

City of Port St. Lucie
Special Magistrate Hearing
Meeting Minutes

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

Wednesday, January 8, 2025

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 9:10 AM on January 8, 2025, 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
Greg Bender, Code Compliance Specialist
Charles Cerami, Code Compliance Specialist
Anastasia Diaz, Code Compliance Specialist
Tyler Herzog, Code Compliance Specialist
Jeremy Kashatus, Code Compliance Specialist
Rachel Knaggs, Code Compliance Specialist
Miguel Mendoza, Code Compliance Specialist
Mishla Pierre, Code Compliance Specialist
Brandon Wise, Code Compliance Specialist
Sara Brown, Project Coordinator
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 11/13/2024 Cases and Approve
the Staff Recommendation

[2025-024](#)

Special Magistrate Davis approved the minutes of the November 13, 2024,
Special Magistrate Hearing as submitted.

5. Late Abatements and/or Postponements

Sara Brown, Project Coordinator, indicated Case #24-16866 was abated; and Cases #24-15058 and #23-05483 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

[2025-025](#)

The Solid Waste cases were removed from the Agenda.

9. Code Violations

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

[2025-026](#)

#5. DIAZ / CASE NO. 24-16762 / 2417 SW Falcon Circle

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, swale, crushed and failed culvert - taken at the time of the inspections. She explained she received a service request from Public Works indicating the culvert had failed and she has been in communication with the Respondent.

Special Magistrate Davis inquired about the permitting process and compliance requirements, to which Code Compliance Specialist Diaz indicated the culvert would need to be replaced within the allotted time per the permit. She stated the permit needs to be pulled by January 15, 2025.

The Deputy City Clerk swore in Respondent Carmel Duplan, who explained it will cost \$6,000 to replace the culvert and asked for additional time of three months to get the permit and acquire the funds. Respondent Duplan stated that once she gets the permit, she will call and ask for an extension to get the work done. Wesley Armstrong, Code Compliance Manager, explained the permitting process takes two months and costs approximately \$300, and the permit is good for six months to one year.

Special Magistrate Davis set the compliance date for 3/12/2025 and stated the permit should be applied for and issued by this date. He explained to the Respondent the importance of getting the work done, as the culvert is

for stormwater management for her property and adjacent properties. Special Magistrate Davis noted that once the permit is issued, the Respondent will be given a timeframe to replace the culvert.

Special Magistrate Davis found, based on the testimony and evidence, the property remains in violation as cited and set a compliance date of 3/12/2025 to have the permit issued. If the Respondent is not in compliance by 3/12/2025, daily fines in the amount of \$25/day, up to the maximum accrual of \$2,500, and City administrative costs of \$411 will be assessed.

#7. KASHATUS / CASE NO. 23-14895 / 1766 SE AIRES LN

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the cracked driveway and failed culvert pipe - taken at the time of the inspections. Code Compliance Specialist Kashatus stated the case has been open since September 2023 and a permit was issued on 11/9/2023 and expired on 11/9/2024, with no work being done. He indicated the permitting process has to start over again.

The Deputy City Clerk swore in Respondent Ryan Batista, who explained that financially he has not been able to execute the work and is waiting on his tax return to get it done.

Special Magistrate Davis explained to the Respondent the importance of getting this work done, as the culvert is for stormwater drainage for his property and adjacent properties. Special Magistrate Davis stated once the permit is issued, the Respondent will be given a timeframe to replace the culvert.

Special Magistrate Davis found, based on the testimony and evidence, the property remains in violation as cited and set a compliance date of 3/12/2025 to have the permit issued. If the Respondent is not in compliance by 3/12/2025, daily fines in the amount of \$50/day, up to the maximum accrual of \$5,000 and City administrative costs of \$411 will be assessed. He directed the Respondent to stay in touch with the City through the process and to come back if he needs additional time.

#9. KASHATUS / CASE NO. 24-15003 / 1651 SE MISTLETOE ST

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, unmaintained swale liner, failed culvert pipe - taken at the

time of the inspections. He stated this was a verified failed culvert pipe by the PSL Public Works Department, and City staff explained residents are to maintain the swale liner, per the ordinance. Code Compliance Manager Armstrong recommended 45 days for the Respondent to reach out to Public Works to see if there is a clog or if replacement and a permit are required.

The Deputy City Clerk swore in Respondent David Marques, who explained he cleaned up the swale with a shovel and the culvert pipe is not draining any better. Special Magistrate Davis suggested having Public Works come out to look at the culvert. Code Compliance Specialist Kashatus indicated the Mistletoe area was consumed with water in the summer, as Public Works failed several culvert pipes on this street. Special Magistrate Davis directed the Respondent to speak with City staff prior to leaving today. He stated he would like to see that these steps were taken prior to a Certification of Fines hearing.

Special Magistrate Davis found, based on the testimony and evidence, the property remains in violation as cited and set a compliance date of 4/1/2025, by which there should be a follow-up inspection by Public Works. He stated if the failure cannot be fixed without permitting, it will be addressed at that time. If the Respondent is not in compliance by 4/1/2025, daily fines in the amount of \$50/day, up to the maximum accrual of \$5,000, and City administrative costs of \$411 will be assessed.

#14. MENDOZA / CASE NO. 24-16398 / 200 SE JUPER AVE

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, chipped wood on roofline, mold and mildew, broken fence - 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 Barbara Dunphy, who explained she has purchased the materials and just needs to make the repairs. She stated she was hoping to repair the fence without replacing it.

Code Compliance Specialist Mendoza stated his supervisor just informed him there is a pool on the subject property, to which the Respondent confirmed and stated she does not have a pool enclosure. Aaron Biehl, Code Compliance Supervisor, recommended postponing this case, as they will add the unsecured pool violation and hear the case in February.

Special Magistrate Davis suggested Respondent Dunphy secure the pool

as soon as possible as well as fix the other repairs and violations prior to the February hearing. He agreed the City should pull the case and recite the Respondent if need be. Special Magistrate Davis stated he has no tolerance for unsecured pools.

Special Magistrate Davis indicated he was taking no action today, as the City was pulling the case from the Agenda.

#17. WISE / CASE NO. 24-16444 / 3571 SW Dellamano St

Code Compliance Specialist Brandon Wise read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, open storage, and overgrowth on the driveway - taken at the time of the inspections.

The Deputy City Clerk swore in Respondent Grace Frasca, who indicated she has been in communication with the City. She explained the plants are medicinal herbs and she is a master gardener. She stated she was told to cut the plants back, which is what she will do.

Special Magistrate Davis explained the overgrowth was blocking the garage door and the condition was not acceptable. Respondent Frasca stated she does not use her garage door, has papers with her regarding the plant descriptions, and referenced Florida Statute 604.71.

Rachel Knaggs, Code Compliance Specialist, stated the City was saying the Respondent could have these plants, but the overgrowth, amount, and location of the plants is a safety issue for EMS, police, and fire rescue. Respondent Frasca stated she will cut the plants back by the end of the month and indicated most of the open storage has been picked up.

For the record, Deputy City Attorney Richard Shiller asked about the types of plants the Respondent was growing and how they were being utilized. Respondent Frasca stated she was growing lemon grass, Cuban oregano, and starburst, which are utilized for her husband's COPD.

Special Magistrate Davis clarified and reiterated that the Respondent can have the plants, but she cannot block the driveway, garage door, or access to the residence because of the safety issues.

Special Magistrate Davis found, based on the testimony and evidence, the property remains in violation as cited and set a compliance date of 1/29/2025, as discussed and explained. If the Respondent is not in compliance by 1/29/2025, daily fines in the amount of \$50/day, up to the

maximum accrual of \$5,000, and City administrative costs of \$411 will be assessed.

10. Code Violations Special Requests

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

[2025-027](#)

#19. BENDER / CASE NO. 24-18397 / 310 SE CALMOSO DR

Code Compliance Specialist Greg Bender read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property and high grass - taken at the time of the inspections. Code Compliance Specialist Bender noted that the property is vacant.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated the violation regarding high grass and weeds constitutes a threat to the public health, safety, and welfare and granted the relief requested by the City.

#20. CERAMI / CASE NO. 24-15715 / 4486 SW CACAO ST

Code Compliance Specialist Charles Cerami read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property and high grass - taken at the time of the inspections.

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

#21. CERAMI / CASE NO. 24-17258 / 4686 SW CARIB ST

Code Compliance Specialist Charles Cerami read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, high grass, open storage, and mold/mildew on exterior of home - taken at the time of the inspections.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated that violation of City Code 41.08(b) regarding high grass and weeds constitutes a threat to the public health, safety, and welfare and granted

the relief requested by the City.

#22. GOMEZ-CERAMI / CASE NO. 24-18492 / 1237 SW PATRICIA AVE

Code Compliance Specialist Charles Cerami read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property and dead trees - taken at the time of the inspections. Code Compliance Specialist Cerami stated that measurements of the trees will be taken if access is granted.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated the violation constitutes a threat to the public health, safety, and welfare and granted the relief requested by the City, with the caveat that the tree distance will be verified per code.

#23. HERZOG / CASE NO. 24-16842 / 1932 SE GIBBS AVE

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, inoperative vehicle with expired tag, unsecured and unmaintained pool, missing screens, posting of property - taken at the time of the inspections.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated that violations of City Code 41.09(a)(b) and 41.08(b) constitute a threat to the public health, safety, and welfare and granted the relief requested by the City, including immediate abatement (tomorrow) of the unsecured pool.

#24. HERZOG / CASE NO. 24-17786 / 2092 SE PARKWOOD CIR

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, missing soffit, mildew on garage door, open storage, high grass, posting of property - taken at the time of the inspections.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated that violation of City Code 41.08(b) regarding high grass and weeds constitutes a threat to the public health, safety, and welfare and granted

the relief requested by the City.

#25. HERZOG / CASE NO. 24-17872 / 6869 NW DRAGON ST

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, open storage, high grass, posting of property - taken at the time of the inspections. Code Compliance Specialist Herzog explained this property had a lien max out for the high grass and weeds, which the City cut in a previous case, and the grass is still not being cut. He also stated that a pod has been sitting in the driveway for a few months.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated that violation of City Code 41.08(b) regarding high grass and weeds constitutes a threat to the public health, safety, and welfare and granted the relief requested by the City.

#26. KASHATUS / CASE NO. 24-17831 / 1402 SE NAVAJO LN

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, high grass, posting of property, overgrowth near pool enclosure, unmaintained pool - taken at the time of the inspections. Code Compliance Specialist Kashatus stated this complaint was from a resident who lived nearby.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated the violations regarding overgrowth and high grass and weeds constitute a threat to the public health, safety, and welfare and granted the relief requested by the City.

#27. MENDOZA / CASE NO. 24-17852 / 118 SW LANCASTER AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff recommendations into the record. He presented photos - of the subject property, high grass, open storage - taken at the time of the inspections. Code Compliance Specialist Kashatus stated this has been an ongoing case, as the property is vacant and the grass continues to grow.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation as cited. Special Magistrate Davis stated the violations regarding overgrowth and high grass and weeds constitute a threat to the public health, safety, and welfare and granted the relief requested by the City.

#28. PIERRE / CASE NO. 24-18692 / 2887 SE EAGLE DR

Code Compliance Specialist Mishla Pierre read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, high grass, posted notice - taken at the time of the inspections. Code Compliance Specialist Pierre stated the complaint was from a neighbor who said the owner passed away and no one has been maintaining the lawn.

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

11. Certification of Fines

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

[2025-028](#)

There were no Certification of Fine cases to be heard.

12. Certification of Fines Special Requests

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

[2025-029](#)

#38. DIAZ / CASE NO. 24-15284 / 1773 SW RUIZ TER

Code Compliance Specialist Anastasia Diaz read the Case Presentation and Staff recommendations into the record. She presented photos - of the subject property, posted notice, high grass and weeds - taken at the time of the inspections.

Special Magistrate Davis indicated the Respondent is not present and the City has proper notice. He found, based on the testimony and evidence, the property remains in violation of City Code 41.08(b) as cited. Special Magistrate Davis certified the fine in the amount of \$25/day, up to the maximum accrual of \$2,500, for the period of noncompliance beginning November 20, 2024. He also granted all other relief requested by the City,

including administrative costs and abatement of the high grass and weeds, as it is a threat to the public health, safety, and welfare.

13. 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.

14. 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

1. 24-18075, 253 NW Floresta Dr
2. 24-14125, 2656 SW Fairgreen Rd
3. 24-17507, 4573 SW Rachel St
4. 24-11691, 944 SW Bay State Rd
6. 24-18240, 838 SW Paul Revere Ter
8. 23-17379, 1882 SE Aires Ln
10. 24-15675, 1126 SE Clifton Ln
12. 24-18123, 642 SE Crescent Ave
13. 24-15414, 352 SW Voltair Ter
15. 24-18576, 191 SW Nativity Ter
18. 24-17182, 1018 SW Alcantarra Blvd

CERTIFICATION OF FINES

29. 24-15235, 123 NW Dorchester St
30. 24-14884, 2264 SW Halissee St

- 31. 24-12428, 436 SW Crawfish Dr
- 32. 24-15176, 1585 SE Sinbad Ave
- 34. 24-10977, 3614 SW Viceroy St
- 35. 24-11766, 1018 SW Alcantarra Blvd
- 36. 24-13611, 1173 SW Kickaboo Rd
- 37. 24-15381, 4000 SW Balleto St

15. Public to be Heard

There were no comments from the public.

16. Adjourn

There being no further business, the hearing was adjourned at 10:48 AM.

Traci Mehl, Deputy City Clerk