



City of Stuart

MAGISTRATE HEARING DOCKET

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

**JANUARY 15, 2025 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 CABRE FAMILY TRUST

Robert Perez

CASE NO: CE24120003

ADDRESS OF VIOLATION: 986 SE Federal Highway, Stuart FL 34994

CODE SECTION: 10-69 Motor vehicle parking and storage, 10-36 Violations and penalties, FBC 105.1, 3.02.06 Visibility triangles

DESCRIPTION OF VIOLATION: The vehicles from the "Florida Cars Direct Dealership", and the "EMS Repair Shop" are obstructing the right-of-way, and visibility of on-coming traffic. The pole sign for the car dealership was altered without a valid building permit.

ADJOURNMENT

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST MAGISTRATE

Meeting Date: 1/15/2025

Prepared by: Robert Perez

Title of Item:

CITY OF STUART VS CABRE FAMILY TRUST

Address:

986 SE Federal Highway, Stuart FL 34994

Code Section:

10-69 Motor vehicle parking and storage, 10-36 Violations and penalties, FBC 105.1, 3.02.06 Visibility triangles

Description of Violation:

The vehicles from the "Florida Cars Direct Dealership", and the "EMS Repair Shop" are obstructing the right-of-way, and visibility of on-coming traffic. The pole sign for the car dealership was altered without a valid building permit.

Summary Explanation/Background Information:

ATTACHMENTS:

1. 986 SE Federal Highway PA
2. Inspection Photo Pole Sign & SE Federal ROW 12-5-24
3. Inspection Photo Federal & Casa Corner 12-5-24
4. Inspection Photo Federal & Casa Corner (2) 12-5-24
5. Inspection Photo SE Casa Avenue 12-5-24
6. Inspection Photo SE Casa Avenue (2) 12-5-24
7. Inspection Photo SE Casa Avenue (3) 12-5-24
8. Inspection Photo SE Casa Avenue (4) 12-5-24
9. Inspection Photo SE Federal ROW 12-5-24
10. Inspection Photo SE Federal ROW (2) 12-5-24
11. Inspection Photo SE Federal ROW (3) 12-5-24
12. 986 SE Federal Highway NOV NOH
13. NOV NOH Certified Mail Receipt 12-05-24
14. NOV NOH Posting 12-10-24
15. 986 SE Federal Highway Affidavit of Service

Basic Info

PIN 09-38-41-000-000-00220-9	AIN 25826	Situs Address 986 SE FEDERAL HWY STUART FL	Website Updated 12/5/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners

CABRE FAMILY TRUST

Parcel ID

09-38-41-000-000-00220-9

Use Code/Property Class

2500 - 2500 Repair service shops

Mailing Address

KATHY CABRE ENLOE
TTEE
PO BOX 357
STUART FL 34995

Account Number

25826

Neighborhood

30300 FED HWY S OF ROOSEVELT TO
INDIAN

Tax District

STUART

Legal Description

BEGIN AT THE NE CORNER OF LOT 12, BLK
5,...

Legal Acres

0.43

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	\$ 263,230	\$ 209,060	\$ 472,290	\$ 134,856	\$ 337,434	\$ 0	\$ 337,434

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

9/20/19

Sale Price

\$ 100

Grantor (Seller)

ENLOE KATHY CABRE

Deed Type

Wd Full Covenant and Warranty Deed

Doc Num

2776327

Book & Page

3084 1436

Legal Description

BEGIN AT THE NE CORNER OF LOT 12, BLK 5, CASA TERRACE S/D (PB 1 PG 35) FOR THE POB, THEN NORTHERLY 222.81 FT TO THE ROW OF US HWY 1, THEN SOUTHERLY ALONG SAID ROW 134.7 FT TO THE INTERSECTION OF CASA AVE WITH US HWY 1, SOUTHERLY 160.45 FT, ALONG THE WESTERLY ROW OF CASA AVE TO THE NORTHEAST CORNER OF LOT 14, BLK 5, CASA TERRACE S/D, THEN WESTERLY ALONG THE NORTHERLY LOT LINE OF LOTS 13 & 14, BLK 5, CASA TERRACE S/D TO THE POB, (less ANY ROW)

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 09-38-41-000-000-00220-9	AIN 25826	Situs Address 986 SE FEDERAL HWY STUART FL	Website Updated 12/5/24
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Use Code/Property Class 2500 - 2500 Repair service shops	Total Finished Area 3,020 SF	Max Stories 1
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Building Information (1 of 1)

Building Type General Retail	Finished Area 3,020 SF	Exterior Cover Concrete Block	Roof Cover N/A
Year Built 1962	Wall Class C - Fire Resistant	Number of Units 1	Wall Height 12
Bedrooms N/A	Full Baths 2	Half Baths 0	

030405

810

Util Shed

(80)

406586345.245.23

1 s Mas

(3020)

3825153323

Com Cnpy Low

(1709)

Report a Discrepancy

Sketched Area Legend			
Sub Area	Description	Area	Finished Area
COMCNPYL	Commercial Canopy - Low Cost	1,709	0
GENRET	General Retail (353)	3,020	3,020
OFP	Open Frame Porch	120	0
UTLSHED	Residential Utility Shed	80	0

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Features/Yard Items

Type	Qty	Size	Unit of Measure	Year Blt
Fencing - Wood	1	208	Linear Feet	2004
Mercury Lights	1	6	Per Each	1962
PAVING Asphalt	1	12000	Square Feet	1962
PAVING CONCRETE	1	1200	Square Feet	1962

Sales History

PIN	AIN	Situs Address	Website Updated
09-38-41-000-000-00220-9	25826	986 SE FEDERAL HWY STUART FL	12/5/24

Sale Date	Sale Price	Grantor (Seller)	Deed Type	Doc Num	Book & Page
9/20/19	\$ 100	ENLOE KATHY CABRE	Wd Full Covenant and Warranty Deed	2776327	<u>3084 1436</u>
3/24/08	\$ 0	CABRE, KATHERINE S (ESTATE)	Personal Repr Deed	2074200	<u>2317 1075</u>
1/1/01	\$ 0	SELLER - see file for name	03		

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	AIN	Situs Address	Website Updated
09-38-41-000-000-00220-9	25826	986 SE FEDERAL HWY STUART FL	12/5/24

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	County Exemptions	County Taxable Value
2024	\$ 263,230	\$ 209,060	\$ 472,290	\$ 134,856	\$ 337,434	\$ 0	\$ 337,434
2023	\$ 188,020	\$ 219,550	\$ 407,570	\$ 100,811	\$ 306,759	\$ 0	\$ 306,759
2022	\$ 188,020	\$ 111,460	\$ 299,480	\$ 20,608	\$ 278,872	\$ 0	\$ 278,872
2021	\$ 150,420	\$ 103,100	\$ 253,520	\$ 0	\$ 253,520	\$ 0	\$ 253,520
2020	\$ 150,420	\$ 95,220	\$ 245,640	\$ 0	\$ 245,640	\$ 0	\$ 245,640
2019	\$ 150,420	\$ 106,170	\$ 256,590	\$ 0	\$ 256,590	\$ 0	\$ 256,590
2018	\$ 150,420	\$ 104,180	\$ 254,600	\$ 0	\$ 254,600	\$ 0	\$ 254,600
2017	\$ 150,420	\$ 78,470	\$ 228,890	\$ 0	\$ 228,890	\$ 0	\$ 228,890
2016	\$ 150,420	\$ 89,600	\$ 240,020	\$ 0	\$ 240,020	\$ 0	\$ 240,020
2015	\$ 150,420	\$ 86,420	\$ 236,840	\$ 0	\$ 236,840	\$ 0	\$ 236,840
2014	\$ 150,420	\$ 95,120	\$ 245,540	\$ 0	\$ 245,540	\$ 0	\$ 245,540

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.























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

CABRE FAMILY TRUST
KATHY CABRE ENLOE TTEE
PO BOX 357
STUART, FL 34995

Case No. CE24120003

Cert Mail RR# 70223330000097942603
70223330000097942610

NOTICE OF VIOLATION AND NOTICE OF HEARING

December 5, 2024

986 SE FEDERAL HWY
STUART, FL 34994
Parcel Control Number: 09-38-41-000-000-00220-9

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: The vehicles parked along the right-of-way on SE Federal Highway, SE Casa Avenue are obstructing the view of on-coming traffic.**

Pertinent Code Section(s): Sec. 10-69. - Motor vehicle parking and storage (b) Parking and storing; generally. (1) This section shall apply broadly to the parking or storage of aircraft, vehicles and vessels in all zoning districts, and on any real property in the city specified herein, and shall apply to owners, occupants, and visitors to the property. (2) Parking and storing of recreational vehicles shall be in accordance with an approved site plan or planned unit development approved for the site. To the extent that an approved site plan or planned unit development is silent as to parking and storing of recreational vehicles, or in the event that no site plan or planned unit development exists for the property, then parking only (not including storage) shall be permitted for recreational vehicles in designated parking spaces appropriately dimensioned for the vehicle

being parked. In multifamily or commercial zoning districts, such parking areas shall also be appropriately signed for the use of such vehicles, if any. No other parking or storage of aircraft, vehicles or vessels shall be permitted. **PLEASE REMOVE THE VEHICLES PARKED ALONG THE RIGHT-OF-WAY TO COMPLY VIOLATION.**

2. **Violation Description/Corrective Action Required: The vehicles parked along the right-of-way on SE Federal Highway, SE Casa Avenue are obstructing the view of on-coming traffic.**

Pertinent Code Section(s): Sec. 3.02.06. - Thoroughfare standards (f) Visibility triangles. In visibility triangles, no building, structure, or improvement, including landscape, shall be erected, placed, planted, or maintained so as to interfere with a clear sight area located between the heights of three feet and nine feet above the crown of a street, driveway, or alley. A clear sight area shall be established for all streets, whether public or private. **PLEASE REMOVE THE VEHICLES PARKED ALONG THE RIGHT-OF-WAY TO COMPLY VIOLATION.**

3. **Violation Description/Corrective Action Required: The “Florida Direct Cars” pole sign was refaced/restored without a valid building permit.**

Pertinent Code Section(s): Sec. 10-36. - Violations and penalties. 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. **BE ADVISED, THIS POLE SIGN DOES NOT CONFORM WITH THE CITY’S CURRENT DEVELOPMENT REGULATIONS. PLEASE OBTAIN A VALID PERMIT FOR THE INSTALLATION OF A MONUMENT SIGN.**

Comply By: January 6, 2025

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 January 6, 2025 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 15th day of January 2025 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 2603

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☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
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☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage and Fees	
\$	

Postmark
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 12/5/24

Sent To:	CABAE FAMILY TRUST
Street and Apt. No., or PO Box No.	PO BOX 357
City, State, ZIP+4®	STUART, FL 34995

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 CABAE FAMILY TRUST
 PO BOX 357
 STUART, FL 34995



9590 9402 7639 2122 5654 22

2. Article Number (Transfer from service label)

7022 3330 0000 9794 2603

COMPLETE THIS SECTION ON DELIVERY

A. Signature 	☐ Agent ☐ Addressee
B. Received by (Printed Name) Kathy Cabae	C. Date of Delivery 12-17-24
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	

3. Service Type	☐ Priority Mail Express®
☐ Adult Signature	☐ Registered Mail™
☐ Adult Signature Restricted Delivery	☐ Registered Mail Restricted Delivery
☒ Certified Mail®	☐ Signature Confirmation™
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery	
☐ Collect on Delivery Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

7022 3330 0000 9794 2610

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 \$ _____	Postmark SENT 12/5/24
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 CABRE FAMILY TRUST Street and Apt. No., or P.O. Box No. 986 SE FEDERAL HWY. City, State, ZIP+4® STUART, FL 34994	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature  ☐ Agent ☐ Addressee	
1. Article Addressed to: CABRE FAMILY TRUST 986 SE FEDERAL HWY STUART, FL 34994		B. Received by (Printed Name) Kathy Cabre	C. Date of Delivery 12-17-24
2. Article Number (Transfer from service label) 7022 3330 0000 9794 2610		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	



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

AFFIDAVIT OF POSTING

DATE: December 11, 2024

CASE # CE24120003

LOCATION OF VIOLATION: 986 SE FEDERAL HWY STUART, FL 34994

PCN: 09-38-41-000-000-00220-9

PROPERTY OWNER: CABRE FAMILY TRUST / KATHY CABRE ENLOE TTEE

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 10th day of December 2024 at 8:50 AM PM at the above-named address.

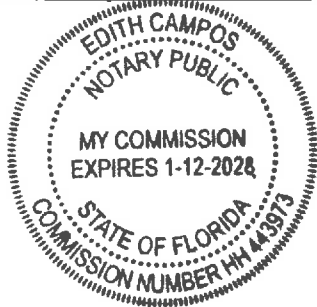
Affiant: Robert Perez
Code Compliance Officer

THE STATE OF FLORIDA
CITY OF STUART

The foregoing instrument was acknowledged before me this 8th day of January , 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