

CLERK SUMMARY
MAGISTRATE HEARING DOCKET OF THE STUART MAGISTRATE
MAY 15, 2024
AT 2:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

PLEDGE OF ALLEGIANCE

Magistrate: Paul Nicoletti

2:01 PM Magistrate Paul Nicoletti called the Hearing to Order.

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.

Paul Nicoletti, Magistrate, swore in Deborah Carrasco, Code Enforcement Officer.

Ms. Carrasco presented the cases violation and evidence, Exhibit 1-7. Requested compliance on or before May 24, 2024; fine is \$100 per day per violation and \$150 for administrative fees.

2:08 PM Magistrate Nicoletti swore in Adina Topfer, owner of property.

Ms. Topfer did not object to the evidence that was submitted by the City. She stated she hired a fencing company and was told she did not need a permit as an existing permit was already on the premises.

Ms. Carrasco provided pictures of the fence she took this morning as Exhibit 8-11.

2:15 PM Magistrate Nicoletti swore in Lou Hatten, Building Official.

Magistrate Nicoletti asked Mr. Hatten if the fence is permissible. Mr. Hatten stated it appears to be compliant but still needs a permit paid for and an inspection.

MAGISTRATE FINDING: Magistrate Nicoletti accepted into evidence Exhibit 1-11, and stated the violation does exist and orders compliance on or before May 30, 2024. If not in compliance, there will be an accrual of \$100 per day fine and awards the administrative cost to the City of \$150.

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

2:26 PM

Magistrate Nicoletti swore in Vito Lorenzo, Code Enforcement Officer.

City Attorney Lee Baggett gave details on the case and agreed to reduce the fines from \$8,000.00 to \$600.00 which had been paid to the City.

MAGISTRATE FINDING: Stipulation of reducing the fine to \$600.00 was executed.

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.

City Attorney Lee Baggett gave details on the case and stated the next of kin had agreed to an order to pay \$1,000.00.

Magistrate Nicoletti swore in Teri Williams, who testified that her brother is deceased, and she inherited the property. She gave an explanation of how the original fine existed and that she only learned of this lien on the property because they are selling and it appeared on the title search.

MAGISTRATE FINDING: Stipulation of reducing the fine to \$1,000.00 was executed.

ADJOURNMENT

2:33 PM