



**MAGISTRATE HEARING DOCKET
CITY OF STUART, FLORIDA
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

**March 19, 2019 AT 1:00 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.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

VIOLATION HEARINGS

1. **Stipulation and** D. Carrasco
Agreed Order-
William & Kathleen
Pittman
CE19020043
Stipulation and Agreed Order

ADJOURNMENT

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

Meeting Date: 3/19/2019

Narrative:

Magistrate Action:

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
Stipulation & Agreed Order	3/12/2019	Cover Memo

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No: CE19020043

CITY OF STUART, FLORIDA,

Petitioner,

v.

Pittman Kathleen & William
1028 SE 14th St
STUART FL. 34996

PCN# 1038410010010011070000

Respondent(s).

STIPULATION AND AGREED ORDER

STIPULATION

The City of Stuart, Florida and the Respondent(s), hereby stipulate and agree to the following:

1. The persons signing this Stipulation have the authority to enter into the Stipulation and bind the respective parties to the terms contained herein.
2. The violations that are more fully described in the Notice of Violation/Notice of Hearing filed in this case exist at the property described therein, and the legal description of the property is attached on Composite Exhibit "A."
3. The Respondent is granted until **April 11, 2019**, to take the necessary corrective action to bring the property into compliance with the cited sections of the City of Stuart Code of Ordinances, or Florida Building Code, as applicable, and as described in the Notice of Hearing/ Notice of Violation.
4. If the Respondent does not correct the violations(s) and bring the property into compliance as set forth in section 3, a civil penalty of **\$100.00 per violation, per day** shall be assessed for each day the violation continues after the compliance date. **The assessment of fines and costs may result in a lien being placed on any real or personal property owned by Respondent.**
5. Administrative costs in the amount of **\$300.00 shall be waived by the City** with the filing of this Stipulation. In accordance with Sec.162.09, Florida Statutes, a hearing is not necessary for the issuance of an order imposing the fine, and no additional notification

Case No: CE19020043
Stipulation and Agreed Order

will be sent. Additional costs may be assessed for the later prosecution of this case, if the Respondent fails to comply with this Stipulation.

6. The Respondent acknowledges that the City of Stuart Code Enforcement Magistrate may enter an Order which requires the Respondent to correct the violations and bring the property into compliance, as stated in this Stipulation and Agreed Order.
7. **The Respondent bears the burden of contacting the City's Code Enforcement Division at 772-288-5325 to arrange for a re-inspection of the property** in order to verify that any violations have been corrected and that the property has been brought into compliance with the applicable sections of the City or Building Code.

CITY OF STUART, FLORIDA
CODE ENFORCEMENT DIVISION

By: Deborah Carrasco
Deborah Carrasco

Date: 3-12-2019

RESPONDENT(S)

By: UNA-Port

By: _____

Date: 3-12-2019

AGREED ORDER

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

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

IT IS FURTHER ORDERED that the Respondent shall fully comply with the terms above or shall be liable for the fine established in the Stipulation and that costs in this case shall be assessed and paid to the City as provided above.

Paul Nicoletti, Magistrate

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



**CITY OF STUART
CODE ENFORCEMENT**

830 SE MARTIN LUTHER KING, JR. BLVD
STUART, FL 34994-2139

NOTICE OF VIOLATION

Feb 21, 2019

**PITTMAN KATHLEEN S & WILLIAM A (CO-
PO BOX 47
STUART, FL 34995**

Case #: CE19020043

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: 1028 SE 14 ST

OBSERVATION DATE: 02/21/19

PARCEL ID #: 1038410010010011070000

CORRECTION DATE: 03/08/2019

VIOLATION(S)

10-61 (2) (6)

AND

CORRECTIVE

ACTIONS:

**STRUCTURE IN IMMEDIATE NEED OF MAINTENANCE FOR ROTTEN WOOD,
MOLD, PEELING, FLAKING OF CEILING WOOD OF WALKWAY CAUSED BY
CONTINUOUS LEAKY ROOF.**

Correction: 10-61 (2) (6)

**REPAIR ROOF LEAKS AND REPLACE ROTTEN WOOD ALL ALONG THE
WALKWAY OF SHOPPING CENTER.**

NOTICE OF HEARING SUMMONS

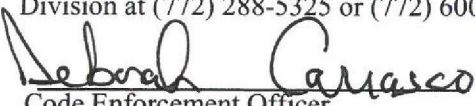
Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Code Enforcement Magistrate on **03/19/2019 at 1:00PM** in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil infraction and subjects you to a maximum civil penalty of up to \$250 per offense, per day, for repeat violations.

The Code Enforcement 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 the Code Enforcement Division at (772) 288-5325 or (772) 600-1254.


Code Enforcement Officer

Chalimar Gregory / Vito Lorenzo / Deborah Carrasco / Breana Jines

7018 0680 0001 83976718
Certified Mail #

Martin County, Florida - Laurel Kelly, C.F.A

generated on 3/12/2019 9:35:32 AM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
10-38-41-001-001-00110-7	26742	1028 SE 14TH ST, STUART	\$122,390	3/9/2019

Owner(Current)	Owner Information
Owner/Mail Address	PITTMAN KATHLEEN S & WILLIAM A (CO-T
Sale Date	PO BOX 47
Document Book/Page	STUART FL 34995
Document No.	7/18/2008
Sale Price	2341 0807
	2096677
	0

	Location/Description
Account #	26742
Tax District	3100
Parcel Address	1028 SE 14TH ST, STUART
Acres	.3050
	Map Page No. O-10A
	Legal Description COLONIAL PARK
	ADD'N LOTS 11 12
	BLK 1

	Parcel Type
Use Code	0100 Single Family
Neighborhood	310380 Pinewood Pk, Walt Man, Sarita W

	Assessment Information
Market Land Value	\$104,500
Market Improvement Value	\$17,890
Market Total Value	\$122,390

This Instrument Prepared by:
 WILLIAM D. ANDERSON, JR., ESQ.
 P.O. BOX 288
 STUART, FLORIDA 34995

INSTR # 2096677
 OR BK 02341 PG 0807
 Pgs 0807 - 809; (3pgs)
 RECORDED 07/21/2008 03:42:25 PM
 MARSHA EWING
 CLERK OF MARTIN COUNTY FLORIDA
 DEED DOC TAX 0.70
 RECORDED BY K Wintercorn

WARRANTY DEED TO TRUSTEE
 (STATUTORY REFERENCE - SECTION 689.071 F.S.)

THIS INDENTURE WITNESSETH, that the Grantor, KATHLEEN S. PITTMAN and WILLIAM A. PITTMAN, her husband, of the County of Martin and State of Florida, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, receipt of which is acknowledged, grants, conveys, and warrants unto KATHLEEN S. PITTMAN and WILLIAM A. PITTMAN, as Co-Trustees of Pittman Family Revocable Trust, u/d/o July 18, 2008, whose address is P. O. Box 47, Stuart, FL 34995, the following described real estate in the County of Martin and State of Florida:

Lots 11 and 12, Block 1, COLONIAL PARK ADDITION,
 TO COLONIAL PARK SECTION OF ST. LUCIE ESTATES,
 according to the Plat thereof recorded in Plat
 Book 1, Page 59, Public Records of Martin County,
 Florida.

hereinafter called "the Property".
 Parcel Number #10384100100100110

THIS DEED PREPARED WITHOUT BENEFIT OF TITLE
 EXAMINATION.

TO HAVE AND TO HOLD the Property in fee simple with the
 appurtenances upon the trust and for the purposes set forth in this
 Deed and in the Revocable Trust.

Full power and authority is granted by this Deed to
 Trustee or his successors to deal in or with the Property or any
 interest therein or any part thereof, with the power and authority
 to protect, conserve, sell, lease, encumber or otherwise to manage
 and dispose of the Property or any part of it described above.

This conveyance is granted pursuant to and shall be
 governed by the provisions of Section 689.071, Florida Statutes.

In no case shall any party dealing with the Trustee in
 relation to the Property or to whom the Property or any part of it
 shall be conveyed, contracted to be sold, leased or mortgaged by
 Trustee, be obligated to see to the application of any purchase
 money, rent or money borrowed or advanced on the premises, or be
 obliged to see that the terms of the trust have been complied with,
 or be obligated to inquire into the necessity or expediency of any
 act of the Trustee, or be privileged to inquire into any of the
 terms of the Revocable Trust or the identification or status of any
 named or unnamed beneficiaries, or their heirs or assigns to whom
 the Trustee may be accountable; and every deed, trust deed,
 mortgage, lease or their instrument executed by Trustee in relation
 to the Property shall be conclusive evidence in favor of every
 person relying upon or claiming under any such conveyance, lease or
 other instrument (a) that at the time of its delivery the trust
 created by this Deed and by the Revocable Trust was in full force
 and effect, (b) that the conveyance or other instrument was