

City of Port St. Lucie
Special Magistrate Hearing
Meeting Minutes - Final

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

Wednesday, January 28, 2026

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 Esq. on January 28, 2026, at 9:05 a.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Present:

Keith Davis Esq., Special Magistrate

James LaPonza, Licensing Investigator

Jennifer Vannatter, Licensing Investigator

Beth Barese, Permitting Manager

Isa Alvarez, Building Department

Richard Shiller, 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 Licensing Investigators.

4. Approval of Minutes

4.a Approval of Hearing Minutes December 17th, 2025

[2026-127](#)

The Special Magistrate approved the December 17, 2025, meeting minutes as submitted.

(Clerk's Note: A Memorandum was submitted on behalf of Special Magistrate Kelly Rodriguez approving the minutes.)

5. Late Abatements and/or Postponements

Ms. Alvarez indicated that the following cases were postponed; 32279, 32322, 32286, 31824, 32282, 32293, and 32229.

Ms. Alvarez indicated that the following case was abated; 32288.

6. Approval of Agenda

The Special Magistrate approved the agenda, as published.

7. Introduction of Cases

8. Determine Violation of City Code

8.a Hear Case Presentations to Determine Violation of City Code and Set Compliance Deadline[2026-128](#)

There was nothing to be heard under this item.

9. Determine Compliance with City Code

9.a Hear Case Presentations to Determine Compliance with City Code and Imposition of a Fine[2026-129](#)

12. SUBRYAN / CASE NO. 32035 / 1765 SW BILTMORE ST

(Clerk's Note: Licensing Investigator Jennifer Vannatter presented on behalf of Licensing Investigator Subryan.)

Licensing Investigator Vannatter 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. She noted that they had obtained Planning & Zoning approval and applied for their permit, and corrections had been made. She also stated that they had passed the plumbing portion, but the building portion had not yet been reviewed. Beth Barensen, Permitting Manager, stated that fines would start today and the City had no opposition to an extension.

The Deputy City Clerk swore in Respondent Kevin Mason, who informed that the property was bought as-is and he had not been aware that it was not in compliance at the time of purchase. He stated that he was waiting on the mechanical portion and trying to get it submitted. The Special Magistrate had inquired as to how long it would take, to which the City replied 30 days, and the Respondent requested 60 days. The City was not in opposition to a 60-day extension.

The Special Magistrate granted the 60-day extension to March 25, 2026.

13. SUBRYAN / CASE NO. 32151 / 2152 SE STONECROP ST

(Clerk's Note: Licensing Investigator Jennifer Vannatter presented on behalf of Licensing Investigator Subryan.)

Licensing Investigator Vannatter 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. She stated that the last contact that Investigator Subryan had was in August, and that to complete this permit, there were a few outstanding inspections that needed to be taken care of. The Special Magistrate inquired about the life safety matter of this case, to which Investigator Vannatter stated the Building Department considers in-ground and above ground pool a life safety matter and that it was supposed to have a fence around it, but there was a discussion to change it to a child-safety barrier, which would require updates to the plans. She also noted that the current fence failed inspection.

The Deputy City Clerk swore Respondent Devin Persaud, who stated that they reached out to contractors, but none were helping so they were doing it alone, and that they added a shadow box fence, but found out that was not what they needed to do as they needed a barrier. He requested the maximum amount of time for an extension due to managing the project alone and having an injury.

The Special Magistrate stated that based on the Respondent's testimony, it seemed secure, and he inquired if the City was looking for abatement or if they were comfortable with the circumstances as they exist. Ms. Barensen stated that if a 360 barrier was around the entire pool, they could amend the permit if they could see movement in 30 days. Mr. Persaud stated that his wife does not return until next week, so she would be applying for the permits, to which Ms. Barensen stated that they could meet with her and work through it. The City did not object to a 30-day extension.

The Special Magistrate found proper notice and based on the testimony and evidence reviewed, he found the property remained in violation as cited. He requested that the pool be secured immediately, but he did not certify the fine at this time. If not in compliance, he granted that the City access the property and abate all violations and assess costs. He granted a 30-day continuance to February 25, 2026. (Clerk's Note: He left it up to the City to determine how to memorialize the order for abatement and safety.)

15. LAPONZA / CASE NO. 31522 / 2086 SW HAYWORTH AVE

Licensing Investigator LaPonza 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. He stated that they had been working diligently and remaining in contact, and the City did not object to an extension.

The Deputy City Clerk swore in, Anita Tewari, representative for Respondent T Empire Hayworth LLC, who requested an extension.

The Special Magistrate granted a 60-day extension to March 25, 2025.

18. VANNATTER / CASE NO. 31965 / 192 NW CENTRAL PARK PLZ

Licensing Investigator Vannatter 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. She provided a background of the project.

The Deputy City Clerk swore in Respondent Jeff Bobo, who stated that the issues were from the prior owner. He explained that they had things worked out but needed a little more time and requested an extension, to which the City did not object to a 60-day extension.

The Special Magistrate granted the extension to March 25, 2025.

19. VANNATTER / CASE NO. 32261 / 540 NW UNIVERSITY BLVD STE 104

Licensing Investigator Vannatter 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. She made an amendment to note that the address was now Suite 106 as there was an address change because the Property Appraiser had two Unit 104s listed, and it has now been corrected. She stated that all documents and plans for this property have been turned over to the contractor.

The Deputy City Clerk swore in a representative for the Respondent, Caroline Niemczyk, who stated that her own business currently occupies this space and thought she had provided documents to show that it had been permitted since 2008, but that this was not the case, so she was working on this. She stated that they applied for a permit and that they may have it submitted this week. Investigator Vannatter stated that they had not yet addressed the comments from the failed plan review.

The Special Magistrate granted the extension to February 25, 2026.

10. How Parties are Notified

Ms. Alvarez 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 Building Department.

11. Introduction of Cases Without Parties Present

Ms. Barensen read the following into record:

Regarding the following cases entered into public record, the Building Investigators inspected the properties and found violations to exist. A reasonable date for compliance was subsequently given, but upon re-inspection it was confirmed that compliance was not achieved. A formal Notice of Hearing was issued for today's hearing, and the Respondent has failed to appear. The City requests that these cases be found in violation of their respective listed code sections and be given 30 days to bring the property into compliance. Should compliance not be met, the City requests that a future hearing be scheduled to determine and impose an appropriate fine.

The following cases without parties present were read into the record:

BUILDING VIOLATIONS
32154 1881 SW CITATION AVE
32290 2880 SW PORT ST LUCIE BLVD
32150 2111 SW VIXEN CT

The Special Magistrate found that parties were not present and found proper notice. Based on the testimony and evidence reviewed, he found the property remained in violation as cited and ordered a compliance date of January 27, 2026. If compliance is not achieved by this date, the City may bring the matter back to determine the fines for a Certification of Fines Hearing.

Ms. Barensen read the following into record:

Regarding the following cases entered into public record, a Violation Hearing was held, and a date of compliance was issued by the Special Magistrate. Upon re-inspection by a Building Investigator, it was determined that compliance has not been achieved for the violations of the respective listed sections of the code. A formal Notice of Hearing was issued for today's hearing, and the Respondent has failed to appear. The City requests that the fines be certified and administrative costs be assessed and awarded to the City.

The following cases without parties present were read into the record:

CERTIFICATION OF FINES

- 31924 5385 NE RUGBY DR
- 30853 2701 SE GRAND DR
- 32277 3102 SW WATSON CT
- 32261 540 NW UNIVERSITY BLVD STE 104

The Special Magistrate found that the parties were not present and found proper notice. Based on the testimony and evidence reviewed, he found the property remained in violation as cited and imposed a fine to be set forth in a lien.

12. Public to be Heard

There were no public comments to be heard.

13. Adjourn

There being no further business, the meeting was adjourned at 10:04 a.m.

Jasmin De Freese, Deputy City Clerk