



City of Stuart

MAGISTRATE HEARING DOCKET

**CITY OF STUART, FLORIDA
121 S.W. FLAGLER AVENUE
STUART, FLORIDA 34994**

**MAY 15, 2024 AT 2:00 PM
COMMISSION CHAMBERS**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he 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.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PLEDGE OF ALLEGIANCE

VIOLATION HEARINGS

- 1. CITY OF STUART VS ADINA LEE TOPFER, AS TRUSTEE OF THE
ADINA LEE TOPFER REVOCABLE LIVING TRUST, DATED JUNE
24, 2021**

Deborah Carrasco

CASE NO: CE24010017

ADDRESS OF VIOLATION: 618 SE Madison Avenue Stuart FL

CODE SECTION: Florida Building Code 105.1

DESCRIPTION OF VIOLATION: Fence was built without a permit.

2. MEDALIST BUILDING GROUP, LLC STIPULATION FOR AGREED ORDER - FINE REDUCTION

Vito Lorenzo

CASE NO: CE23110014

ADDRESS OF VIOLATION: 311 SE Osceola Street, Stuart, Florida

CODE SECTION: 10-171(f) - Construction standards for residential docks.

DESCRIPTION OF VIOLATION: Dock in disrepair

3. BARRY WILLIAMS, DECEASED, C/O TERI WILLIAMS STIPULATION FOR AGREED ORDER FINE REDUCTION

Deborah Carrasco

CASE NO: CE16060004

ADDRESS OF VIOLATION: 1640 SE Arapaho Avenue Stuart FL

CODE SECTION: 10-61- Maintenance of structures, equipment and exterior property

10-69 - Motor vehicle parking and storage.

DESCRIPTION OF VIOLATION: Property maintenance and inoperable vehicles.

ADJOURNMENT

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
MAGISTRATE**

Meeting Date: 5/15/2024

Prepared by: Deborah Carrasco

Title of Item:

CITY OF STUART VS ADINA LEE TOPFER, AS TRUSTEE OF THE ADINA LEE TOPFER REVOCABLE LIVING TRUST, DATED JUNE 24, 2021

Address:

618 SE Madison Avenue Stuart FL

Code Section:

Florida Building Code 105.1

Description of Violation:

Fence was built without a permit.

Summary Explanation/Background Information:

Fence was built without a permit.

ATTACHMENTS:

1. City of Stuart vs Adina Lee Topfer Revocable Living Trust



Basic Info

PIN	AIN	Situs Address	Website Updated
03-38-41-023-034-00030-4	20772	618 SE MADISON AVE STUART FL	5/1/24

General Information

CHANGE MAILING ADDRESS		SIGN UP FOR PROPERTY FRAUD ALERT	
Property Owners ADINA LEE TOPFER REVOCABLE LIVING TRUST TOPFER ADINA LEE TTEE		Parcel ID 03-38-41-023-034-00030-4	
Mailing Address 618 SE MADISON AVE STUART FL 34996		Use Code/Property Class 0100 - 0100 Single Family	
Tax District STUART		Account Number 20772	
		Neighborhood 333830 Kreuger Est Broad St Lucie Est	
		Property Address 618 SE MADISON AVE STUART FL	
		Legal Acres 0.272	
		Legal Description BROADWAY, ST LUCIE ESTATES, LOTS 3 & 4 B...	
		Ag Use Size (Acre\Sq Ft) N/A	

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2023	\$ 160,000	\$ 293,740	\$ 453,740	\$ 155,755	\$ 297,985	\$ 50,000	\$ 247,985

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 6/30/21	Grantor (Seller) TOPFER CATHERINE	Doc Num 2899030
Sale Price \$ 0	Deed Type NC-Warranty Deed	Book & Page <u>3237 1108</u>

CITY EXHIBIT 1





CITY EXHIBIT 3



CITY EXHIBIT 4



**CITY OF STUART
NEIGHBORHOOD SERVICES**

121 SW FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

May 01, 2024

**TOPFER, ADINA
618 SE MADISON AVE
STUART, FL 34996**

Case #: CE24010017

You are hereby notified that the following violation(s) of the Code of Ordinances and/or the Land Development Regulations of the City of Stuart exists on the property listed:

ADDRESS: 618 SE MADISON AVE	OBSERVATION DATE: 01/08/24
PARCEL ID #: 0338410230340003040000	CORRECTION DATE: 05/03/2024
VIOLATION(S) 105.1	
AND CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR INSTALL	
CORRECTIVE WITHOUT A PERMIT.	
ACTIONS: Correction: 105.1	
	OBTAIN REQUIRED PERMIT.

NOTICE OF HEARING SUMMONS

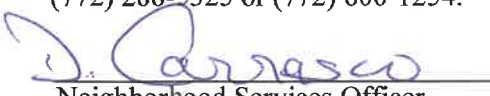
Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Neighborhood Services Magistrate on **05/15/2024 at 2PM** in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil infraction and subjects you to a maximum civil penalty of up to \$250 per offense, per day, for repeat violations.

The Neighborhood Services Magistrate will receive testimony and evidence at said Hearing and make Findings of Fact, as supported by the testimony and evidence pertaining to matters alleged in the Notice of Violation. You are entitled to present evidence and witnesses at the Hearing.

FAILURE to appear will result in the Magistrate proceeding in your absence. All fines constitute liens against the Real and Personal Property of the Respondent. Please govern yourself accordingly

An administrative fee of \$300.00 will be assessed if you should fail to comply by the correction date above.

Should you require additional information regarding this notice, please contact Neighborhood Services at (772) 288-5325 or (772) 600-1254.


Neighborhood Services Officer
Vito Lorenzo / Deborah Carrasco


Certified Mail #

CITY EXHIBIT 5

7022 1670 0001 3198 3907

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$

Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage
\$

Total Postage and Fees
\$

Sent To
ADina Topper
618 SE Madison Ave
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here
5/1/24

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

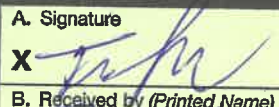
Adina Topper
618 SE Madison Ave
Stuart, FL 34996


9590 9402 6540 1028 1454 00

2. Article Number (Transfer from service label)

7022 1670 0001 3198 3907

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X 
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Trevor Freeman

C. Date of Delivery
5/3/24

D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

RECEIVED
MAY 07 2024
CODE ENFORCEMENT
CITY OF STUART

3. Service Type

☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CITY EXHIBIT 6

Page 9 of 20



CITY EXHIBIT 7



CITY EXHIBIT 8



**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
MAGISTRATE**

Meeting Date: 5/15/2024

Prepared by: Vito Lorenzo

Title of Item:

MEDALIST BUILDING GROUP, LLC STIPULATION FOR AGREED ORDER - FINE REDUCTION

Address:

311 SE Osceola Street, Stuart, Florida

Code Section:

10-171(f) - Construction standards for residential docks.

Description of Violation:

Dock in disrepair

Summary Explanation/Background Information:

The Respondent did not comply with an Order Finding Violation in the timeframe ordered. Fines in the amount of \$8,550.00 accrued against the property. The Respondent has agreed to pay a reduced fine of \$600.00.

ATTACHMENTS:

1. Medalist Building Group LLC Stipulation for Agreed Order CE23110014 Fine Reduction

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No.: CE23110014

CITY OF STUART, FLORIDA,
a municipal corporation,

PCN: 04-38-41-000-000-00050-5

Petitioner,

v.

MEDALIST BUILDING GROUP, LLC
P.O. Box 1067
Palm City, Florida 34994

Respondent(s).

STIPULATION FOR AGREED ORDER

COME NOW, the City of Stuart, Florida and the Respondent, Medalist Building Group, LLC,
hereby stipulate and agree to the following:

1. The representatives signing this Stipulation for Agreed Order have the authority to enter into a Stipulation concerning the Subject Property and bind the respective parties to the terms contained herein.
2. The violations filed in this case were adjudicated by a Magistrate of the City, and an Order Finding Violation was recorded in Official Record Book 3416, Page 2560 of the Official Records of Martin County, Florida. Said order was entered, recorded, and became a valid lien on the subject property.
3. The Respondent's failure to comply with the aforementioned order resulted in a continuing levy for each day Respondent remained in violation. By the time Respondent obtained compliance, the fines had totaled \$8,550.00.
4. By May 30, 2024, the Respondent agrees to pay \$600.00 to the City in full satisfaction of the outstanding lien amount, and such amount is agreed to and satisfactory to the City in

recognition of the code compliance that was achieved by the Respondent. Should Respondent fail to pay the \$600.00 by May 30, 2024, the \$8,550.00 fine shall be reinstated.

5. The parties, by their signatures below have approved this Stipulation, and request the Magistrate enter an Agreed Order accepting the same.
6. The parties are entering into this Stipulation to satisfy all outstanding claims, fines, costs, and interest due and owing to the City, and the parties hereby release each other from any claims they may have against the other resulting from the subject code enforcement case.
7. The Respondent agrees that this Stipulation shall not affect or avoid any repeat violations made by the Respondent.
8. This Stipulation was entered into on the 6 day of May, 2024.

CITY OF STUART, FLORIDA
NEIGHBORHOOD SERVICES DIVISION

By: Vito Lorenzo
VITO LORENZO
Neighborhood Services Officer

RESPONDENT(S):
MEDALIST BUILDING GROUP, LLC

By: Jeremy Lemaster
JEREMY LEMASTER
Managing Member

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No.: CE23110014

CITY OF STUART, FLORIDA,
a municipal corporation,

PCN: 04-38-41-000-00050-5

Petitioner,

v.

MEDALIST BUILDING GROUP, LLC
P.O. Box 1067
Palm City, Florida 34994

Respondent(s).

_____ /

AGREED ORDER

THIS MATTER came before the Magistrate on _____ 2024, and having been fully advised of the premises;

IT IS HEREBY ORDERED that the above Stipulation is approved and the parties shall fully abide thereby.

IT IS FURTHER ORDERED,

A. Upon Respondent's full payment of \$600.00 by May 30, 2024, the City shall file a Satisfaction Lien and cause the same to be recorded in the Official Records of Martin County, Florida.

B. In the event that the Respondent fails to make full payment of \$600.00 by May 30, 2024, the full amount of the fine, being \$8,550.00 shall be reinstated, and the City shall be entitled forthwith, to file a Notice of Lien in this case for that amount and record such Notice of Lien in the Official Records of Martin County, Florida, and thereafter to foreclose such lien as provided by law.

PAUL J. NICOLETTI
Magistrate

Copy furnished to the parties by: U.S. Mail / Hand Delivery / Electronically

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
MAGISTRATE**

Meeting Date: 5/15/2024

Prepared by: Deborah Carrasco

Title of Item:

BARRY WILLIAMS, DECEASED, C/O TERI WILLIAMS STIPULATION FOR AGREED ORDER FINE REDUCTION

Address:

1640 SE Arapaho Avenue Stuart FL

Code Section:

10-61- Maintenance of structures, equipment and exterior property
10-69 - Motor vehicle parking and storage.

Description of Violation:

Property maintenance and inoperable vehicles.

Summary Explanation/Background Information:

Fines have accrued over the yrs. Barry Williams is now deceased and his sister has asked for a fine reduction.

ATTACHMENTS:

1. City of Stuart vd Barry Williams fine reduction 5-10-24

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No.: CE16060004

CITY OF STUART, FLORIDA,
a municipal corporation,

PCN: 09-38-41-005-001-00120-3

Petitioner,

v.

BARRY WILLIAMS, DECEASED
C/O TERI WILLIAMS (SISTER)
1640 ARAPAHO AVENUE
STUART, FLORIDA 34994

Respondent(s).

STIPULATION FOR AGREED ORDER

COME NOW, the City of Stuart, Florida and the Respondent, Teri Williams, on behalf of Barry Williams, who is deceased, hereby stipulate, and agree to the following:

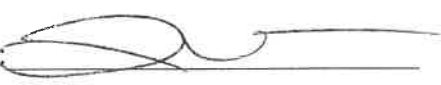
1. The representatives signing this Stipulation for Agreed Order have the authority to enter into a Stipulation concerning the Subject Property and bind the respective parties to the terms contained herein.
2. The violations filed in this case were adjudicated by a Magistrate of the City, and a Stipulation and Agreed Order was recorded in Official Record Book 3022, Page 132 of the Official Records of Martin County, Florida. Said order was entered, recorded, and became a valid lien on the subject property.
3. The Respondent's failure to comply with the aforementioned order resulted in a continuing levy for each day Respondent remained in violation. By the time Respondent obtained compliance, the fines had totaled \$285,800.00.

4. By June 10, 2024, the Respondent agrees to pay \$1,000.00 to the City in full satisfaction of the outstanding lien amount, and such amount is agreed to and satisfactory to the City in recognition of the code compliance that was achieved by the Respondent. Should Respondent fail to pay the \$1,000.00 by June 10, 2024, the \$285,800.00 fine shall be reinstated.
5. The parties, by their signatures below have approved this Stipulation, and request the Magistrate enter an Agreed Order accepting the same.
6. The parties are entering into this Stipulation to satisfy all outstanding claims, fines, costs, and interest due and owing to the City, and the parties hereby release each other from any claims they may have against the other resulting from the subject code enforcement case.
7. The Respondent agrees that this Stipulation shall not affect or avoid any repeat violations made by the Respondent.
8. This Stipulation was entered into on the 10 day of May, 2024.

CITY OF STUART, FLORIDA
NEIGHBORHOOD SERVICES DIVISION

By: 
DEBORAH CARRASCO
Neighborhood Services Officer

RESPONDENT(S):
TERI WILLIAMS, ON BEHALF OF
BARRY WILLIAMS, DECEASED

By: 

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No.: CE16060004

CITY OF STUART, FLORIDA,
a municipal corporation,

PCN: 09-38-41-005-001-00120-3

Petitioner,

v.

BARRY WILLIAMS, DECEASED
C/O TERI WILLIAMS (SISTER)
1640 ARAPAHO AVENUE
STUART, FLORIDA 34994

Respondent(s).

AGREED ORDER

THIS MATTER came before the Magistrate on May __, 2024, and having been fully advised of the premises;

IT IS HEREBY ORDERED that the above Stipulation is approved and the parties shall fully abide thereby.

IT IS FURTHER ORDERED,

A. Upon Respondent's full payment of \$1,000.00 by June 10, 2024, the City shall file a Satisfaction of Lien and cause the same to be recorded in the Official Records of Martin County, Florida.

B. In the event that the Respondent fails to make full payment of \$1,000.00 by June 10, 2024, the full amount of the fine, being \$285,800.00 shall be reinstated, and the City shall be entitled forthwith, to file a Notice of Lien in this case for that amount and record such Notice of Lien in the Official Records of Martin County, Florida, and thereafter to foreclose such lien as provided by law.

PAUL J. NICOLETTI
Magistrate

Copy furnished to the parties by: U.S. Mail / Hand Delivery / Electronically