indicated he found proper notice.

11. How Parties are Notified
12. Introduction of Cases Without Parties Present

The cases without parties present:

Building Violations:

Case #: Address:
30902 1029 SW Biltmore St. Unit 1057
31566 1984 SW Biltmore St. Bay 114
31579 866 SE Quiescent Ln.
31525 364 NW Hibiscus St.

Building Certification of Fine:

Case #: Address:
31405 1956 SW Hayworth Ave.
31387 170 SW Pilsner Cir.
30603 6501 NW Worship Center Lndg.
33341 1801 SE Hillmoor Dr. Ste B-109 & B-110
30445 198 SW Fairway Ave.
31428 533 NW Ferris Dr.
31421 1154 SW Airoso Blvd.

31313 701 NW Elm St.
31546 1909 SW South Macedo Blvd.
31539 1633 SW Bellevue Ave.

13. Public to be Heard

There were no comments from the public.

14. Adjourn

There being no further business, the meeting was adjourned at 9:38 a.m.

Daisy Ruiz, Deputy City Clerk