



City of Stuart

MAGISTRATE HEARING DOCKET

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

**DECEMBER 18, 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. DIXIE HWY HOLDINGS LLC

Robert Perez

CASE NO: CE24110016

ADDRESS OF VIOLATION: 395 NW Dixie Highway, Stuart, FL 34994

CODE SECTION: Sec. 10-36 FBC 105.1

DESCRIPTION OF VIOLATION: NO PERMIT FOR POLE SIGN ON SITE

2. CITY OF STUART VS. FEDERAL NATIONAL MORTGAGE ASSOCIATION

Scott Shiner

CASE NO: CASE # CE241100005
ADDRESS OF VIOLATION: 325 SW MANOR DR
STUART, FL 34994
CODE SECTION: SEC 10-61(c,d,e,m(l))(6)
DESCRIPTION OF VIOLATION: DAMAGED ROOF, DIRTY POOL
WATER, JUNK & DEBRIS IN PUBLIC VIEW, OVERGROWTH ON
ENTIRE YARD

3. CITY OF STUART VS. LEA AND ROBERT STANCAVICH AND JOSEPHINE STANCAVICH

Jodi Nentwick

CASE NO: 00000
ADDRESS OF VIOLATION: 1231 SW Nortons Lane
1251 SW Nortons Lane
CODE SECTION:
DESCRIPTION OF VIOLATION:

ADJOURNMENT

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

Meeting Date: 12/18/2024

Prepared by: Robert Perez

Title of Item:

CITY OF STUART VS. DIXIE HWY HOLDINGS LLC

Address:

395 NW Dixie Highway, Stuart, FL 34994

Code Section:

Sec. 10-36 FBC 105.1

Description of Violation:

NO PERMIT FOR POLE SIGN ON SITE

Summary Explanation/Background Information:

ATTACHMENTS:

1. 395 NW Dixie Highway PA
2. 395 NW Dixie Highway Sunbiz
3. Inspection Photo 11-18-24
4. 395 NW Dixie Highway NOV NOH
5. NOV NOH Certified Mail Receipt 11-18-24
6. NOV NOH Posting 11-18-24
7. 395 NW Dixie Highway Affidavit of Service

Basic Info

PIN 32-37-41-000-000-00110-6	AIN 8452	Situs Address 395 NW DIXIE HWY STUART FL	Website Updated 11/18/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners

DIXIE HWY HOLDINGS LLC

Parcel ID

32-37-41-000-000-00110-6

Use Code/Property Class

2100 - 2100 Restaurant/cafeterias

Mailing Address

4245 NE SUNSET DR
JENSEN BEACH FL 34957

Account Number

8452

Neighborhood

M1 M1-JENSEN/RIO/HI

Tax District

STUART

Property Address

395 NW DIXIE HWY STUART FL

Legal Acres

0.88

Legal Description

GOV LOT 2 LYING SOUTHERLY OF A LINE THAT...

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
2024	\$ 498,520	\$ 401,480	\$ 900,000	\$ 0	\$ 900,000	\$ 0	\$ 900,000

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

11/30/23

Sale Price

\$ 1,125,000

Grantor (Seller)

JUSTI C F

Deed Type

Warranty Deed

Doc Num

3047398

Book & Page

3409 912

Legal Description

GOV LOT 2 LYING SOUTHERLY OF A LINE THAT IS 400 FT NORTHERLY OF THE NORTHERLY ROW LINE OF WRIGHT BLVD AND WESTERLY OF THE WESTERLY ROW LINE OF ST RD 707 IN 32-37-41, START AT THE NORTH ROW LINE OF WRIGHT BLVD AND THE NW ROW LINE OF SR 707, NW 122 FT, N 200 FT, SE 247.72 FT, SOUTHWESTERLY 251.64 FT TO THE POB (less ROW) & (less PORTION CONVEYED TO COS IN OR 2825.2640)

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

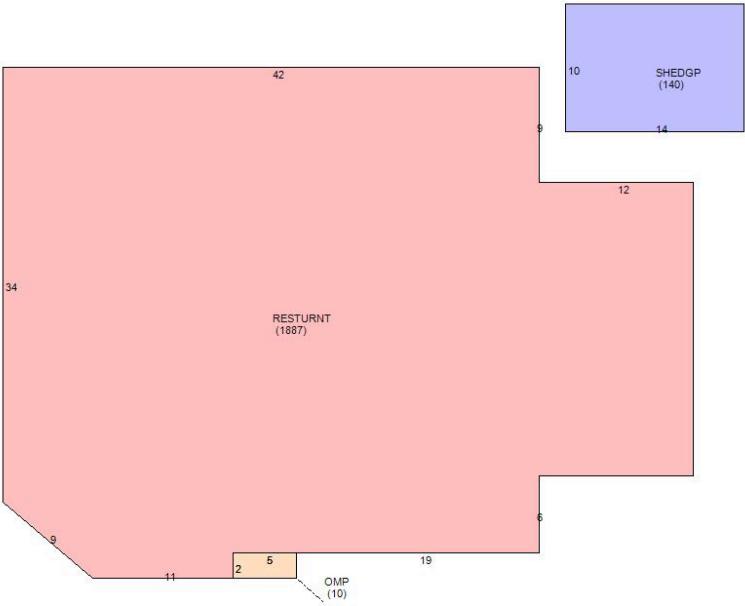
Improvements

PIN	AIN	Situs Address	Website Updated
32-37-41-000-000-00110-6	8452	395 NW DIXIE HWY STUART FL	11/18/24

Use Code/Property Class	Total Finished Area	Max Stories
2100 - 2100 Restaurant/cafeterias	1,887 SF	1

Building Information (1 of 1)

Building Type	Finished Area	Exterior Cover	Roof Cover
Resturant	1,887 SF	Block with Stucco	Com Shingle
Year Built	Wall	Number of Units	Wall Height
1987	Class C - Fire Resistant	1	9
Bedrooms	Full Baths	Half Baths	
N/A	2	0	



Report a
Discrepancy

Sketched Area Legend

Sub Area	Description	Area	Finished Area
SHEDGP	Shed - Gen Purpose Frame, up to 10' eave	140	0
RESTURNT	Resturant (350)	1,887	1,887
OMP	Open Masonry Porch	10	0

Features/Yard Items

Type	Qty	Size	Unit of Measure	Year Blt
Bumper	1	34	Per Each	1987
Concrete Apron	1	250	Square Feet	1987
Incadescent Lights	1	3	Per Each	2005
Mercury Lights	1	1	Per Each	2005
PAVING Asphalt	1	19210	Square Feet	1987

Sales History

PIN	AIN	Situs Address	Website Updated
32-37-41-000-000-00110-6	8452	395 NW DIXIE HWY STUART FL	11/18/24

Sale Date	Sale Price	Grantor (Seller)	Deed Type	Doc Num	Book & Page
11/30/23	\$ 1,125,000	JUSTI C F	Warranty Deed	3047398	<u>3409 912</u>
7/1/03	\$ 150,000	JUSTI, EMERY C (TRUST)	DEED	1674259	<u>1788 213</u>
2/1/78	\$ 100	SELLER - see file for name	01		

This section is not intended to be a chain of title. Sales do not generally appear until approximately 1 to 3 weeks after the closing date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Value History

PIN 32-37-41-000-000-00110-6	AIN 8452	Situs Address 395 NW DIXIE HWY STUART FL	Website Updated 11/18/24
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Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	County Exemptions	County Taxable Value
2024	\$ 498,520	\$ 401,480	\$ 900,000	\$ 0	\$ 900,000	\$ 0	\$ 900,000
2023	\$ 311,290	\$ 126,100	\$ 437,390	\$ 0	\$ 437,390	\$ 0	\$ 437,390
2022	\$ 311,290	\$ 114,049	\$ 425,339	\$ 0	\$ 425,339	\$ 0	\$ 425,339
2021	\$ 320,629	\$ 104,710	\$ 425,339	\$ 0	\$ 425,339	\$ 0	\$ 425,339
2020	\$ 311,290	\$ 101,660	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2019	\$ 311,290	\$ 101,660	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2018	\$ 210,720	\$ 202,230	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2017	\$ 210,720	\$ 202,230	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2016	\$ 210,720	\$ 202,230	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2015	\$ 210,720	\$ 202,230	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950
2014	\$ 210,720	\$ 202,230	\$ 412,950	\$ 0	\$ 412,950	\$ 0	\$ 412,950

WARNING: Significant tax increases often occur when sold. The Taxable Value and Taxes, noted above, may reflect exemptions, classifications and value limitations that will be removed at the time of sale. Homestead exemptions, agricultural classifications, and assessed value limitations are NOT transferable to the new owner. Following a sale, a property's assessed value is reset to the market value & the new owner must reapply for homestead exemption & agricultural classification.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
DIXIE HWY HOLDINGS LLC

Filing Information

Document Number	L23000477092
FEI/EIN Number	93-3996894
Date Filed	10/17/2023
Effective Date	10/17/2023
State	FL
Status	ACTIVE

Principal Address

395 NW DIXIE HWY
STUART, FL 34994

Mailing Address

395 NW Dixie Hwy
Stuart, FL 34994

Changed: 02/12/2024

Registered Agent Name & Address

FOSTER, ELI
395 NW DIXIE HWY
STUART, FL 34994

Authorized Person(s) Detail

Name & Address

Title MGR

FOSTER, ELI
395 NW Dixie Hwy
Stuart, FL 34994

Title MGR

FLANIGAN, PATRICK
395 NW Dixie Hwy
STUART, FL 34994

Annual Reports

Report Year	Filed Date
2024	02/12/2024
Document Images	
02/12/2024 -- ANNUAL REPORT	View image in PDF format
10/17/2023 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations





City of Stuart
Code Enforcement
121 SW Flagler Ave
Stuart FL 34994-2139
(772) 288 5325

DIXIE HWY HOLDINGS LLC

Case No. CE24110016

4245 NE SUNSET DR
JENSEN BEACH FL 34957

Cert Mail RR# 70223330000097942580

NOTICE OF VIOLATION AND NOTICE OF HEARING

November 18, 20224

395 NW DIXIE HWY
STUART, FL 34994

Parcel Control Number: 32-37-41-000-000-00110-6

Dear Property Owner/Business Owner/Occupant:

To maintain the appearance and property values of the City of Stuart, City staff must enforce the ordinances and regulations governing the community. These rules were implemented so that residents and businesses within the City of Stuart can equally enjoy their properties and surrounding areas. When inspections are conducted on a property, deficiencies are noted, and the owner and occupant are notified.

An inspection of the above property has revealed violation(s) of the City of Stuart Code of Ordinance requiring your prompt attention. Please review the items below and make corrections within the requested time. Should you have any questions, please call the Property Inspector listed at the bottom of this notice.

1. Violation Description/Corrective Action Required: NO PERMIT OBTAINED FOR REPLACEMENT OF POLE SIGN OUTSIDE OF RESTUARANT

Pertinent Code Section(s): Sec. 10-36. - Any person, firm, corporation or agent who fails to comply with any provision of the code, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of a municipal ordinance violation. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which a violation of any of the provisions of the code is committed or continued.

Upon conviction of any such violation such person shall be punished within the limits as provided by law and local ordinance.

PLEASE OBTAIN A VALID PERMIT FOR THE REPLACEMENT OF POLE SIGN IN ORDER TO COMPLY THE CASE.

Comply By: December 2, 2024

Please correct the above noted items so that no further action needs to be taken. We thank you in advance for your understanding and cooperation.

Unless you correct the violation(s) described above on or before the compliance date of December 2, 2024 and contact the City of Stuart Code Enforcement Division (contact information below) to arrange a re-inspection of the property to verify compliance with the ordinance cited herein, notice is hereby given pursuant to Chapter 162, Florida Statutes, and the City of Stuart Code of Ordinances, that a hearing will be held regarding the above case before the City's Special Magistrate on the 18th day of December 2024 at 2:00 pm or as soon thereafter as said matter can be heard in the City of Stuart City Hall Chambers, 121 SW Flagler Avenue Stuart, Florida 34994.

The Special Magistrate will receive testimony and evidence at said hearing and shall make findings of fact as are supported by the testimony and evidence pertaining to the matters alleged herein. If you fail to appear, the Special Magistrate may base its findings and act solely on the testimony and evidence presented by the Code Enforcement Division.

Should you be found in violation of the City of Stuart Code of Ordinances, the Special Magistrate may impose a fine up to \$250.00 per day per violation for each day that the violation(s) continues beyond the compliance date established by the Special Magistrate in the Final Order. In the case of a repeat violation, the Special Magistrate may impose a fine up to \$500.00 per day per violation for each day the violation(s) continues beyond the compliance date established by the Code Enforcement Division. Be advised, the Special Magistrate will impose \$300 Administrative Cost for the hearing called to order.

IF THIS IS A REPEAT VIOLATION/VIOLATOR PLEASE BE ADVISED THAT AT THIS HEARING A FINE MAY BE IMPOSED BEGINNING WITH THE DATE THE REPEAT VIOLATION WAS OBSERVED THROUGH THE DATE OF COMPLIANCE.



Robert Perez - Property Inspector
Code Enforcement Division
rperez@stuartfl.gov
772-278-0925

7022 3330 0000 9794 2580

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	
DIXIE HWY HOLDINGS LLC	
Street and Apt. No. or PO Box No.	
4245 NE SUNSET DR.	
City, State, ZIP+4®	
JENSEN BEACH, FL 34957	
PS Form 3800, April 2015 PSN 7530-02-000-9047	
See Reverse for Instructions	

SENT Postmark Here
11/18/2024





City of Stuart
Code Enforcement
121 SW Flagler Ave Stuart FL 34994-2139
(772) 288 5325

AFFIDAVIT OF POSTING

DATE: December 2, 2024

CASE # CE24110016

LOCATION OF VIOLATION: 395 NW Dixie Highway, Stuart, FL 34994

PCN: 32-37-41-000-000-00110-6

PROPERTY OWNER: DIXIE HWY HOLDINGS LLC

I, Robert Perez, have personally posted the attached:

X NOTICE OF VIOLATION/NOTICE OF HEARING

 ORDER FINDING VIOLATION/ FINE ASSESSMENT

In addition to the above, a Notice of Violation/Notice of Hearing was mailed by first class mail to the property owner at the address listed in the tax collector's office and any other address provided by the property owner as required by F.S.S. 162.12

on the 18th day of NOVEMBER 2024 at 1:30 AM/PM Ⓢ at the above-named address.

R. Perez
Affiant: Robert Perez
Code Compliance Officer

THE STATE OF FLORIDA
CITY OF STUART

The foregoing instrument was acknowledged before me this 2nd day of December, 2024, by Robert Perez,

Code Compliance Officer, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath.

(SEAL)



Edith Campos
NOTARY PUBLIC State of Florida

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

Meeting Date: 12/18/2024

Prepared by: Scott Shiner

Title of Item:

CITY OF STUART VS. FEDERAL NATIONAL MORTGAGE ASSOCIATION

Address:

325 SW MANOR DR
STUART, FL 34994

Code Section:

SEC 10-61(c,d,e,m(l))(6)

Description of Violation:

DAMAGED ROOF, DIRTY POOL WATER, JUNK & DEBRIS IN PUBLIC VIEW, OVERGROWTH ON ENTIRE YARD

Summary Explanation/Background Information:

PROPERTY IS CURRENTLY VACANT AND OWNED BY BANK "FEDERAL NATIONAL MORTGAGE ASSOCIATION.

ATTACHMENTS:

1. PAPA 325 MANOR
2. IMG_0109
3. IMG_0110
4. IMG_0111
5. IMG_0112
6. IMG_0113
7. IMG_0114
8. IMG_0115
9. NOV NOH
10. USPS RECEIPT
11. nov-noh aff of posting
12. IMG_0120 - Copy (2)

Basic Info

PIN 08-38-41-010-002-00060-8	AIN 24776	Situs Address 325 SW MANOR DR STUART FL	Website Updated 11/14/24
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General Information

CHANGE MAILING ADDRESS		SIGN UP FOR PROPERTY FRAUD ALERT	
Property Owners FEDERAL NATIONAL MORTGAGE ASSOCIATION	Parcel ID 08-38-41-010-002-00060-8	Use Code/Property Class 0100 - 0100 Single Family	
Mailing Address C/O CENLAR FSB 425 PHILLIPS BLVD EWING NJ 08618	Account Number 24776	Neighborhood 383881 Indian Grvs,PalmettoHbr,Rivr P	
Tax District STUART	Property Address 325 SW MANOR DR STUART FL	Legal Acres 0.259	Ag Use Size (Acre\Sq Ft) N/A
	Legal Description PINE MANOR, REV & AMD PL 1, LOT 6 BLK B		

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2024	\$ 165,000	\$ 170,420	\$ 335,420	\$ 102,703	\$ 232,717	\$ 50,000	\$ 182,717

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 9/10/24	Grantor (Seller) JOHNSON MARK TRENT	Doc Num 3090731
Sale Price \$ 0	Deed Type Certificate of Title	Book & Page <u>3457 2026</u>

Legal Description

PINE MANOR, REV & AMD PL 1, LOT 6 BLK B

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

Improvements

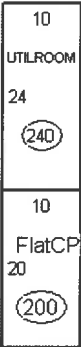
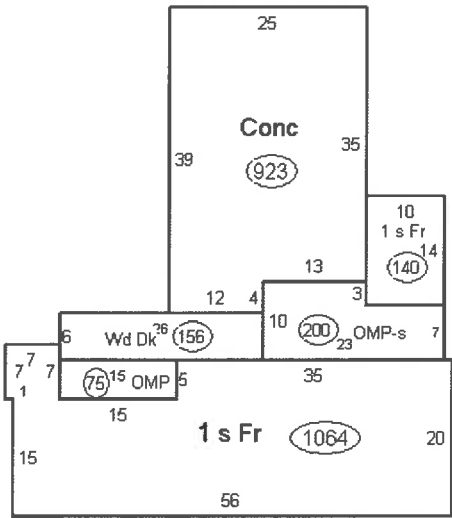
PIN	AIN	Situs Address	Website Updated
08-38-41-010-002-00060-8	24776	325 SW MANOR DR STUART FL	11/14/24

Use Code/Property Class	Total Finished Area	Max Stories
0100 - 0100 Single Family	1,204 SF	1

Building Information (1 of 1)

Building Type	Finished Area	Exterior Cover	Roof Cover
Single family	1,204 SF	Wood siding	Composition roll
Year Built	Wall	Number of Units	Wall Height
1949	Wood frame	1	N/A
Bedrooms	Full Baths	Half Baths	
2	4	0	

030406



Report a
Discrepancy

Sketched Area Legend

Sub Area	Description	Area	Finished Area
FLATCP	Carport flat roof	200	0
UTILROOM	Residential Utility Room	240	0
DWELL	Dwelling	1,064	1,064
OMP	Open Masonry Porch	75	0
OMP_S	Open Masonry Porch Screened	200	0
DWELL	Dwelling	140	140
WDDK	Wood Deck	156	0
CONCP	Concrete Patio	923	0

Features/Yard Items

Type	Qty	Size	Unit of Measure	Year Blt
Residential Paving	1	400	Square Feet	1949
Residential Pool In Ground	1	450	Square Feet	1949
Shutters - Panel	1	1	Square Feet	1949













3
2
5



Property Address: Dirección de la propiedad

325 SW MAJOR DRIVE, PLUMAS 31, MOBILE, AL 36688

Knowing Your Options

Realize its investment

Realize its investment by selling the property. This property has been sold for \$400,000.00 in excess of the purchase price of \$250,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Reinvest in another property

Reinvest in another property by purchasing a new property. This property has been purchased for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Reinvest in a new business

Reinvest in a new business by purchasing a new business. This property has been purchased for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Reinvest in a new property

Reinvest in a new property by purchasing a new property. This property has been purchased for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Options - Refinance with adjustable

Options - Refinance with adjustable. This property has been refinanced for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Options - Refinance with fixed

Options - Refinance with fixed. This property has been refinanced for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Options - Purchase the property

Options - Purchase the property. This property has been purchased for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Options - Sell the property

Options - Sell the property. This property has been sold for \$400,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00. The seller has received a net profit of \$150,000.00.

Conozca sus Opciones

Realizarse por su inversión

Realizarse por su inversión vendiendo la propiedad. Esta propiedad ha sido vendida por \$400,000.00 en exceso del precio de compra de \$250,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Reinvertir en otra propiedad

Reinvertir en otra propiedad comprando una nueva propiedad. Esta propiedad ha sido comprada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Reinvertir en un nuevo negocio

Reinvertir en un nuevo negocio comprando un nuevo negocio. Esta propiedad ha sido comprada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Reinvertir en una nueva propiedad

Reinvertir en una nueva propiedad comprando una nueva propiedad. Esta propiedad ha sido comprada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Opciones - Refinanciar con variable

Opciones - Refinanciar con variable. Esta propiedad ha sido refinanciada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Opciones - Refinanciar con fijo

Opciones - Refinanciar con fijo. Esta propiedad ha sido refinanciada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Opciones - Comprar la propiedad

Opciones - Comprar la propiedad. Esta propiedad ha sido comprada por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

Opciones - Vender la propiedad

Opciones - Vender la propiedad. Esta propiedad ha sido vendida por \$400,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00. El vendedor ha recibido una ganancia neta de \$150,000.00.

A photograph of a yellowed, stained, and torn piece of paper, possibly a document or envelope, showing signs of age and wear. Attached to the top of the paper is a dark business card for "PROPERTY TRANSFER SERVICES, INC." featuring a large stylized "P" logo. Below the logo, the card lists the company's name, "Transactions in New Hampshire & Real Estate - Commercial", a phone number "603.882.7777", a fax number "603.882.7881", and a website "www.property-transfer-services.com". Below the business card is a small, lined notepad with seven numbered lines (1-7). The notepad is heavily stained and has some faint, illegible handwriting on it.

1
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4
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City of Stuart
Code Enforcement
121 SW Flagler Ave
Stuart FL 34994-2139
(772) 288 5325

FEDERAL NATIONAL MORTGAGE
ASSOCIATION

Case No.CE241100005

C/O CENLAR FSB
425 PHILLIPS BLVD
EWING NJ 08618

Cert Mail RRR# 9589071052700747105423

NOTICE OF VIOLATION AND NOTICE OF HEARING

November 7, 2024

Violation Location: 325 SW Manor Drive Stuart, FL 34994
Parcel Control Number: 08-38-41-010-002-00060-8

Dear Property Owner/Business Owner/Occupant:

To maintain the appearance and property values of the City of Stuart, City staff must enforce the ordinances and regulations governing the community. These rules were implemented so that residents and businesses within the City of Stuart can equally enjoy their properties and surrounding areas. When inspections are conducted on a property, deficiencies are noted, and the owner and occupant are notified.

An inspection of the above property has revealed violation(s) of the City of Stuart Code of Ordinance requiring your prompt attention. Please review the items below and make corrections within the requested time. Should you have any questions, please call the Property Inspector listed at the bottom of this notice.

1. Violation Description/Corrective Action Required:

Pertinent Code Section(s): Sec. 10-61. (c,d,e,m(1)(6))- Maintenance of structures, equipment and exterior property.

Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein, including soil stabilization so as not to cause a blighting problem or adversely affect the public health or safety. **(d)Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. **(1) Generally.** The exterior of a structure shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety or welfare. **(6) Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Roofs must be free from loose materials subject to becoming projectiles under high wind conditions.

PLEASE : CLEAN POOL WATER, DRAIN POOL OR SECURE A COVER OVER POOL FROM POLLUTED WATER BEING EXPOSED. CLEAN MILDEW-STAINED DWELLING WALLS. REPAIR DAMAGED ROOF, FASCIA ETC. REMOVE ALL JUNK AND DEBRIS FROM PROPERTY AND CUT GRASS, TRIM OVERGROWTH OF VEGETATION ON ENTIRE PROPERTY.

Comply By: December 7, 2024

Please correct the above noted items so that no further action needs to be taken. We thank you in advance for your understanding and cooperation.

Unless you correct the violation(s) described above on or before the compliance date of December 7, 2024 and contact the City of Stuart Code Enforcement Division (contact information below) to arrange a re-inspection of the property to verify compliance with the ordinance cited herein, notice is hereby given pursuant to Chapter 162, Florida Statutes, and the City of Stuart Code of Ordinances, that a hearing will be held regarding the above case before the City's Special Magistrate on the 18th day of December 2024 at 10:00 am or as soon thereafter as said matter can be heard in the City of Stuart City Hall Chambers, 121 SW Flagler Avenue Stuart, Florida 34994.

The Special Magistrate will receive testimony and evidence at said hearing and shall make findings of fact as are supported by the testimony and evidence pertaining to the matters alleged herein. If you fail to appear, the Special Magistrate may base its findings and act solely on the testimony and evidence presented by the Code Enforcement Division.

Should you be found in violation of the City of Stuart Code of Ordinances, the Special Magistrate may impose a fine up to \$250.00 per day per violation for each day that the violation(s) continues beyond the compliance date established by the Special Magistrate in the Final Order. In the case of a repeat violation, the Special Magistrate may impose a fine up to \$500.00 per day per violation for each day the violation(s) continues beyond the compliance date established by the Code Enforcement Division. Be advised, the Special Magistrate will impose \$300 Administrative Cost for the hearing called to order.

IF THIS IS A REPEAT VIOLATION/VIOLATOR PLEASE BE ADVISED THAT AT THIS HEARING A FINE MAY BE IMPOSED BEGINNING WITH THE DATE THE REPEAT VIOLATION WAS OBSERVED THROUGH THE DATE OF COMPLIANCE.

Scott Shiner - Property Inspector
Code Enforcement Division
sshiner@stuartfl.gov
772-529-9194

Tracking Number:

9589071052700747105423

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:22 am on November 12, 2024 in TRENTON, NJ 08618.

Get More Out of USPS Tracking:
USPS Tracking Plus[®]

Delivered
Delivered, Left with Individual
TRENTON, NJ 08618
November 12, 2024, 11:22 am

See All Tracking History

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

▼

USPS Tracking Plus[®]

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Product Information

▼

See Less ^

Track Another Package





City of Stuart
Code Enforcement
121 SW Flagler Ave
Stuart FL 34994-2139 (772) 288 5325

AFFIDAVIT OF POSTING

DATE: November 18, 2024

CASE # CE241100005

LOCATION OF VIOLATION: 325 SW MANOR DRIVE

PCN: 08-38-41-010-002-00060-8

PROPERTY OWNER: FEDERAL NATIONAL MORTGAGE ASSOC.

I, Scott Shiner have personally posted the attached:

 X NOTICE OF VIOLATION/NOTICE OF HEARING

 ORDER FINDING VIOLATION/ FINE ASSESSMENT

In addition to the above, a Notice of Violation/Notice of Hearing was mailed by first class mail to the property owner at the address listed in the tax collector's office and any other address provided by the property owner as required by F.S.S. 162.12

on the 7th day of November 2024 at 9:05 AM/PM at the above-named address.

Affiant: Scott Shiner
Code Compliance Officer

THE STATE OF FLORIDA
CITY OF STUART

The foregoing instrument was acknowledged before me this 18th day of November, 2024, by Scott Shiner,

Code Compliance Officer, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath.



NOTARY PUBLIC State of Florida


ATTENTION
 N. COMPTON ENG. BROS.
 BILLBOARD IN THE MARTIN
 LUTHER KING, JR. MUSEUM
 ANGLES 800-775-3877
 RECORDING FLOWING
 VARIATIONS
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Privacy Address Election to be Ignored

30100 HANCOCK DRIVE • SUITE 101 • BALTIMORE, MD 21286

Knowing Your Options

Notice to Borrowers

We understand that you may not know how to exercise your privacy rights. Fannie Mae has created this document to help you understand your rights and how to exercise them. This document is not intended to be a substitute for legal advice. If you have any questions about your rights, please contact your attorney. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice.

Option 1: Release with endorsement

You may authorize Fannie Mae to release your information to third parties.

Option 2: Restrict this property

You may restrict Fannie Mae from releasing your information.

Option 3: Permitted Use only

You may authorize Fannie Mae to release your information to third parties.

Option 4: No release of information

You may authorize Fannie Mae to release your information to third parties.

Option 5: No release of information

You may authorize Fannie Mae to release your information to third parties.

Option 6: No release of information

You may authorize Fannie Mae to release your information to third parties.

Option 7: No release of information

You may authorize Fannie Mae to release your information to third parties.

Option 8: No release of information

You may authorize Fannie Mae to release your information to third parties.

Option 9: No release of information

You may authorize Fannie Mae to release your information to third parties.

Consent to your options

Notice to Borrowers

We understand that you may not know how to exercise your privacy rights. Fannie Mae has created this document to help you understand your rights and how to exercise them. This document is not intended to be a substitute for legal advice. If you have any questions about your rights, please contact your attorney. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice. Fannie Mae is not responsible for the accuracy or completeness of this information. Fannie Mae is not a law firm and does not provide legal advice.

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You may authorize Fannie Mae to release your information to third parties.

Option 9: No release of information

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Privacy Notice
Fannie Mae

If you have questions regarding the privacy policy, please call:
Fannie Mae 1-800-250-2835

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Fannie Mae 1-800-250-2835

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Fannie Mae 1-800-250-2835

Revised May 2013

PROPERTY TRANSFER SERVICES, INC.

Secretary of the Executive Land Transfer Council
 100 N. Peachtree Parkway, Suite 200, Atlanta, GA 30329
 www.PropertyTransferServices.com

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

Meeting Date: 12/18/2024

Prepared by: Jodi Nentwick

Title of Item:

CITY OF STUART VS. LEA AND ROBERT STANCAVICH AND JOSEPHINE STANCAVICH

Address:

1231 SW Nortons Lane
1251 SW Nortons Lane

Code Section:

Description of Violation:

Summary Explanation/Background Information:

ATTACHMENTS:

1. Notice of Hearing and Hand Delivery
2. Draft Order Fine Adjudication 12-18-2024
3. Updated Staff Report December 2024
4. Stancavich Order Adjudicating Fine 2023
5. Stipulation Agreed Order signed by magistrate - Stancavich 1251 SW Nortons Lane
6. Martin County Property Appraiser Card-1231 SW Nortons Lane
7. Martin County Property Appraiser Card-1251 SW Nortons Lane
8. Resolution 69-2024
9. Resolution 103-2024
10. IMG_0226
11. IMG_0227



City of Stuart
Code Enforcement
121 SW Flagler Ave
Stuart FL 34994-2139 (772) 288 5325

AFFIDAVIT OF POSTING

DATE: December 4, 2024

CASE # CE21010007

LOCATION OF VIOLATION: 1251 1231 SW NORTONS LANE

PCN: 08-38-41-033-000-00010-6

PCN: 08-38-41-033-000-00021-0

PROPERTY OWNER: STANCAVICH LEA, STANCAVICH ROBERT J, STANCAVICH JOSEPHINE ROSE

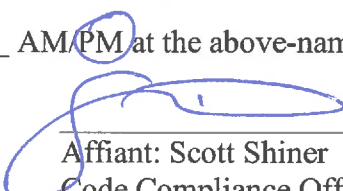
I, Scott Shiner have personally posted the attached:

 X NOTICE OF VIOLATION/NOTICE OF HEARING

 ORDER FINDING VIOLATION/ FINE ASSESSMENT

In addition to the above, a Notice of Violation/Notice of Hearing was mailed by first class mail to the property owner at the address listed in the tax collector's office and any other address provided by the property owner as required by F.S.S. 162.12

on the 4th day of December 2024 at 1:45 AM/PM at the above-named address.



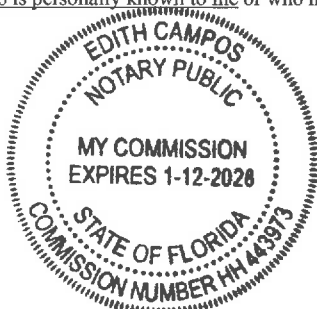
Affiant: Scott Shiner
Code Compliance Officer

THE STATE OF FLORIDA
CITY OF STUART

The foregoing instrument was acknowledged before me this 4th day of December, 2024, by Scott Shiner,

Code Compliance Officer, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath.

(SEAL)





NOTARY PUBLIC State of Florida

**CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE**

Case No.: **CE21010007**

**CITY OF STUART, FLORIDA,
Petitioner,**

v.

**Robert J & Lea Stancavich
Josephine Rose Stancavich
1251 SW Norton Lane
Stuart, FL 34994**

**Robert J & Lea Stancavich
Josephine Rose Stancavich
1231 SW Norton Lane
Stuart, FL 34994**

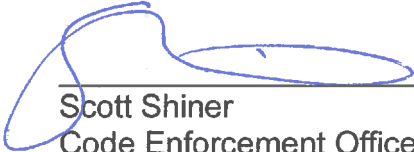
Respondents.

_____ /

NOTICE OF MAGISTRATE HEARING

Please take notice that on **Wednesday** the **18th** day of **December 2024**, at **2:00 P.M.**, in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, FL, 34994, the City will bring on to be heard the Code Enforcement Case No. **CE21010007** before the City's Magistrate pursuant to Chapter 26, Article II of the City of Stuart Code of Ordinances. Please govern yourself accordingly.

I HEREBY CERTIFY that a true copy of this Notice of Hearing was served upon the Respondent by **HAND DELIVERY** on this 4th day of **December, 2024**.



Scott Shiner
Code Enforcement Officer
121 SW Flager Avenue
Stuart, FL 34994
(772) 529-9194



CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE
Case No. 202009007

CITY OF STUART, FLORIDA
Petitioner:
Robert A & Lisa Blumenschein
Charlotte Area, Massachusetts
300 East Norton Lane
Stuart, FL 34994

Respondent:
Robert A & Lisa Blumenschein
Charlotte Area, Massachusetts
300 East Norton Lane
Stuart, FL 34994

NOTICE OF MAGISTRATE HEARING

PLEASE TAKE NOTICE that on Wednesday the 22nd day of December, 2020 at 2:00 P.M. in the City of Stuart, Florida, the City of Stuart, Florida, will bring on to the Court the Code Enforcement Case No. 202009007 against the City of Stuart, Florida, to enforce the Code of the City of Stuart, Florida, and to enforce the Code of the City of Stuart, Florida, and to enforce the Code of the City of Stuart, Florida. Please appear at the hearing.

BY ORDER OF THE CITY OF STUART, FLORIDA
City Clerk
100 East Norton Lane
Stuart, FL 34994
(888) 326-1111



1251

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE
Case No. CE2000007

CITY OF STUART, FLORIDA
Petitioner:
Robert J. & Lee Dancovich
Executive Code Management
1211 SW Harbor Lane
Stuart, FL 34994

Respondent:
Robert J. & Lee Dancovich
Executive Code Management
1211 SW Harbor Lane
Stuart, FL 34994

NOTICE OF MAGISTRATE HEARING

Please take notice that on Wednesday the 12th day of December, 2024, at 2:00 P.M., in the City of Stuart, Community Code Enforcement will hold a public hearing at 1211 SW Harbor Lane, Stuart, FL 34994. The City will bring on its to enforce the Code Enforcement Case No. CE2000007 against the City's a Magistrate pursuant to Chapter 218, Article 5 of the City of Stuart Code of Ordinances. Please appear and state your case.

I HEREBY CERTIFY that a true copy of this notice of hearing was served upon the Respondent by DANIEL DELUXE on the 4th day of December, 2024.

Dan Stone
Code Enforcement Officer
1211 SW Harbor Lane
Stuart, FL 34994
(772) 574-1000

red by
DT
DT.ASA
ADT.com

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No: CE21010007

CITY OF STUART, FLORIDA,

Petitioner,

v.

Robert J & Lea Stancavich
Josephine Rose Stancavich
1251 SW Nortons Ln
Stuart, FL 34994

PCN# 08-38-41-033-000-00010-6
PCN# 08-38-41-033-000-00021-0

Robert J & Lea Stancavich
Josephine Rose Stancavich
1231 SW Norton Lane
Stuart, FL 34994

Respondent(s).

ORDER ADJUDICATING FINE

THIS MATTER came before the Magistrate entry of Final Judgement and Certification of Fine on December 18, 2024, upon proper notice being given and having been fully advised of the circumstances;

FINDINGS OF FACT

1. This matter arises from a Stipulated Order signed by the Respondents. On April 21, 2022, the Magistrate entered an order finding the Respondents violated the stipulated order and directed that a fine in the amount of \$250.00 per day be assessed against the property until such time as the owners have brought the property into compliance. An Order of Fine Certification was entered on August 19, 2022, wherein the Magistrate Ordered the matter to be reset for quarterly status conferences to adjudicate the outstanding fine and monitor the status.

2. This Order does not replace or satisfy the prior orders entered by the Magistrate as set forth below:

- a. August 1, 2021 – April 21, 2022: \$25,000.00
- b. April 22, 2022 – August 19, 2022: \$27,500.00
- c. August 20, 2022 – December 15, 2022: \$29,000.00
- d. December 16, 2022 – March 15, 2023: \$22,250.00
- e. March 16, 2023 – June 21, 2023: \$24,500.00

3. The Magistrate finds the Respondents are not in compliance and the daily fine in the amount of \$250.00 has continued to accrue since June 22, 2023.

4. The Magistrate finds from June 22, 2023, through December 18, 2024, the property was not in compliance for a total of five hundred forty-five (545) days for failure to obtain a permit and complete the construction pursuant to the Consent Order and therefore an additional fine in the amount of \$136,250.00 has accrued.

It is therefore **ORDERED and ADJUDGED** as follows:

A. Pursuant to the Order of Fine Certification entered on August 19, 2022, the Respondent have failed to bring the property into compliance and has been assessed a fine in the amount of \$250.00 per day. Five hundred forty-five (545) days have passed since the last review hearing which results in an additional fine in the amount of \$136,250.00 for the period of time from June 22, 2023, through December 18, 2024.

B. The following fines shall continue to accrue statutory interest until satisfied:

- 1. August 1, 2021 – April 21, 2022: \$25,000.00, plus statutory interest at 4.25% beginning April 22, 2022, until satisfied.
- 2. April 22, 2022 – August 19, 2022: \$27,500.00, plus statutory interest at 4.34% beginning August 20, 2022, until satisfied.
- 3. August 20, 2022 – December 15, 2022: \$29,000.00, plus statutory interest at 4.75% beginning December 16, 2022, until satisfied.
- 4. December 16, 2022 – March 15, 2023: \$22,250.00, plus statutory interest at 5.25% beginning March 16, 2023, plus statutory interest at 5.52% beginning March 16, 2023, until satisfied.
- 5. March 16, 2023 – June 21, 2023: \$24,500.00, plus statutory interest at 5.25% beginning June 22, 2023, until satisfied.
- 6. June 22, 2023 – December 18, 2024: \$136,250.00, plus statutory interest at 5.52% beginning December 19, 2024, until satisfied.

C. Pursuant to City Code provisions, the City Attorney is hereby authorized to file a legal action in a court of component jurisdiction to foreclose on the lien on the subject property

and to seek all accruing interest and costs or recover a money judgement in the total amount of \$264,500.00 plus accrued interest as set forth above as of December 18, 2024.

DONE and ORDERFED this ____ day of December, 2024.

Paul J. Nicoletti, Magistrate

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

**CITY OF STUART
OFFICE OF THE CITY ATTORNEY**



MEMORANDUM 2024

STAFF REPORT REGARDING 1251 & 1231 SW NORTONS LANE

SUMMARY: This staff report is generated as an addendum to the March 2023 Magistrate Hearing to supplement the Agenda Item and provide a detailed history of the events.

HISTORY

In October 2015, Mr. Stancavich applied for a variance to the City of Stuart Board of Adjustment asking for a reduction of certain setbacks required by City Code. If the setback reductions were granted, Mr. Stancavich claimed that he would have enough land to subdivide it into two legal parcels. However, the house he wanted to build on the vacant lot was over 3,000 square feet and he needed a variance based upon its design. Mr. Stancavich was not requesting a variance, reducing or changing the minimum lot size or granting a lot split, and assigning a new parcel ID for a non-conforming lot. The application specifically stated that it was a request for *a front setback reduction to 15 feet for an existing residence and an inland buffer requirement of 8 feet with an average of 15* where a minimum of 50 is required. According to the agenda item, if these variances were granted, it would *allow him to split his land into two lots and construct a new single-family home on the second lot*. The Board of Adjustment did not address the legal size or requirements of the lots. The board of adjustment hearing was limited to the buffer and setback reduction requests. The report stated that the variance was required *“to allow for an existing single-story on the proposed Lot 1 after a legally dimensioned lot split; ...*

The Justification Letter attached to the Variance Application stated that the owner would seek the subdivision of the parcels at a later date. The City of Stuart does not subdivide parcels. The subdivision or assignment of a new parcel ID is performed by the Martin County Property Appraiser.

The application was submitted in October as a prospective purchaser, but the hearing took place on December 9, 2015. Mr. Stancavich closed on the property on November 24, 2015, and was the owner at the time of the hearing. It is unknown what disclosures were made between the seller of the property and the potential buyer at that time of sale, but the transaction closed as a single parcel. It is also unknown if Mr. Stancavich obtained Title Insurance or performed a Title Search of the property prior to purchase or before applying to the Board of Adjustment for the variance. If Title insurance was issued or a title search was performed, Mr. Stancavich was aware of three separate deed restrictions recorded on the

1251 NORTON'S WAY

MARCH 3, 2023

UPDATED DECEMBER 10, 2024

property preventing its subdivision. When the closing occurred (prior to the Board of Adjustment Hearing), the property was transferred by Warranty Deed. A Warranty Deed is a transfer free from encumbrances other than those specifically disclosed. The variance granting the setbacks has been recorded and Mr. Stancavich is entitled to rely on those setbacks.

The Board of Adjustment granted the variance request. The original Order approving the variance requests included a condition added by the Board of Adjustment which required Mr. Stancovich to complete the construction no later than January 2017. The procedure when a board adds additional terms at the hearing is to include an acceptance line for the applicant to sign prior to the execution of the Order. The order was provided to Mr. Stancavich for his signature following the hearing but was not returned to the City and therefore not rendered or recorded. It appears that the City staff failed to track or diary the order.

In December 2016, an agent of Mr. Stancavich contacted Stephen Mayer in the Development Department via email regarding the matter, and for unknown reasons, Stephen Mayer agreed to modify the Order without another board meeting. The new order only required Mr. Stancavich to obtain a permit for construction before December 9, 2016, or the Order was void. It should be noted that during the entire year following the Board of Adjustment hearing, Mr. Stancavich never approached the City about the subdivision of the property. Upon receipt of the email from Mr. Mayer at the City, Mr. Stancavich pulled a permit as an owner-builder to build a home on his original parcel located at 1251 Norton's Way before December 9, 2016. However, again Mr. Stancavich did not sign the Variance Order and return it and as a result, it was again neglected and remained unrecorded.

When the matter came to the attention of the City Attorney in March 2022, the first response was that the staff did not have the legal authority to modify the order. However, after consulting with counsel for Mr. Stancavich as well as research, the City attorney recommended that the City honor the representation by Mr. Meyer because had it been recorded back in 2016, it would not be 6 years old. In addition, Mr. Stancavich began construction based on the site plan included in the order, and the structure was located in the buffer where the variance had been granted. As a result, the modified Order requested by Mr. Stancavich was entered and rendered by the City Clerk. The modified Order granted the setback and buffer changes requested by Mr. Stancavich and remains in full force and effect because it did not expire.

In February 2021: Mr. Stancavich entered a Stipulation and Order regarding multiple code matters. The Stipulated Order agreed that the windows would be complete, the roof would be complete and inspected and the entire outside of the house would be complete prior to July 2021. In February 2022, the property was violated for failure to comply with the stipulated order. In the March 2022 hearing, the City learned that Mr. Stancavich had never subdivided the parcels to create a legal parcel for the second home to be constructed. Pursuant to the City Comprehensive Plan, a permit cannot be issued for two houses on one lot unless the second house meets the criteria of an accessory dwelling unit. The permit issued to Mr. Stancavich expired and the second house remains in disrepair and unfinished after being under construction for almost seven (7) years.

In April 2022: the Magistrate entered a final order adjudicating a fine of 25,000.00 dollars which was a reduction of more than \$100,000.00 of the accrued fines. In addition, the Order ratified the \$250.00 per day fine but suspended same until May 20, 2022, allowing the respondent to bring the subject property into compliance. The Order further states that in the event the Respondent fails to comply by May 20,

1251 NORTON'S WAY

MARCH 3, 2023

UPDATED DECEMBER 10, 2024

2022, a fine of \$250.00 per day will continue to accrue from April 22, 2022, until the property is in compliance.

At the time of this report was drafted, the Respondent had removed a trailer from being stored on the property which was part of the original proceeding. However, there is no open permit on the property. Electricity was temporarily granted as part of the permit, but it remains on even though the permit is long since void. In addition, the Respondent is using the structure without a certificate of occupancy by storing his office equipment inside. There is no roof on the structure and not all of the windows have been installed. This can create dangerous conditions during hurricane season. Until such time as the Owner subdivides the lots, the structure under construction is illegal and non-conforming. The City is honoring the variances granted in 2015 but they were conditioned on representations by Mr. Stancavich which have not been fulfilled.

TIMELINE

October 2015: Application to Board of Adjustment for variance granting setback variances.

December 2015: The Board of Adjustment grants variance with the requirement construction of a new structure that would impact the original buffer zone to be constructed by January 2017 or Variance Order is void. For reasons unknown, Mr. Stancavich never signed the acceptance line on the Order nor returned it and therefore it was not rendered or recorded.

December 2016: The agent of Stancavich emails Mr. Meyer objecting to language requiring completion by the end of December 2016 and the email discussed the variance order with the deadline which demonstrates that Mr. Stancavich and his consultant were in possession of the order and aware of the condition. For reasons unknown the land planner modified the order and changed the conditional language to state that Mr. Stancavich needed to pull a permit by December 9, 2016, instead of completing the entire construction project or the Variance would be void. Mr. Stancavich immediately pulled a permit but again did not sign the order and as a result, it was not rendered or recorded.

2017-2020 – Mr. Stancavich – acting as an owner-builder very slowly worked toward constructing the house. The City did not notice that the Board of Adjustment Order had not been recorded because the permit for construction had already been issued and the buffer inspections were completed initially. In addition, the variance order does not have any impact on the matters pending before the code enforcement magistrate. It is essentially a distraction created to defer responsibility.

February 2021: On February 18, 2021, the Magistrate entered a Stipulation signed by Mr. Stancavich which included several deadlines for completion of certain work.

February 2022: Mr. Stancavich was noticed for hearing for Violation of the Stipulated Order.

March 2022: Mr. Stancavich raised the issue of the variance and claimed that it provided relief that was not being considered. Because the city did not have the order, the matter was continued until April.

April 2022: A final order on the code enforcement violation was rendered by the magistrate. The evidence presented included a fine of more than \$150,000 accrued based upon the conditions in the

1251 NORTON'S WAY

MARCH 3, 2023

UPDATED DECEMBER 10, 2024

stipulated order and that the property remained in disrepair without a permit or any construction activity taking place. In addition, evidence was presented that Mr. Stancavich was using the new structure without a certificate of occupancy; that the electricity remained on in the new structure; that he was storing business files, furniture, and equipment in the structure; and that the roof, windows and exterior of the structure were not finished per the Order from a year prior. The magistrate entered a Final Order in the amount of \$25,000. In addition, the Order ratified the \$250.00 per day fine but suspended same until May 20, 2022, allowing the respondent to bring the subject property into compliance. The Order further states that in the event the Respondent fails to comply by May 20, 2022, a fine of \$250.00 per day will continue to accrue from April 22, 2022, until the property is in compliance.

August 2022: The City is seeking to adjudicate the balance of any fines that have accrued since the April hearing. It has been approximately 120 days. The specific number will be determined at the hearing. Based upon the Final Order, the City is seeking another Judgment to be recorded in the amount of \$250.00 per day for 120 days for a total of \$30,000.00. The is also seeking a finding from the magistrate for the following violations:

1. Non-conforming structure on property without an active building permit. \$100.00 per day fine.
2. Electricity on in structure/ using structure without a certificate of occupancy. \$100.00 per day.
3. Furniture, equipment, and miscellaneous being stored inside the structure/ additional use without a certificate of occupancy. \$100.00 per day fine.
4. Utility trailers and a tractor stored on site – must be on a hardened surface. Seeking 30 days to rectify.
5. Compliance with Stipulation and Final Order entered on April 22, 2022.
 - a. No Roof Sheathing or tie-down inspection was performed. \$100.00 per day fine.
 - b. Windows and doors must be installed by July 2021. \$100.00 per day.
 - c. Outside of home and shell must be complete by July 2021. \$100.00 per day.

The City is seeking six (6) separate fines in the amount of \$100.00 per day. This will allow Mr. Stancavich to reduce the outstanding fine for each segment completed rather than having one amount contingent upon the completion of everything. If he disconnects the electricity, that fine will terminate. If he removes the furniture and equipment that fine will terminate. If he obtains a permit, that fine will cease.

The Respondent will have the ability to call for inspections and remove each fine as soon as the work is complete for that item. For example, if he pulled a permit next week, then fines 1, 2, and 3 would stop that day. Once he called for an inspection on the roof sheathing, that fine would terminate.

December 15, 2022: On August 22, 2022, the City Magistrate adjudicated an additional fine in the amount of \$29,750.00 for the penalties that accrued from April 22, 2022, until August 19, 2022. On August 19, the Magistrate also assessed costs in the amount of \$450.00 through August 19, 2022. In addition, the Magistrate affirmed that the fine in the amount of \$250.00 per day should continue until the property owner brings the property into compliance.

The Magistrate also scheduled a status conference for September 16, 2022. On September 16, the magistrate noted that the Owner had elected to seek Board of Adjustment relief or in the alternative submit alternative plans and obtain a building permit (and begin construction) for one single-family home on the single parcel.

Following the Code Enforcement Hearing on September 16, 2022, the Respondent sent emails to the City depicting flooding after a heavy rain that may or may not be related to the removal of a swale on his property. The drainage easement was not modified by the City and no permit was issued for its modification.

December 13, 2022: After the Notice for Hearing was delivered for December 16, 2022, Code Enforcement Hearing, the Respondent sent an email with a draft application for a building permit with other documents including a letter from an engineer that said it had been hired to “provide assistance updating of an existing permit”. The City responded to the Owner and explained that he must obtain a permit by submitting a complete application with all of the necessary supporting documents as well as the standard application fee. It should be noted that the City is not even charging the penalty cost for an after-the-fact permit that would normally be charged. As of 2:30 p.m. on December 15, 2022, the application for a permit has not been submitted to the City and the Code Hearing is set for December 16, 2022. A review of the history in this case shows that the exact same thing happens two or three days before every code enforcement proceeding and then the owner acts like he is confused and claims that he will resolve the issue immediately but then takes no action until the next notice is received. The fine at a rate of \$250.00 per day from August 22, 2022, until December 16, 2022, is 116 days or \$29,000.00. The Total fine up until August 22, 2022, is \$54,750.00. If the \$29,000 is added by the magistrate, the total fine will become \$83,750 but the Judgments are being recorded separately to make it easier to calculate interest and track specific compliance.

December 16, 2022: The status Conference was held during the regularly scheduled Code Enforcement hearing on December 16, 2022. The magistrate entered a six (6) page order adjudicating a total fine in the amount of \$83,750.00. The order also set the item for a status conference on January 18, 2023.

January 2023: On January 18, 2023, there was a status conference held. Mr. Stancavich informed the City that he hired an architect and was moving in a different direction. He stated that he was going to stop pursuing the lot split and simply build one house on the parcel by combining the structures. At the time of the Status hearing, the property was not in compliance with the City codes and did not have an active building permit. The owner stated that he would be seeking a building permit for a single family residential lot on a single parcel.

January 30, 2023: On January 30, 2023, the City sent a letter to Mr. Stancavich in an attempt to address his intention to seek a building permit for one home. The letter included a list of minimum criteria that were necessary for the City to properly review its submittal due to the amount of time that had passed since the permits were originally obtained (2016). The requirements included a new survey, new architectural drawings based on the current building code, new flood elevations, and a legal opinion related to his intention to place a structure over an area that was reserved for a drainage easement. It also requested a stormwater plan for the entire parcel as well as a response to the dry retention pond that was depicted on the southeast corner of the parcel.

1251 NORTON'S WAY

MARCH 3, 2023

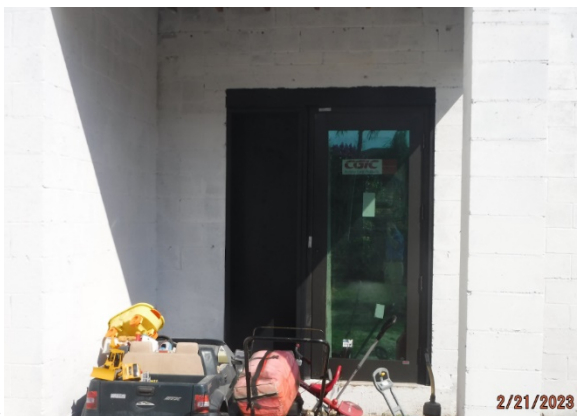
UPDATED DECEMBER 10, 2024

Paragraph six (6) of the letter stated that Time was of the Essence and that Mr. Stancavich would need to execute a consent order with the City no later than February 8, 2023, or the proposal would be withdrawn.

February 2023: The property owner did not execute a new consent order with the City. In addition, during the month of February, the City was notified that there was work taking place on the property without a permit. Upon investigation, the City was able to determine that Mr. Stancavich installed windows and a door and in addition acknowledged that he had done some “grading” of the property. The lien in the amount of \$250.00 per day has continued to run since December 16, 2022. Mr. Stancavich did submit an application for a permit, but it was failed by the Development Department because it was incomplete and was not in compliance with the City Code or the Board of Adjustment variance order that had been granted in 2015.

March 2023: – during the first week of March 2023, multiple property owners in the immediate vicinity of the property contacted the City to inquire about the status. Concerns raised by the neighbors included but were not limited to issues related to the compatibility of a house made up of connecting two houses together; the basis for the variance was to build two residences and the neighbor stated that they would have objected to the variance if it were just for the merging of the two houses into one; flooding problems that occur whenever it rains because (according to the neighbors) Mr. Stancavich filled in the drainage easement and put pavers across the driveway. Prior to his intervention, the property drained into Poppleton Creek. There were also concerns about building without a permit, operating a business in the house that was under construction; installing a fence backward, and an overall dissatisfaction with the length of time that has passed and the fact that he is no longer following the spirit of the original Board of Adjustment approval that was based upon his representation of a lot split.

March 15, 2023: the matter is set for a quarterly status conference to adjudicate the lien that has accrued since the last Order. The last order was entered by the Magistrate on December 16, 2023. December 16 until March 15 (not including March 15) is 89 days. The lien is accruing at a rate of \$250.00 per day. Multiplied by 89 days is \$22,250.00. The prior cumulative total was \$83,750.00. The total amount outstanding as of March 15, 2023, is \$106,000.00. The city is seeking the entrance of another judgment in the amount of \$22,500.00 which does not even address the installation of the windows and door without a permit. The City is not currently seeking an additional fine for the windows or doors. It is simply included to provide information.



1251 NORTON'S WAY

MARCH 3, 2023

UPDATED DECEMBER 10, 2024

Due to the nature of the project and the response from the neighborhood, staff does not believe it will be able to issue a building permit without the applicant seeking a variance from the Board of Adjustment Order or a Development Order from the City Commission.

June 15, 2023: - Since March there has been additional compliance regarding non-compliance and added debris on the property. As of June 14, 2023, the Code Enforcement Department inspected the site and photographed the same. The outside of the house is in compliance and all construction material and other debris have been properly removed. However, the Respondent remains in violation of the Consent Decree and has failed or refused to obtain a permit and complete the construction of the house. The structure remains in a condition of disrepair. The Respondent has not filed an application for a building permit and has failed to do any work on the structure. The lien is accruing at a rate of \$250.00 per day. From March 16 until June 21, 2023, 97 days multiplied by \$250.00 per day is a total amount of \$24,250.00.

July 22, 2024: the City of Stuart City Commission adopted Resolution Number 69-2024 to release the unity of title for Lots 1 and 2 of the January 1988 Norton's Landing Plat. Mr. Stancavich claims that he was not aware of three (3) separate Deed Restrictions recorded as Unity of Titles on the Property. The first was recorded in 1989 and recorded in 1991 and superseded and replaced the original. The Resolution was conditioned upon the Owner/Applicant's performance of the following: (a) completing the process of separating from Owner/Applicant's homestead with its own parcel identification number prior to August 30, 2024; (b) submitting a complete application for a building permit for the single-family home under construction on the Property prior to August 22, 2024; (c) completing construction of the exterior of the single-family home described in the permit, including landscaping and addressing stormwater issues to the satisfaction of the City Building Official, prior to July 22, 2025; and d) post a bond acceptable in the amount of \$25,000.00 to cover the costs of demolition of the single-family home under construction on the Property in the event that the Owner/Applicant fails to comply with the aforementioned conditions.

August 22, 2024: Mr. Stancavich submitted a building as an owner/builder via electronic permit system at 5:28 PM. The Building Official, Lou Hatten reviewed the permit application for completeness and deemed the submittal incomplete. On September 17, 2024, Mr. Stancavich requested based on the additional documents provided. Again on October 13, 2024, the application was still deemed incomplete. As of the December 11, 2024, the date this report was prepared, Mr. Stancavich is not in compliance with the conditions outlined in Resolution 69-2024.

September 23, 2024: the City of Stuart City Commission adopted Resolution Number 103-2024 finding the Applicant/Owner, Robert Stancavich's failure to comply with certain required conditions set forth in the prior Resolution Number 69-2024 (b) submit a complete application for a single-family home under construction on the property prior to August 22, 2024; and d) post a bond acceptable to the City in the amount of \$25,000.00 to cover the costs of demolition of the single-family home under construction on the Property in the event the Owner/Applicant fails to comply with the aforementioned conditions. The City Commission granted sixty (60) days, the City Staff shall take appropriate action to foreclose on non-homesteaded property.



Inst. # 3024715
Bk: 3384 Pg: 730 Pages: 1 of 2
Recorded on: 7/6/2023 4:04 PM Doc: ORD
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$18.50

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No: CE21010007

CITY OF STUART, FLORIDA,

Petitioner,

v.

Robert J. & Lea Stancavich
Josephine Rose Stancavich
1251 SW Nortons Ln
Stuart, FL 34994

Respondent(s).

STATE OF FLORIDA
COUNTY OF MARTIN

I, the undersigned, duly appointed City Clerk of the
City of Stuart, Florida, HEREBY CERTIFY that this is
a true and correct copy of the original.

Signature: May R. Kirdel
CITY CLERK

DATE: 6/28/2023

PCN# 08-38-41-033-000-00010-6

ORDER ADJUDICATING FINE

THIS MATTER came before the Magistrate upon entry of Final Judgment and Certification of Fine on June 21, 2023, upon proper notice being given and having been fully advised of the circumstances;

FINDINGS OF FACT

1. This matter arises from a Stipulated Order signed by the Respondents. On April 21, 2022, the Magistrate entered an order finding the Respondents violated the stipulated order and directed that a fine in the amount of \$250.00 per day be assessed against the property until such time as the owners have brought the property into compliance. An Order of Fine Certification was entered on August 19, 2022, wherein the Magistrate Ordered the matter to be reset for quarterly status conferences to adjudicate the outstanding fine and monitor the status.

2. This Order does not replace or satisfy the prior orders entered by the Magistrate as set forth below:

- a. August 1, 2021 – April 21, 2022: \$25,000.00
- b. April 22, 2022 – August 19, 2022: \$27,500.00
- c. August 20, 2022 – December 15, 2022: \$29,000.00
- d. December 16, 2022 – March 15, 2023: \$22,250.00

3. The Magistrate finds that the Respondents are not in compliance and the daily fine in the amount of \$250.00 has continued to accrue since March 16, 2023.

4. The Magistrate finds from March 15, 2023, through June 21, 2023, the property was not in compliance for a total of ninety-seven (97) days for failure to obtain a permit and

complete the construction pursuant to the Consent Order and therefore an additional fine in the amount of \$24,250.00 has accrued.

It is therefore **ORDERED and ADJUDGED** as follows:

A. Pursuant to the Order of Fine Certification entered on August 19, 2022, the Respondents have failed to bring the property into compliance and has been assessed a fine in the amount of \$250.00 per day. Ninety-seven (97) days have passed since the last review hearing which results in an additional fine in the amount of \$24,250.00 for the period of time from March 16, 2023, through June 21, 2023.

B. The following fines shall continue to accrue statutory interest until satisfied:

1. August 1, 2021 – April 21, 2022: \$25,000.00, plus statutory interest at 4.25% beginning April 22, 2022, until satisfied.
2. April 22, 2022 – August 19, 2022: \$27,500.00, plus statutory interest at 4.34% beginning August 20, 2022, until satisfied.
3. August 20, 2022 – December 15, 2022: \$29,000.00, plus statutory interest at 4.75% beginning December 16, 2022, until satisfied.
4. December 16, 2022 – March 15, 2023: \$22,250.00, plus statutory interest at 5.52% beginning March 16, 2023, until satisfied.
5. March 16, 2023 – June 21, 2023: \$24,500.00, plus statutory interest at 5.52% beginning March 16, 2023, until satisfied.

C. Pursuant to City Code provisions, the City Attorney is hereby authorized to file a legal action in a court of competent jurisdiction to foreclose on the lien on the subject property and to seek all accruing interest and costs or recover a money judgment in the total amount of \$130,500.00 plus accrued interest as set forth above as of June 21, 2023.

DONE and ORDERED this 28th day of June, 2023.



Wendy H. Werb, Magistrate

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

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No. CE21010007

CITY OF STUART, FLORIDA,
Petitioner,
v.

PCN: 083841033000000106

Lea and Robert Stancavich
Josephine R. Stancavich
1251 SW Nortons Lane
Stuart, FL 34994

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 person(s) 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 do exist at the property described therein. A true and accurate copy of the Notice is attached hereto as ***Exhibit "A."***
3. The legal description of the real property is attached hereto as ***Exhibit "B."***
4. The Respondents are granted until **July 31, 2021**, to take the necessary corrective actions to bring the property into compliance with the cited sections of the City of Stuart Code of Ordinances, Florida Building Code, as applicable, as fully described in the Notice of Hearing/Notice of Violation and the Work Schedule attached hereto as ***Exhibit "C."***
5. If the Respondents do not correct the violations(s) and bring the property into compliance as set forth in Section 4 above, **the permit will be expired. A new permit will have to be applied for based upon current building codes. Fines and costs may result in a lien being placed on any real or personal property owned by Respondents.**
6. 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 will be sent. Additional costs may be assessed for the later prosecution of this case, if the Respondents fail to comply with this Stipulation.

7. The Respondents approve this Stipulation, and request the Magistrate enter the Agreed Order which requires the Respondents to correct the violations and bring the property into compliance, or be liable for the fines and additional costs described above.
8. **The Respondents bear the burden of contacting the City's Code Enforcement Division at 772-600-1254 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: Vito Longo

Date: 2/17/2021

RESPONDENT(S)

By: Robert Stancavich

By: [Signature]

Date: 2/17/21

AGREED ORDER

THIS MATTER came before the Magistrate on FEBRUARY 18, 2021, 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 Respondents 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.

[Signature]
Paul J. 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 02, 2021

STANCAVICH LEA
1251 SW NORTONS LN
STUART, FL 34994

Case #: CE21010007

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: 1251 SW NORTONS LN
PARCEL ID #: 0838410330000001060000

OBSERVATION DATE: 01/05/21
CORRECTION DATE: 02/12/2021

VIOLATION(S)
AND
CORRECTIVE
ACTIONS:

10-61 (j) (2)
No accumulation or storage shall be located within any required front yard, side yard or carport that is visible from public view
10-34
The contractor and owner have not provided a dumpster to keep the work site clean
10-69(B)(3)
Commercial Vehicles parking prohibited on residential property
Correction: 10-61 (j) (2)
Remove outdoor storage
10-34
Clean site and provide dumpster for future debris
10-69(B)(3)
Remove commercial vehicles

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 **02/18/2021 at 10:00AM** 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.

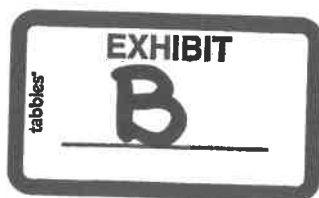
Should you require additional information regarding this notice, please contact the Code Enforcement Division at (772) 288-5325 or (772) 600-1254.


Code Enforcement Officer
Chalimar Gregory / Vito Lorenzo / Deborah Carrasco

2019 2970 0001 7698 2590
Certified Mail #



Lots 1 and 2, Norton's Landing, according to the Plat thereof, recorded in Plat Book 11, Page(s) 7, of the Public Records of Martin County, Florida.



Work Schedule For 1251 SW Norton's Lane, #16120107

2/17/2021

Work Performed	Approximate Date Completed
Fill The Second Floor Cells	Schedule Within 14 Days From Now
Install Second Floor Roof Trusses	After Cells Poured
Roof Sheathing and Tie Down Inspection	After Trusses Up & Sheathing In Place
Roof	After Passing Inspection
Windows & Doors	April - May 2021
Shell Completed	June - July 2021 Outside Completed





CITY EXHIBIT D

Basic Info

PIN 08-38-41-033-000-00010-6	AIN 25788	Situs Address 1231 SW NORTONS LN STUART FL	Website Updated 12/10/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners

STANCAVICH LEA
STANCAVICH ROBERT J
STANCAVICH JOSEPHINE ROSE
+ [Show additional owners](#)

Parcel ID

08-38-41-033-000-00010-6

Use Code/Property Class

0000 - 0000 Vacant Residential

Account Number

25788

Neighborhood

393840 Casa Terrace Creekfront

Mailing Address

1251 SW NORTONS LN
STUART FL 34994

Property Address

1231 SW NORTONS LN STUART FL

Legal Acres

0.28

Tax District

STUART

Legal Description

LOT 1 NORTON'S LANDING PB 11/07 MARTIN C...

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
2024	\$ 80,000	\$ 0	\$ 80,000	\$ 33,455	\$ 46,545	\$ 0	\$ 46,545

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

11/24/15

Sale Price

\$ 350,000

Grantor (Seller)

SIGNORE TONYA L

Deed Type

Wd Full Covenant and Warranty Deed

Doc Num

2549338

Book & Page

2824 0816

Legal Description

LOT 1 NORTON'S LANDING PB 11/07 MARTIN CO (UNITY OR 1721/2999 RELEASED OR 3415/2657)

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

Basic Info

PIN 08-38-41-033-000-00021-0	AIN 1130270	Situs Address 1251 SW NORTONS LN STUART FL	Website Updated 12/10/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners

STANCAVICH LEA
STANCAVICH ROBERT J
STANCAVICH JOSEPHINE ROSE
+ Show additional owners

Parcel ID

08-38-41-033-000-00021-0

Use Code/Property Class

0100 - 0100 Single Family

Account Number

1130270

Neighborhood

393840 Casa Terrace Creekfront

Mailing Address

1251 SW NORTONS LN
STUART FL 34994

Property Address

1251 SW NORTONS LN STUART FL

Legal Acres

0.17

Tax District

STUART

Legal Description

LOT 2 NORTON'S LANDING PB 11/07 MARTIN C...

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
2024	\$ 275,000	\$ 240,980	\$ 515,980	\$ 238,320	\$ 277,660	\$ 50,000	\$ 227,660

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 N/A	Grantor (Seller) N/A	Doc Num N/A
Sale Price N/A	Deed Type N/A	Book & Page N/A

Legal Description

LOT 2 NORTON'S LANDING PB 11/07 MARTIN CO (UNITY OR 1721/2999 RELEASED OR 3415/2657)

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 69-2024

**A RESOLUTION OF THE CITY COMMISSION
OF THE CITY OF STUART, FLORIDA
RELEASING A UNITY OF TITLE FOR LOTS 1
AND 2 OF THE JANUARY 1988 NORTON'S
LANDING PLAT, PROVIDING AN
EFFECTIVE DATE, AND FOR OTHER
PURPOSES.**

WHEREAS, in 2015, the Applicant, Robert Stancavich, filed an Application for a Variance from the Board of Adjustment; and

WHEREAS, the Parcel is located on the northernmost part of Norton's Lane and represents Lots 1 and 2 of the Norton's Landing Subdivision, with Poppleton Creek to the northeast and Village Oaks Condominiums to the west; and

WHEREAS, the Board of Adjustment Staff Report specifically stated that the Public Works Department would require details of the construction to ensure there are no issues of stormwater run-off in relation to the Property and its surroundings during the building permit stage in the process. The Applicant will be subject to a detailed plan review at the time when a site and construction permit is submitted to the Building Department for the development of the site as a single-family residence; and

WHEREAS, during the Board of Adjustment Hearing, the Applicant provided verbal testimony indicating that he would split the Lot into two (2) legally dimensioned Lots, conditioned upon the granting of the Variance request. The Board of Adjustment granted the request in 2015 but the Owner/Applicant did not file for a lot split or parcel separation; and

WHEREAS, the Applicant has now come to the City and claims that he was not aware of three (3) separate Deed Restrictions recorded as Unity of Titles on the Property. The first was recorded in 1989 and the second was recorded in 1991 and superseded and replaced the original.

Resolution No. 69-2024; Release of Unity of Title – 1251 SW Nortons Lane

The third Unity of Title was recorded in favor of the County. In November, 2023, the County approved Resolution 23-11.13 releasing the 2003 Unity of Title; and

WHEREAS, the Unity of Title restricting the land appears to have included Lots 1, 2, and 3, however, Lot 3 has been developed into a single-family home and is under separate ownership; and

WHEREAS, the Applicant has been constructing a single-family home on the Property for approximately eight (8) years and now claims that a Release of the Unity of Title is necessary for him to create the separate parcel and obtain a separate parcel identification number which is necessary to obtain a building permit and certificate of occupancy; and

WHEREAS, the Owner/Applicant of Lots 1 and 2 has represented to the City that if the City Commission releases the Unity of Titles, he will immediately create a separate legal-size parcel through the Martin County Property Appraiser's Office; and

WHEREAS, it is in the best interest of the residents of Stuart for the City to release the Unity of Titles on the Property conditioned upon the Owner immediately dividing Lots 1 and 2 into two (2) separate and distinct parcels with separate parcel identification numbers. Further, the best interests of the residents of Stuart will only be served if the Owner of the partially built structure on Lot 2 completes the Property to the extent that the stormwater, outside landscaping and exterior shell of the Property are complete within a reasonable amount of time.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: This Resolution is conditioned upon the Owner/Applicant's performance of the following: (a) completing the process of separating the Property into two (2) separate parcels and creating a new legal lot separate from Owner/Applicant's homestead with its own parcel identification number prior to August 30, 2024; (b) submitting a complete application for a building permit for the single-family home under construction on the Property prior to August 22, 2024; (c) completing construction of the exterior of the single-family home described in the permit, including landscaping and addressing stormwater issues to the satisfaction of the City Building Official, prior to July 22, 2025; and d) post a bond acceptable to the City in the amount of \$25,000.00 to cover the costs of demolition of the single-family home under construction on the Property in the event that the Owner/Applicant fails to comply with the aforementioned conditions.

SECTION 2: The Unity of Title recorded in Official Record Book 0880 Page 1113, of the Public Records of Martin County, Florida, attached hereto as **Exhibit "A"** is hereby released conditioned upon the Owner/Applicant's compliance of the conditions listed hereinabove in SECTION 1.

SECTION 3: The Unity of Title recorded in Official Record Book 0912 Page 2002, of the Public Records of Martin County, Florida, attached hereto as **Exhibit "B"** is hereby released conditioned upon the Owner/Applicant's compliance of the conditions listed hereinabove in SECTION 1.

SECTION 4: This Resolution shall be recorded in the Public Records of Martin County.

Resolution No. 69-2024; Release of Unity of Title – 1251 SW Nortons Lane

SECTION 5: This resolution shall take effect upon adoption.

Commissioner MCDONALD offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner COLLINS and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, MAYOR
CAMPBELL RICH, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
TROY MCDONALD, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
Y			
Y			
		ABSENT	
Y			
Y			

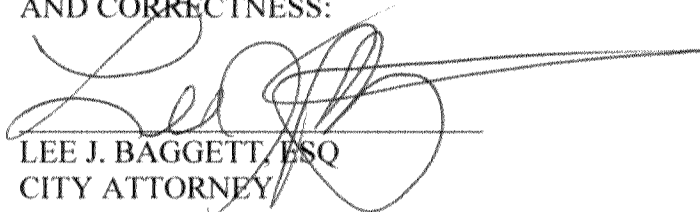
ADOPTED this 22nd day of July, 2024.

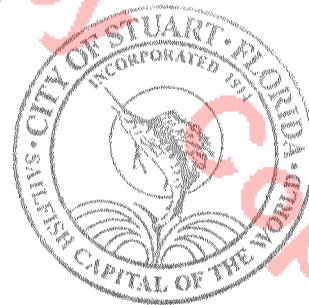
ATTEST:


MARY R. KINDEL, MMC 7/24/2024
CITY CLERK


REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


LEE J. BAGGETT, ESQ
CITY ATTORNEY



RECORDED & INDEXED

EXHIBIT "A"

852514

UNITY OF TITLE

In consideration of approval by the City of Stuart for the construction of a multi-family project in the City's jurisdiction known as Norton's Landing and for other good and valuable consideration, the undersigned property owner hereby agrees to restrict the use of said property described as:

See attached Exhibit "A"

in the following manner:

1. Said property shall be considered as one plot and parcel of land and no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, her heirs and assigns until such time as the same may be released in writing by the City of Stuart.
3. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

Signed, sealed, executed, and acknowledged on this 22 day of August, 1989.

WITNESSES:

Patricia A. Owens

Angel Koger

Fran Norton
FRAN NORTON

STATE OF FLORIDA
COUNTY OF MARTIN

I HEREBY CERTIFY that on this 22 day of August, 1989, before me personally appeared Fran Norton, to me known to be the person described in and who executed the foregoing instrument, and she acknowledged to me the execution thereof to be her free act and deed for the uses and purposes therein mentioned.

WITNESS my signature and official seal in the County and State aforesaid, the day and year last aforesaid.

Lois M. Riter
NOTARY PUBLIC

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: DEC. 10, 1991.
BORNED: THRU NOTARY PUBLIC UNDERWRITERS

H179MS01

3R0X0800PG1113

DESCRIPTION

Lots 13, 24 and a portion of Lots 10, 11, 12, 14 and 23, Block 3, INDIAN GROVES SUBDIVISION as recorded in Plat Book 1, Page 37, Martin County, Florida public records being more particularly described as follows: Begin at the Southeast corner of said Lot 24; thence West along the South line of said Lots 23 and 24 a distance of 82.72 feet; thence North $0^{\circ} 08' 59''$ East a distance of 134.86 feet; thence North $89^{\circ} 58' 38''$ West a distance of 88.71 feet; thence North a distance of 90.11 feet to an intersection with a line lying 5 feet North of and parallel with the North line of said Block 3; thence East along said line a distance of 197 feet more or less to the Platted line of Poppleton Creek; thence Southeasterly along said line a distance of 55 feet more or less to a Point; said Point being on a bearing of North $39^{\circ} 27' 20''$ East from the Northeast corner of said Lot 24; thence South $39^{\circ} 27' 20''$ West a distance of 110 feet more or less to said Northeast corner of Lot 24; thence South $0^{\circ} 32' 40''$ East a distance of 110 feet to the Point of Beginning.

FILED FOR RECORD
 OCT 24 PM 3:42
 CLERK OF CIRCUIT COURT
 BY 58-100

Exhibit "A"

OROKO 8 3 0 PG 114

EXHIBIT "B"

RECORD VERIFIED

891380**UNITY OF TITLE**

In consideration of approval by the City of Stuart for the construction of a multi-family project in the City's jurisdiction known as Norton's Landing and for other good and valuable consideration, the undersigned property owner hereby agrees to restrict the use of said property described as:

See attached Exhibit "A"

in the following manner:

1. Said property shall be considered as one plot and parcel of land and no portion of said plot and parcel of land shall be sold, transferred, devised or assigned in any other unit except in its entirety, provided however that fully constructed residential units may be conveyed to individual purchasers.
2. The undersigned agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, her heirs and assigns until such time as the same may be released in writing by the City of Stuart.
3. The undersigned agrees that this instrument shall be recorded in the Public Records of Martin County and shall supersede, in all respects, that Unity of Title previously recorded against said property, dated the 2nd day of August, 1989 and recorded in Official Record Book 280, Page 113 of the Public Records of Martin County, Florida.

Signed, sealed, executed, and acknowledged on this 19th day of June, 1991.

WITNESSES:

Linda K. McEann
Deborah L. Hodge

FRAN NORTON
FRAN NORTON

APPROVED:

Preston T. Everett, Jr.
Preston T. Everett, Jr.
City Attorney, City of Stuart
121 S.W. Flagler Avenue
Stuart, Florida 34994

RECORDED 12 JUN 2002

STATE OF FLORIDA
COUNTY OF MARTIN

I HEREBY CERTIFY that on this 19th day of June, 1991, before me personally appeared Fran Norton, to me known to be the person described in and who executed the foregoing instrument, and she acknowledges to me that the execution thereof to be her free act and deed for the uses and purposes therein mentioned.

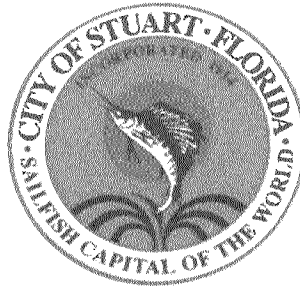
WITNESS my signature and official seal in the County and State aforesaid the day and near last aforesaid.


NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: SEPT. 23, 1994,
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.

CREX 912 PG2 003



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 103-2024

**A RESOLUTION OF THE CITY COMMISSION
OF THE CITY OF STUART, FLORIDA,
FINDING APPLICANT/OWNER, ROBERT
STANCAVICH'S FAILURE TO COMPLY
WITH CERTAIN REQUIRED CONDITIONS
SET FORTH IN PRIOR RESOLUTION NO. 69-
2024; PROVIDING CITY STAFF WITH
FURTHER DIRECTION; PROVIDING AN
EFFECTIVE DATE; AND FOR OTHER
PURPOSES.**

* * * * *

WHEREAS, in 2015, the Applicant/Owner, Robert Stancavich, filed an Application for a Variance from the City of Stuart's Board of Adjustment; and

WHEREAS, the Parcel is located on the northernmost part of Norton's Lane and represents Lots 1 and 2 of the Norton's Landing Subdivision, with Poppleton Creek to the northeast and Village Oaks Condominiums to the west; and

WHEREAS, the Board of Adjustment Staff Report specifically stated that the Public Works Department would require details of the construction to ensure there are no issues of stormwater run-off in relation to the Property and its surroundings during the building permit stage in the process. The Applicant will be subject to a detailed plan review at the time when a site and construction permit is submitted to the Building Department for the development of the site as a single-family residence; and

WHEREAS, during the Board of Adjustment Hearing, the Applicant provided verbal testimony indicating that he would split the Lot into two (2) legally dimensioned Lots, conditioned upon the granting of the Variance request. The Board of Adjustment granted the request in 2015, however, the Owner/Applicant did not file for a lot split or parcel separation; and

Resolution No. 103-2024; 1251 SW Nortons Lane – Stancavich Property

WHEREAS, the Owner/Applicant presented to the City and claimed that he was not aware of three (3) separate Deed Restrictions recorded as Unity of Titles on the Property. The first was recorded in 1989 and the second was recorded in 1991 and superseded and replaced the original. The third Unity of Title was recorded in favor of the County. In November 2023, Martin County approved Resolution 23-11.13 releasing the 2003 Unity of Title; and

WHEREAS, the Unity of Title restricting the land appears to have included Lots 1, 2, and 3, however, Lot 3 has been developed into a single-family home and is under separate ownership; and

WHEREAS, the Owner/Applicant has been constructing a single-family home on the Property for approximately eight (8) years and now claims that a Release of the Unity of Title is necessary for him to create the separate parcel and obtain a separate parcel identification number which is necessary to obtain a building permit and certificate of occupancy; and

WHEREAS, the Owner/Applicant of Lots 1 and 2 has represented to the City that if the City Commission releases the Unity of Titles, he will immediately create a separate legal-size parcel through the Martin County Property Appraiser's Office; and

WHEREAS, Resolution No. 69-2024, adopted on July 22, 2024, was conditioned upon the Owner/Applicant's performance of the following: (a) completing the process of separating the Property into two (2) separate parcels and creating a new legal lot separate from the Owner/Applicant's homestead with its own parcel identification number prior to August 30, 2024; (b) submitting a complete application for a building permit for the single-family home under construction on the Property prior to August 22, 2024; (c) completing construction of the exterior of the single-family home described in the permit, including landscaping and addressing stormwater issues to the satisfaction of the City Building Official, prior to July 22, 2025; and d) post a bond acceptable to the City in the amount of \$25,000.00 to cover the costs of demolition of the single-family home under construction on the Property in the event that the Owner/Applicant fails to comply with the aforementioned conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission hereby finds that Owner/Applicant has failed to comply with the following conditions expressly identified in Resolution No. 69-2024: (b) submit a complete application for a building permit for the single-family home under construction on the property prior to August 22, 2024; and d) post a bond acceptable to the City in the amount of \$25,000.00 to cover the costs of demolition of the single-family home under construction on the Property in the event that the Owner/Applicant fails to comply with the aforementioned conditions.

SECTION 2: The City Commission hereby grants an extension of sixty (60) days to the Applicant/Owner to become compliant with the above-referenced conditions of Resolution No. 69-2024. In the event that the Owner/Applicant fails to come into compliance within sixty (60) days, the City Staff shall take appropriate action to foreclose on non-homesteaded property.

SECTION 3: This Resolution shall be recorded in the Public Records of Martin County.

Resolution No. 103-2024; 1251 SW Nortons Lane – Stancavich Property

SECTION 4: This resolution shall take effect upon adoption.

Commissioner COLLINS offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote, the vote was as follows:

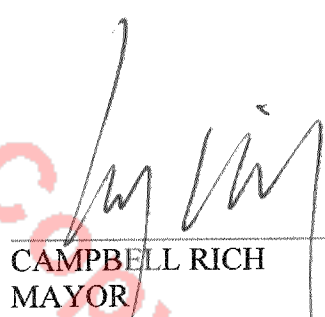
CAMPBELL RICH, MAYOR
EULA R. CLARKE, VICE MAYOR
CHRISTOPHER COLLINS, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
	N		
Y			
Y			
	N		
Y			

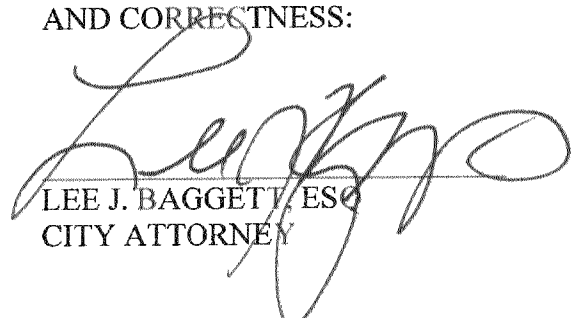
ADOPTED this 23rd day of September, 2024.

ATTEST:


MARY R. KINDEL, MMC 10/2/24
CITY CLERK


CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


LEE J. BAGGETT, ESQ
CITY ATTORNEY

