

# City of Port St. Lucie

## Special Magistrate Hearing

### Meeting Minutes

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

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**Wednesday, August 21, 2024**

**9:00 AM**

**City Hall, Council Chambers**

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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 9:00 AM on August 21, 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  
Nicolette Capp, Code Compliance Specialist  
Michael Dickerson, Code Compliance Specialist  
Tyler Herzog, Code Compliance Specialist  
Jeremy Kashatus, Code Compliance Specialist  
Miguel Mendoza, Code Compliance Specialist  
Mishla Pierre, Code Compliance Specialist  
Hamlet Polanco, Code Compliance Specialist  
Daniel Robinson, Planning and Zoning  
Sara Brown, Project Coordinator  
Mariama Lindo, Administrative Assistant  
Spencer Scott, 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

There were no minutes to be approved.

5. Late Abatements and/or Postponements

Mariama Lindo, Administrative Assistant, indicated Cases #24-09849 and #24-12823 were postponed, and Case #24-06684 was abated.

6. Approval of Agenda

Special Magistrate Davis approved the agenda as revised.

7. Introduction of Cases

8. Code Violatons

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

[2024-799](#)

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

**#2. JOHANTGEN / HERZOG / CASE NO. 24-14514 / 2993 SE PRUITT ROAD**

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, screened front porch with broken door, hole in the roof, soffits in need of maintenance, hole in a door, tarp on roof - taken at time of the inspections. Code Compliance Specialist Herzog explained he received this case from another code officer. He stated the Respondent has applied for a couple of permits in the past to get the roof fixed, but has had some issues and no progress has been made.

The Deputy City Clerk swore in Respondent Carrie Boland, who stated she agreed with the Staff's comments. She explained her son was going to do the work, but has not done so. Respondent Boland stated she is in the process of finding a roofer to fix the roof, fascia, soffit, and door. She requested an extension of three months.

Aaron Biehl, Code Compliance Supervisor, explained the Respondent showed up at last week's hearing, as her son has signed for all of the formal notices from the City and did not know about the violations. He stated the City did not object to granting an extension.

Special Magistrate Davis set the compliance date for 12/11/2024 and asked the Respondent to stay in touch with the City regarding her progress, as he will consider additional time if need be.

**#4. JOHANTGEN / HERZOG / CASE NO. 24-07645 / 1862 SE ENFIELD AVE**

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, posted notice, leaning fence, outdoor storage, screen enclosure in need of repair- taken at time of the inspections. He explained

he inherited this case from another code officer and stated some progress was made, but compliance has not been achieved.

The Deputy City Clerk swore in Respondent Dawn Noll, who explained the issues have been corrected except for the screen enclosure, as she is having problems with Avatar Insurance to get the enclosure rebuilt. She indicated there is a baby gate/fencing around her pool.

Special Magistrate Davis inquired about the screen enclosure meeting the building code, as it sounds like a bigger job and is meant to be a swimming pool barrier. Code Compliance Specialist Herzog indicated he was only aware of a missing screen, but the Respondent would need to add the screen and make the enclosure how it was originally intended to be.

Aaron Biehl, Code Compliance Supervisor, suggested postponing this hearing as the City may need to add a violation for an unsecured pool as the Respondent just described. He stated they will send another hearing notice and expedite it, if there is an unsecured life safety issue. He indicated there was no permit on file for the baby fence and the City will go out to the property this afternoon, if Special Magistrate Davis is willing to postpone this hearing.

Special Magistrate Davis continued the hearing until 9/11/2024. He stated the Respondent will have an opportunity to speak with someone regarding the cost and timing for the screen enclosure, so that he can put the proper order in place for all of these issues. Special Magistrate Davis asked the Respondent to stay in touch with the City and arrange for them to look at the pool enclosure.

#### #5. KASHATUS / CASE NO. 23-12232 / 694 SE CRESCENT AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property and roof with remnants of a tarp - taken at time of the inspections. He indicated this case has been going on for approximately one year.

The Deputy City Clerk swore in Respondent Enrique Villamonte, who explained his insurance issues and requested more time. Code Compliance Specialist Kashatus stated he was not opposed to providing more time, but there needs to be an end date.

Special Magistrate Davis suggested the Respondent remove the pieces of tarp or put on a new tarp that is kept and maintained in good condition. He

asked the Respondent to stay in touch with the City regarding his progress, as this case can be brought back to consider an extension if need be.

Special Magistrate Davis stated based on the testimony and evidence, he found the property remains in violation as cited and required compliance by 2/19/2025. If compliance is not achieved by that date, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 2/19/2025 deadline.

#6. KASHATUS / CASE NO. 24-06750 / 2149 SE ANECI ST

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property and a tarp on the roof - taken at time of the inspections. He stated the Respondent has been in touch with him.

The Deputy City Clerk swore in Respondent Ernesto Abregu, who explained he is trying to get more money from his insurance, which might take another three months.

Special Magistrate Davis set a compliance date for six months. He requested the Respondent stay in touch with the City, as the case can be brought back to consider an extension if need be.

Special Magistrate Davis stated based on the testimony and evidence, he found the property remains in violation as cited and required compliance no later than 2/19/2025. If compliance is not achieved by that date, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 2/19/2025 deadline.

#8. KASHATUS / CASE NO. 24-08604 / 150 SE DUVAL AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, posted notice, falling fence and missing slats, high grass in the back - taken at time of the inspections. Code Compliance Specialist Kashatus stated the Respondent has indicated she is no longer the homeowner, but he has not received any documentation to prove same.

The Deputy City Clerk swore in Respondent Melissa Alvarez Izzo, who explained the house was auctioned on 7/30/2024 and she was waiting on the bank to transfer the ownership. Code Compliance Specialist Kashatus stated he will issue a new notice of violation to the new owners once the transfer is made. Respondent Izzo indicated her landscaper did the lawn and she cleaned up the property, but she is currently out of the home. Code Compliance Specialist Kashatus noted the violations still remain and he would like to move forward.

Special Magistrate Davis stated it is legally still in the Respondent's name. Based on the testimony regarding ownership of the property, he found proper notice has been made. Special Magistrate Davis stated the property remains in violation as cited and required compliance by 8/28/2024. If compliance is not achieved by that date, the City will assess daily fines of \$100/day until compliance is achieved, up to the maximum accrual of \$10,000. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline.

Code Compliance Specialist Kashatus advised the Respondent stay in touch with him regarding the transfer of ownership, to which she responded in the affirmative.

#### #10. KASHATUS / CASE NO. 24-11037 / 962 SE BROWNING AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, posted notice, areas of high grass, open storage, inoperable vehicles in City's right of way - taken at time of the inspections. He indicated the City will be towing the vehicles today or tomorrow.

The Deputy City Clerk swore in Respondent Cristina Fernandez, who stated she was recently hospitalized and very sick. She explained the grass has been cut in areas and the cars have dead batteries. However, she will put the vehicles in the driveway.

Aaron Biehl, Code Compliance Supervisor, advised violation 90.01(A) is not part of this case and it is up to the Police Department to tow the vehicles.

Special Magistrate Davis clarified that the vehicles needed to be on the Respondent's driveway, operable, and properly registered to cure the violation. Aaron Biehl, Code Compliance Supervisor, explained the original inoperative vehicle for this case was a gray truck that was in

driveway, but it has since been repaired. He stated the City is willing to remove the violation for the inoperative vehicle.

Respondent Cristina Fernandez indicated the open storage has been taken care of and the Respondent's son stated he will cut the grass later today.

Special Magistrate Davis stated based on the testimony and evidence, he found the property has complied with City Code 41.08 (E) regarding inoperative vehicles. He found the property remains in violation of City Code 158.211 and 41.08 (B), and accepted the City's recommendation to allow until 8/28/2024 to cure these violations. If compliance is not achieved by that date, the City will assess daily fines of \$50/day until compliance is achieved, up to the maximum accrual of \$5,000. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not achieved by the 8/28/2024 deadline. Special Magistrate Davis advised the Respondent to call the City when the violations are corrected for an inspection and to close the case, to which the Respondent responded in the affirmative.

#13. MENDOZA / CASE NO. 23-13873 / 1138 SW IVANHOE ST

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property and tarp on the roof - taken at time of the inspections. Code Compliance Specialist Mendoza stated the City gave the allotted time for the roof to be taken care of, as a permit was acquired and expired on 4/20/24. He indicated the Respondent was given an extension until June, but the case was postponed again. Code Compliance Specialist Mendoza explained to the Respondent that he cannot keep extending the time, so the Respondent would need to come to a hearing and ask for more time.

The Deputy City Clerk swore in Respondent Manuel Sendon, who stated the permit has been extended until the middle of October and it is on file. He indicated the court keeps extending the case and giving the insurance company more time. Respondent Manuel Sendon stated his lawyer has filed a motion for his October court date to stop the extensions, but he does not anticipate receiving any money until November or December. He indicated he has a roofing company and the cost, but it will take up to two months to receive the materials. He stated it will be the end of February before the roof is completed, if there are no more extensions.

Special Magistrate Davis set the compliance date for 2/19/2025. He

advised the Respondent to keep in touch with the City, as he can bring the case back if need be to consider an extension. Special Magistrate Davis stated that based on the testimony and evidence the property remains in violation. If compliance is not achieved by 2/19/2025, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not achieved by the 2/19/2025 deadline.

#17. MENDOZA / CASE NO. 24-09142 / 118 SW FAIRVIEW AVE

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, fence falling apart, and high weeds - taken at time of the inspections.

The Deputy City Clerk swore in Respondent Andrew Maragh, who explained his fence and mailbox were broken by the builders of the property next door when they were clearing the land and then again by the landscapers. He stated he is now in violation, so it will come out of his pocket, and would like 30 days to resolve it.

Special Magistrate Davis stated based on the testimony and evidence the property remains in violation as cited. If compliance is not achieved by 9/18/2024, the City will assess daily fines of \$50/day until compliance is achieved, up to the maximum accrual of \$5,000. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not achieved by the 9/18/2024 deadline.

#19. MENDOZA / CASE NO. 24-13862 / 1658 SE HARP LANE

Code Compliance Specialist Miguel Mendoza noted this case was from the Police Department and DCF. He read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, mold and mildew on exterior of house, open storage, mold in house, dirty and filthy interior, rat droppings, posted notice - taken at time of the inspections.

The Deputy City Clerk swore in Respondent Marie Fatel, spoke to the pictures shown. She stated they had some water damage, her husband was sick, and she contacted their insurance company, Gulfstream. She explained they now have a new insurance company, Homeowners Choice, but they cannot do anything because the damage happened prior to their coverage with them. Respondent Marie Fatel stated she has been in and

out of the hospital for lung problems and does not have the energy to stay on top of her kids to keep the house clean. She indicated she is working with a social worker and filing a claim for the utilities, as her husband was paying the bills and could not be there today. She stated the house has water and electricity, and a total of eight people were living in the home.

Wesley Armstrong, Code Compliance Manager, stated this case came from a call from dispatch due to the Police Department responding to a call for service. He indicated the photos taken by the officer show a mouse in the pantry. He stated DCF is involved and the City has been in contact with them pertaining to the case and the interior violations.

Special Magistrate Davis stated he cannot enter an order that will even scratch the service on the issues that he is seeing in the photographs. Wesley Armstrong, Code Compliance Manager, explained getting a ruling for the case itself would be the first step and then the City can proceed with its nuisance abatement process.

Respondent Marie Fatel explained that a social worker was trying to help her. She indicated she cannot have the equity in the house or get a second mortgage to make the improvements, as her husband will not put her name on the mortgage. Respondent Marie Fatel stated her adult kids are living in the home and do not keep it clean. She indicated the pest control company was coming, the A/C people are coming, and other people are coming to help her. She asked for a couple months to solve the issues, so the kids can come home.

Special Magistrate Davis stated based on the testimony and evidence presented, he found the property remains in violation as cited and that each and every violation constitutes a threat to public health, safety, and welfare. He authorized the City to take whatever steps deemed appropriate to abate the violations, including getting other departments involved. He stated he was not giving any additional time, as 8/28/2024 is the compliance date. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$275/day until compliance is achieved, up to the maximum accrual of \$27,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not achieved by the 8/28/2024 deadline.

Special Magistrate Davis stated he understood compliance will not be met by 8/28/2024 and fines may accrue, and he will be happy to address that issue in the future. He explained the point of this order is to get this case moving, get things fixed, get the help that is needed, get this case on the right track. He stated he was giving the City as much authority as he can



under the Code Enforcement laws to get involved. Special Magistrate Davis stated the City can bring the case back to this venue for any future attention, but there are bigger issues than Code Enforcement with this case. He thanked the law enforcement and Code Enforcement for bringing the case forward. He wished everyone the best of luck in getting this case turned around.

**#21. POLANCO / CASE NO. 24-03434 / 2463 SE RICHMOND ST**

Code Compliance Specialist Hamlet Polanco read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property with fencing and a concrete wall above four feet in height-taken at time of the inspections. He explained a portion of the fence needs to be removed to create a two-foot break and it has to be reduced in height.

Aaron Biehl, Code Compliance Supervisor, stated the City's code allows for a landscaping fence in the front yard to be under four feet in height, and every 20 foot section needs a two foot opening.

The Deputy City Clerk swore in Respondent Kenneth Link, who stated he was speaking on behalf of the owner, and explained the fence was there in 2019 when they bought the home. Wesley Armstrong, Code Compliance Manager, stated the fence is in violation and indicated the Respondent can seek a variance through Planning and Zoning.

Special Magistrate Davis stated the property remains in violation as cited. He explained that sometimes people purchase properties that have code violations and code enforcement does their best. He granted the Respondent until 10/16/2024 to cure the violation. If compliance is not achieved by 10/16/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not achieved by the 10/16/2024 deadline.

**9. Code Violations Special Requests**

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

[2024-800](tel:2024-800)

(Clerk's Note: Item 9.a was heard after Item 11.a.)

**#23. BENDER / BIEHL / CASE NO. 24-11252 / 449 NE REDROCK CT**

Aaron Biehl, Code Compliance Supervisor, read the Case Presentation and Staff's recommendations into the record. He presented photos - of the

subject property and high grass - taken at the time of the inspections. Code Compliance Supervisor Biehl noted that an agent for the property from Blue Steel Investments, LLC, was in attendance earlier and stated everything had been corrected and the grass was cut. He stated the representative agreed to leave and have the City check the property for verification. Code Compliance Supervisor Biehl indicated there may be no need for this order.

Special Magistrate Davis stated the Respondent is not present. Based on the evidence, he found the property remains in violation and constitutes a threat to the public health, safety, and welfare. He required compliance by 8/28/2024. If compliance is not achieved by that date, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the violation and assess the costs.

**#25. BENDER / BIEHL / CASE NO. 24-12906 / 253 NW FLORESTA DR**

Aaron Biehl, Code Compliance Supervisor, read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, high grass, and posted notice - taken at the time of the inspections. He indicated an order was granted previously to cut the grass on this property and remove open storage. He stated the grass was cut for a couple months, but that has stopped.

Special Magistrate Davis stated the Respondent is not present. Based on the evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. He required compliance by 8/28/2024. If compliance is not achieved by that date, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violation and assess the costs.

**#26. CAPP / CASE NO. 24-10725 / 749 NW CARDINAL DR**

Code Compliance Specialist Nicolette Capp read the Case Presentation and Staff's recommendations into the record. She presented photos - of the subject property, inoperative vehicle with expired plate, mildew on bricks, open storage, shutters on building, high grass and weeds, and

posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited regarding City Code 154.05(C) and 41.08(B), which constitutes a threat to the public health, safety, and welfare. He required compliance by 8/28/2024. If compliance is not achieved by that date, the City will assess daily fines of \$150/day until compliance is achieved, up to the maximum accrual of \$15,000. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**#27. HERZOG / CASE NO. 24-10436 / 5423 NW MILNER DR**

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff's 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. He stated the house appears to be vacant, as the courtesy notice posted in June is still on the door.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. He required compliance by 8/28/2024. If compliance is not achieved by that date, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**#28. JOHANTGEN / HERZOG / CASE NO. 24-08818 / 1101 SE MENORES AVE**

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, torn screen enclosure, high grass and weeds, open storage, unsecured and unmaintained pool - taken at the time of the inspections. Code Compliance Specialist Herzog stated the house is vacant and the owners live in New York with no contact until a couple of days ago. He indicated the owner stated he had hired some people from Angie's List to get the violations fixed, but nothing has been done.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited. Other than violations 158.211 and 41.10(B), all other violations constitute a threat to the public health, safety, and welfare. He required violations 41.09 (A) and (B) to be in compliance by 8/22/2024 and all other violations to be in compliance by 8/28/2024. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$150/day until compliance is achieved, up to the maximum accrual of \$15,000. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized after 8/22/2024 to enter the property, abate the health, safety, and welfare violations and assess the costs.

#29. KASHATUS / CASE NO. 24-08687 / 873 SE DAMASK AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's 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. He stated there has been no correspondence with the owner.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited. He stated the violations regarding high grass & weeds and overgrowth constitute a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$75/day until compliance is achieved, up to the maximum accrual of \$7,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

#30. KASHATUS / CASE NO. 24-10059 / 755 SE ALBATROSS AVE

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, unmaintained property, and posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of

\$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

#31. KASHATUS / CASE NO. 24-10945 / 1822 SE FLORESTA DR

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's 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.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

#32. KASHATUS / CASE NO. 24-10947 / 2141 SE FLORESTA DR

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's 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.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

#33. MENDOZA / CASE NO. 24-09135 / 113 SE TODD AVE

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff's 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. He stated the property is vacant.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**#34. PIERRE / CASE NO. 24-09867 / 425 SW BRADSHAW CIR**

Code Compliance Specialist Mishla Pierre read the Case Presentation and Staff's recommendations into the record. She presented photos - of the subject property, high grass and weeds, and posted notice - taken at the time of the inspections. She stated she has received complaints from neighbors regarding the high grass and no correspondence has been received from the property owner.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**#35. POLANCO / CASE NO. 24-09171 / 2586 SE LILY ST**

Code Compliance Specialist Hamlet Polanco read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, high grass and weeds - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of

\$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**#36. POLANCO / CASE NO. 24-09280 / 2170 SE GLENROCK TER**

Code Compliance Specialist Hamlet Polanco read the Case Presentation and Staff's 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.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. If compliance is not achieved by 8/28/2024, the City will assess daily fines of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. The City's administrative costs of \$411 will be awarded and become due and payable if compliance is not met by the 8/28/2024 deadline. The City is also authorized to enter the property after 8/28/2024 to abate the health, safety, and welfare violations and assess the costs.

**10. Certification of Fines**

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

[2024-801](#)

(Clerk's Note: Item 10.a was heard after item 8.a.)

**#37. CAPP / CASE NO. 24-06824 / 759 NW CARDINAL DR**

Code Compliance Specialist Nicolette Capp read the Case Presentation and Staff's recommendations into the record. She presented photos - of the subject property and an inoperable vehicle without a license plate - taken at time of the inspections.

The Deputy City Clerk swore in Respondent Elins Elan, who stated he was trying to get the car fixed but needs to get rid of it. Aaron Biehl, Code Compliance Supervisor, indicated the car could be stored in the garage or an enclosed structure, to which the Respondent stated he understood.

Special Magistrate Davis stated that based on the testimony and evidence, the property is not in compliance as required by the 6/19/2024 order. He certified the fine in the amount of \$25/day, up to a maximum accrual of \$2,500, and stated the fine will stop as soon as the property is brought into compliance. He also awarded the City's administrative costs of \$411,

which are now due and payable as well.

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

Code Compliance Specialist Michael Dickerson read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property and dumpsters in the parking lot - taken at time of the inspections.

Daniel Robinson, Planning and Zoning, explained they were working on the location of the dumpsters and a shorter compliance process. He stated the Respondent may have to submit a site plan amendment and permits should take no longer than 30 days, as they are in the final stages of the process.

The Deputy City Clerk swore in Respondent Jeff Bobo, who agreed with the City's comments, provided a status of the process, and requested an extra 30 days.

Special Magistrate Davis stated that based on the circumstances he was not inclined to take any action today and removed the case from the agenda. He explained the City can re-notice the hearing if need be, but the case is moving forward without having to certify the fine.

#43. MENDOZA / CASE NO. 24-01274 / 226 SW PARISH TER

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff's recommendations into the record. He stated that he and a City supervisor went to the property on 7/31/2024 and had an on-site visit with the resident to point out everything requiring compliance. He presented photos - of the subject property, inoperable vehicles, pavers and unpermitted work, trailer parked in front yard, open storage - taken at time of the inspections.

The Deputy City Clerk swore in Respondent Vincent Batz, who explained he is a Vietnam veteran and has health issues. He requested more time of perhaps three months. He stated he was upset with the City, as he has more important concerns.

The Deputy City Clerk swore in the witness, Nadine Fairweather, for Respondent Vincent Batz. She indicated Respondent Vincent Batz takes medication and his pain level is a 10. She explained he is unable to do any form of work because of drowsiness, dizziness, and the medication.



Special Magistrate Davis stated he understood the situation and was not opposed to granting more time. Aaron Biehl, Code Compliance Supervisor, noted this complaint sent in on 1/20/2024, but the City did not object to allowing more time.

Special Magistrate Davis granted Respondent Vincent Batz an additional four months to comply and continued the hearing to 12/11/2024, if necessary.

11. Certification of Fines Special Requests

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

[2024-802](#)

(Clerk's Note: Number #47 was heard prior to Item 9a.)

#47. CAPP / CASE NO. 24-06770 / 2637 SW ABEL ST

Code Compliance Specialist Nicolette Capp read the Case Presentation and Staff's recommendations into the record. She presented photos - of the subject property, high grass, posted notice, before/after of property being mowed by the City - taken at time of the inspections.

Attorney Danny Simmons represented the Respondent and explained the property was in foreclosure. He agreed there is a code violation and asked for 30 days to cut the grass, take care of the weeds, and get into compliance.

Aaron Biehl, Code Compliance Supervisor, noted that the City has been in contact with the preservation company for the bank and informed them of the violations.

Special Magistrate Davis stated based on the testimony and evidence, he found the property remains in violation as cited and did not comply with the 6/12/2024 order. He certified the fine in the amount of \$25/day until compliance is achieved, up to the maximum accrual of \$2,500. Special Magistrate Davis awarded the City's abatement costs of \$400 and administrative costs of \$411, which are due and payable. He stated this violation constitutes a threat to the public safety, health, and welfare and authorized the City to continue to abate the violation as needed. He indicated this does not stop the bank or whoever from taking responsibility.

#48. HERZOG / CASE NO. 24-04863 / 6869 NW DRAGON ST

Code Compliance Specialist Tyler Herzog read the Case Presentation and

Staff's 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. He stated the house appears to be vacant and there is rubbish and garbage scattered throughout the yard.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and constitutes a threat to the public health, safety, and welfare. He indicated the violation order was dated 6/19/2024 and required compliance by 6/26/2024. Special Magistrate Davis certified the fine in the amount of \$50/day, up to the maximum accrual of \$5,000 and stated the City's administrative costs of \$411 are now due and payable. The City is also authorized to enter the property to abate the health, safety, and welfare violations and assess the costs.

#49. HERZOG / CASE NO. 24-05721 / 1791 SE RIDGEWOOD ST

Code Compliance Specialist Tyler Herzog read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, exterior structure in need of maintenance, high grass and weeds, inoperable vehicle with flat tires and expired tag, cracked driveway, and posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and is not in compliance with the 6/12/2024 violation order. He certified the fine in the amount of \$100/day until compliance is achieved, up to the maximum accrual of \$10,000. The City's administrative costs of \$411 are now due and payable. The City is also authorized to enter the property to abate the health, safety, and welfare violation of high grass and weeds and assess the costs.

#50. KASHATUS / CASE NO. 24-08305 / 2098 SE FLORESTA DR

Code Compliance Specialist Jeremy Kashatus read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, unmaintained and unsecured pool that the City fixed, crumbling stucco, mildew on exterior walls, tarp on roof, and posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation of City Codes 41.08(B) regarding high grass and weeds, 41.10(G) regarding roof in need of maintenance, and 41.10(B) regarding exterior structure

maintenance. Special Magistrate Davis certified the fine for the remaining violations in the amount of \$75/day, up to the maximum accrual of \$7,500. He awarded the City's abatement costs of \$2,000 for the repairs made to bring the pool and pool enclosure into compliance. He also awarded the City's administrative costs of \$411, which are now due and payable.

Code Compliance Specialist Kashatus explained he was in correspondence with a property management company regarding the grass. Special Magistrate Davis indicated he could bring the case back to get authorization to enter the property to abate the high grass and weeds if need be.

**#51. MENDOZA / CASE NO. 24-06120 / 1162 SW AIROSO BLVD**

Code Compliance Specialist Miguel Mendoza read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, high grass and weeds, mildew on exterior walls, structure in need of paint, and posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and does not comply with the 6/19/2024 order finding violation. He certified the fine in the amount of \$75/day, up to the maximum accrual of \$7,500. He also awarded the City's administrative costs of \$411, which are now due and payable. He stated the violation of City Code 41.08(B) constitutes a threat to the health, safety, and welfare, and the City is authorized to enter the property to abate the violation of high grass and weeds and assess the costs.

**#52. POLANCO / CASE NO. 24-05751 / 2382 SE MARIOLA AVE**

Code Compliance Specialist Hamlet Polanco read the Case Presentation and Staff's recommendations into the record. He presented photos - of the subject property, high grass and weeds cut by the City, exterior in need of maintenance, open storage, and posted notice - taken at the time of the inspections.

Special Magistrate Davis stated the Respondent is not present. Based on the testimony and evidence, he found the property remains in violation as cited and does not comply with the 6/19/2024 order finding violation. He certified the fine in this case in the amount of \$75/day, up to the maximum accrual of \$7,500. He also awarded the City's previous abatement costs of \$400 and administrative costs of \$411, which are now due and payable. He stated the City is authorized to continue to enter the property to abate

the violation of high grass and weeds, and assess the costs.

12. How Parties are Notified

Administrative Assistant Lindo 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.

13. Introduction of Cases Without Parties Present

Administrative Assistant Lindo asked 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 each of these cases and sign the appropriate orders.

Administrative Assistant Lindo read the cases without a party present into the record:

CODE VIOLATIONS

#24-08293 - 421 SE Thanksgiving Ave

#24-08798 - 601 SE Starflower Ave

#24-11242 - 1781 SE Fairfield St

#24-11928 - 767 SE Karrigan Ter

#23-17548 - 199 SW Chapman Ave

#24-09021 - 293 SW Pagoda Ter

#24-09136 - 2181 SW Kail St

#24-10742 - 1898 SW Brisbane St

#24-08867 - 176 SW Paar Dr

#24-09265 - 2299 SE Braddock St

CERTIFICATION OF FINES

#24-07637 - 2260 SW Culpepper Ave

#24-01421 - 2052 SE Parkwood Cir

#23-14013 - 1851 SE Sandia Dr

#24-05701 - 1137 SE Clifton Ln

#24-02353 - 289 SW Elderberry Dr

#24-07142 - 3204 SE Quay St

#24-08152 - 2899 SE Eagle Dr

14. Public to be Heard

There were no comments from the public.

15. Adjourn

There being no further business, the hearing was adjourned at 12:27 PM.

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Traci Mehl, Deputy City Clerk