

City of Port St. Lucie

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



Meeting Agenda

Addition of Item 10A

Wednesday, November 20, 2024

9:00 AM

City Hall, Council Chambers

Special Magistrate Hearing

1. **Meeting Called to Order**
2. **Pledge of Allegiance**
3. **Swearing in Code Specialist and/or Building Investigators**
4. **Approval of Minutes**
 - 4.a Approval of Hearing Minutes October 2nd, 2024 [2024-1144](#)
 - 4.b Approval of Hearing Minutes October 23rd, 2024 [2024-1146](#)
5. **Late Abatements and/or Postponements**
6. **Approval of Agenda**
7. **Introduction of Cases**
8. **Violation/Compliance**
 - 8.a Hear Violation/Compliance Cases and Approve the Staff Recommendation [2024-1148](#)
9. **Certification of Fine/Lien**
 - 9.a Hear Certification of Fine/Lien Cases and Approve the Staff Recommendation [2024-1147](#)
10. **Lien Modification and Vacate**
 - 10.a Hear Lien Modification and Vacate Requests [2024-1194](#)
11. **How Parties are Notified**
12. **Introduction of Cases Without Parties Present**
13. **Public to be Heard**
14. **Adjourn**

NOTICE: Anyone who requires a translator, auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City of Port St. Lucie program, service, or activity, should contact the office of Natalie Cabrera, Human Resources Department, City of Port St. Lucie, City Hall Bldg. A, 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984-5099, as soon as possible but no later than 48 hours before the scheduled event.

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, if a person decides to appeal any decision made by the City Council, board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)



Agenda Summary
2024-1144

Agenda Date: 11/20/2024

Agenda Item No.: 4.a

Placement: New Business

Action Requested: Motion / Vote

Approval of Hearing Minutes October 2nd, 2024

Submitted By: Isa Alvarez, Contractor, Licensing Coordinator, Building Department

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Presentation Information: N/A

Staff Recommendation: Move that the special magistrate approve the meeting minutes.

Alternate Recommendations:

1. Move that the special magistrate amend the recommendation and approve the meeting minutes.
2. Move that the special magistrate not approve, provide staff with direction.

Background: Per Chapter 37 of the City’s Code of Ordinances, the Special Magistrate is an attorney and member of the Florida Bar who is appointed by the City Council to preside over code enforcement matters. The Special Magistrate has the jurisdiction and authority to hear and decide alleged violations and exercise the powers of a Code Enforcement Board as provided in chapter 162, Florida Statutes.

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: Meeting Minutes

NOTE: All of the listed items in the “Attachment” section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

City of Port St. Lucie
Special Magistrate Hearing
Meeting Minutes

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

Wednesday, October 2, 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 Claudette Pelletier. on October 2, 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 Esq., Special Magistrate
Mariama Lindo, Code Compliance Standards Associate
Wesley Armstrong, Code Compliance Supervisor
Aaron Biehl, Code Compliance Supervisor
Rachel Knaggs, Code Compliance Officer
Anastatia Diaz, Code Compliance Specialist
Nicolette Capp, Code Compliance Specialist
Charles Cerami, Code Compliance Specialist
Roque Gomez, Code Compliance Specialist
Tyler Herzog, Code Compliance Specialist
Spencer Scott, Deputy City Attorney
Jasmin De Freese, Deputy City Clerk

2. Pledge of Allegiance

The Special Magistrate led the assembly in the Pledge of Allegiance.

3. Swearing in Code Specialist and/or Building Investigators

The Deputy City Clerk administered the Oath of Testimony to the Code Specialists.

4. Approval of Minutes

4.a Hear Approval of Minutes for 9/4/2024 Cases and Approve
the Staff Recommendation

[2024-990](#)

Special Magistrate Pelletier approved the minutes of September 4, 2024,
as submitted.

5. Late Abatements and/or Postponements

Code Compliance Standards Associate Lindo indicated that case 24-07709 was

postponed.

6. Approval of Agenda

The Special Magistrate approved the agenda, as published.

7. Introduction of Cases

8. Code Violations

8.a Hear Code Violations Cases and Approve the Staff
Recommendation

[2024-991](#)

3. DIAZ / CASE NO. 24-12262 / 2291 SW PIGEON TER

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations.

The Deputy City Clerk swore in Respondent Danielle Anastasia, who informed that the boat was registered with the US Coast Guard, but it was not being used in Florida waters. She added that since the boat was not being utilized in the water, it did not need to be registered. Code Compliance Specialist Knaggs advised that Florida State Statutes were different from City Ordinances and that the City required the boat to be registered.

The Special Magistrate inquired as to whether there was additional open storage on the property other than the boat, to which Code Compliance Specialist Knaggs responded in the affirmative.

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation as cited and ordered a compliance deadline by November 2, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$50 for every day the violation continues after the compliance deadline, not to exceed \$5,000, as well as the City's administrative cost in the amount of \$411.

6. GOMEZ / CASE NO. 24-14192 / 3174 SW ARMUCHER ST

Code Compliance Specialist Gomez read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations.

(Clerk's Note: The Respondent's last name was inaudible.) The Deputy City Clerk swore in Respondent Shawn, who stated that the co-owner did

not inform him of the violations and requested an extension.

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation as cited and ordered a compliance deadline by November 2, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$25 for every day the violation continues after the compliance deadline, not to exceed \$2,500, as well as the City's administrative cost in the amount of \$411.

7. HERZOG / CASE NO. 24-05221 / 2038 SE WEST DUNBROOKE CIR

Code Compliance Specialist Herzog read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations.

The Deputy City Clerk swore in Respondent Michael G. Pizzarelli and Anthony Pizzarelli, who explained that they added pavers to avoid a muddy situation, but they were removable.

Aaron Biehl, Code Compliance Supervisor explained that the Respondent applied for a variance, but that it was denied. He added that they could either obtain a permit and widen the driveway or remove the paving stones and install sod.

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by November 2, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$50 for every day the violation continues after the compliance deadline, not to exceed \$5,000, as well as the City's administrative cost in the amount of \$411.

9. Code Violations Special Requests

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

[2024-992](#)

9. CAP / CASE NO. 24-14581 / 2582 SW MCDONALD ST

Code Compliance Specialist Cap read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony

and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by October 9, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$50 for every day the violation continues after the compliance deadline, not to exceed \$5,000, as well as the City's administrative cost in the amount of \$411. If not in compliance by October 9, 2024, the Special Magistrate authorized the City to enter the property, pursuant to Section 162.08(5), F.S., to bring the property into compliance.

10. CERAMI / CASE NO. 24-13234 / 1420 SW DIMPERIO AVE

Code Compliance Specialist Cerami read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by October 9, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$50 for every day the violation continues after the compliance deadline, not to exceed \$5,000, as well as the City's administrative cost in the amount of \$411. If not in compliance by October 9, 2024, the Special Magistrate authorized the City to enter the property, pursuant to Section 162.08(5), F.S., to bring the property into compliance.

11. DIAZ / CASE NO. 24-09437/ 1173 SW GARDENA AVE

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by October 9, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$25 for every day the violation continues after the compliance deadline, not to exceed \$2,500, as well as the City's administrative cost in the amount of \$411. If not in compliance by October 9, 2024, the Special Magistrate authorized the City to enter the property, pursuant to Section 162.08(5), F.S., to bring

the property into compliance.

12. DIAZ / CASE NO. 24-11660 / 991 SW SULTON DR

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation and she granted relief requested by the City including any abatements to correct the violations. The Special Magistrate ordered a compliance date of October 9, 2024.

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by October 9, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$75 for every day the violation continues after the compliance deadline, not to exceed \$7,500, as well as the City's administrative cost in the amount of \$411. If not in compliance by October 9, 2024, the Special Magistrate authorized the City to enter the property, pursuant to Section 162.08(5), F.S., to bring the property into compliance.

13. GOMEZ / CASE NO. 24-11451 / 1692 SW BOYKIN AVE

Code Compliance Specialist Diaz read the case presentation and Staff's recommendations into the record and presented photos that were taken at the time of the inspections showing the subject property and violations. (Clerk's Note: The Respondent was not present.)

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, she found the property remained in violation of the remaining cited Code Sections and ordered a compliance deadline by October 9, 2024. She stated that she would accept the City's recommendation and assess a daily fine in the amount of \$25 for every day the violation continues after the compliance deadline, not to exceed \$2,500, as well as the City's administrative cost in the amount of \$411. If not in compliance by October 9, 2024, the Special Magistrate authorized the City to enter the property, pursuant to Section 162.08(5), F.S., to bring the property into compliance.

10. Certification of Fines

- 10.a** Hear Certification of Fines Cases and Approve the Staff Recommendation

[2024-993](#)

(Clerk's Note: There was nothing heard under this item.)

11. How Parties are Notified

Code Compliance Standards Associate Lindo read the following into the record: 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 Neighborhood Services 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 Neighborhood Services Department. Ms. Lindo requested that the Clerk enter the cases into the record and asked the Special Magistrate if he had any questions about any cases with no parties present, to which she responded in the negative.

12. Introduction of Cases Without Parties Present

The cases without parties present were read into the record by the Code Compliance Standards Associate.

13. Public to be Heard

There were no public comments to be heard.

14. Adjourn

There being no further business, the meeting was adjourned at 10:06 a.m.

Jasmin De Freese, Deputy City Clerk

Typed By: Calleigh Nazario, City Clerk Administrator



Agenda Summary
2024-1146

Agenda Date: 11/20/2024

Agenda Item No.: 4.b

Placement: Approval of Minutes

Action Requested: Motion / Vote

Approval of Hearing Minutes October 23rd, 2024

Submitted By: Isa Alvarez, Contractor Licensing Coordinator, Building Department

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Presentation Information: N/A

Staff Recommendation: Move that the special magistrate approve the meeting minutes.

Alternate Recommendations:

1. Move that the special magistrate amend the recommendation and approve the meeting minutes.
2. Move that the special magistrate not approve the recommendation and provide staff with direction.

Background: Per Chapter 37 of the City's Code of Ordinances, the Special Magistrate is an attorney and member of the Florida Bar who is appointed by the City Council to preside over code enforcement matters. The Special Magistrate has the jurisdiction and authority to hear and decide alleged violations and exercise the powers of a Code Enforcement Board as provided in chapter 162, Florida Statutes.

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Violation: N/A

Attachments: Meeting Minutes - To be provided.

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.



Agenda Summary
2024-1148

Agenda Date: 11/20/2024

Agenda Item No.: 8.a

Placement: New Business

Action Requested: Motion / Vote

Hear Violation/Compliance Cases and Approve the Staff Recommendation

Submitted By: Isa Alvarez, Contractor Licensing Coordinator, Building Department

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Presentation Information: The Licensing Investigator will present their findings and then the alleged violator, if present, will have an opportunity to testify/present evidence to the special magistrate. The Licensing Investigator will provide a summary of the prior proceedings, present any developments in the case, and state the department's recommendations to the special magistrate. Thereafter, the alleged violator will have an opportunity to be heard.

Staff Recommendation: Move that the Special Magistrate **Violation Hearings** - Find that the properties are in violation of the Code and approve the compliance date as requested. **Compliance Hearings** - Issue and order affirming prior findings of guilt, impose applicable fine(s) and lien(s).

Alternate Recommendations:

1. Move that the Special Magistrate amend the recommendation and **Violation Hearings** - Find that the properties are in violation of the Code and approve the compliance date as requested. **Compliance Hearings** - Issue an order affirming prior findings of guilt, impose applicable fine(s) and lien(s).
2. Move that the Special Magistrate not certify or approve the presented case and provide staff direction.

Background: Per Chapter 37 of the City's Code of Ordinances, the Special Magistrate is an attorney and member of the Florida Bar who is appointed by the City Council to preside over code enforcement matters. The Special Magistrate has the jurisdiction and authority to hear and decide alleged violations and exercise the powers of a Code Enforcement Board as provided in chapter 162, Florida Statutes.

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Violation: N/A

Attachments: Case Files

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Building Violations – 11/20/24

#	Specialist	Case No.	Respondent(s)	Respondent Address
1	James LaPonza	31543	VHP Holdings LLC	702 SW PORT ST LUCIE BLVD # 706
2	Jennifer Sayre	31572	Alexander Ginarte Gonzalez & Mailin Alfonso Bermudez	2061 SW BURMAN LN
3	Jennifer Sayre	30902	Bayshore Industrial Properties Inc	1029 SW BILTMORE ST UNIT 1057
4	Jennifer Sayre	31566	Sandra L Bryla (TR)	1984 SW BILTMORE ST BAY 114
5	Jennifer Sayre	31589	Bayshore Industrial Properties Inc	1041 SW BILTMORE ST
6	Jennifer Sayre	31584	Elite Medical Providers LLC	1701 SE HILLMOOR DR UNIT 17
7	Jennifer Sayre	31579	Nicholas J Penevolpe	866 SE QUIESCENT LN
8	Jennifer Sayre	31590	Local Strip LLC	10842 SW TRADITION PKWY
9	Jennifer Sayre	31525	Antywan E Braynt & Tamika Brown	364 NW Hibiscus St



Agenda Summary
2024-1147

Agenda Date: 11/20/2024

Agenda Item No.: 9.a

Placement: New Business

Action Requested: Motion / Vote

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

Submitted By: Isa Alvarez, Contractor Licensing Coordinator, Building Department

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Presentation Information: The Licensing Investigator will present the case and make a recommendation to special magistrate. Alleged violator if present will have the opportunity to be heard.

Staff Recommendation: Move that the Special Magistrate issue and order certifying the lie, daily fine, and administrative charges on the property.

Alternate Recommendations:

1. Move that the Special Magistrate amend the recommendation and issue an order certifying the lien, daily fine, and administrative charges on the property.
2. Move that the Special Magistrate not certify or approve the presented case and provide staff direction.

Background: Per Chapter 37 of the City's Code of Ordinances, the Special Magistrate is an attorney and member of the Florida Bar who is appointed by the City Council to preside over code enforcement matters. The Special Magistrate has the jurisdiction and authority to hear and decide alleged violations and exercise the powers of a Code Enforcement Board as provided in chapter 162, Florida Statutes.

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Violation: N/A

Attachments: COF Cases - to be provided.

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Building Certification of Fines – 11/20/24

#	Specialist	Case No.	Respondent(s)	Respondent Address
10	James LaPonza	31405	DESH Enterprises LLC	1956 SW HAYWPRTH AVE
11	James LaPonza	31387	Jacqueline Colas & Marceline Dormeus	170 SW PILSNER CIR
12	James LaPonza	31409	Innovo PSL Office LLC	10513 SW MEETING ST UNIT 104
13	James LaPonza	31326	MD 2 GO LLC	1700 SE HILLMOOR DR 102
14	James LaPonza	30603	Port St Lucie Worship Center Inc	6501 NW WORSHIP CENTER LNDG
15	James LaPonza	31469	Brian Cottin & Karen Cottin	1034 SW MCCALL RD
16	James LaPonza	31531	White Family Ltd Partnership	1680 SW ST LUCIE WEST BLVD # 107
17	James LaPonza	31529	LOCAL STRIP LLC	10842 SW TRADITION PKWY
18	Jennifer Sayre	31341	DGAD Medical Suite LLC	1801 SE HILLMOOR DR STE B-109 & B-110
19	Jennifer Sayre	30445	Kelly Keating	198 SW FAIRWAY AVE
20	Jennifer Sayre	31452	Kevin C Harris & Berlyne T Harris	556 NW CRUZAN AVE
21	Jennifer Sayre	30995	Marlon Teles Da Silva Jr & Priscilla Brito Da Silva	702 NW ORCHID ST
22	Jennifer Sayre	31428	Ricky Sherlock	533 NW FERRIS DR
23	Jennifer Sayre	31417	Jepeth Paul Black & Faithlyn E Black	1500 SE SINBAD AVE
24	Jennifer Sayre	31294	MERCPL LLC	534 NW MERCANTILE PL UNIT 112 & 113
25	Jennifer Sayre	31421	Gabriel Sousa Almeida	1154 SW AIROSO BLVD
26	Jennifer Sayre	31313	My Florida First Property LLC	701 NW ELM ST
27	Jennifer Sayre	31546	Sandra L Bryla (TR)	1909 SW SOUTH MACEDO BLVD
28	Jennifer Sayre	31539	William Harnell	1633 SW BELLEVUE AVE



Agenda Summary
2024-1194

Agenda Date: 11/20/2024

Agenda Item No.: 10.a

Placement: New Business

Action Requested: Motion / Vote

Hear Lien Modification and Vacate Requests

Submitted By: Isa Alvarez, Contractor Licensing Coordinator, Building Department

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Presentation Information: N/A

Staff Recommendation: Move that the Special Magistrate approves the modified lien amount and/or approves to vacate liens presented.

Alternate Recommendations:

1. Move that the Special Magistrate amend the recommendation and approve the modified lien amount and approve to vacate liens presented.
2. Move that the Special Magistrate not certify or approve the presented lien modifications and/or lien vacates and provide staff direction.

Background: Per Chapter 37 of the City's Code of Ordinances, the Special Magistrate is an attorney and member of the Florida Bar who is appointed by the City Council to preside over code enforcement matters. The Special Magistrate has the jurisdiction and authority to hear and decide alleged violations and exercise the powers of a Code Enforcement Board as provided in chapter 162, Florida Statutes.

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Violation: N/A

Attachments: List of Lien Modifications and Vacates

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Modification Request

#	Specialist	Case No.	Respondent(s)	Respondent Address
29	Rojas	23-15809	William B Thompson	723 SE Forgal ST

Vacate Request

#	Specialist	Case No.	Respondent(s)	Respondent Address
30	Rojas	09-TR-0070	Massimo and Anna Scarogni	1965 SE Bolton Ave
31	Rojas	24-131192 BL	Nakenya Robinson	1049 SE Shakespeare Ave
32	Rojas	01-09-0175	Oscar Nunez and Eric Salazar	2372 SW Lejune ST

November 20, 2024