

**CLERK SUMMARY
MAGISTRATE HEARING DOCKET OF THE STUART MAGISTRATE
MARCH 19, 2025
AT 2:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

PLEDGE OF ALLEGIANCE

2:03 PM

Magistrate: Paul J. Nicoletti, Esq.

VIOLATION HEARINGS

6. CITY OF STUART VS ROBERT J. HAAS JR.

Robert Perez

CASE NO: CE25010016

ADDRESS OF VIOLATION: 228 SE ILA STREET, STUART FL 34994

CODE SECTION: LDC SEC. 2.02.02 R-1A SINGLE-FAMILY ZONING, SEC. 10-36 VIOLATIONS AND PENALTIES, SEC. 10-63 RUBBISH AND GARBAGE, SEC. 20-50 PROHIBITED ACTS, SEC. 20-20 GENERAL SANITATION, SEC. 10-61 MAINTENANCE OF STRUCTURE

DESCRIPTION OF VIOLATION: The respondent has illegally converted his property into a multifamily dwelling without valid permits for the interior structural alterations of approvals for the change of occupancy. There are large amounts of trash/debris within the backyard, and the respondent is maintaining inoperable vehicles, trailers, and equipment within the yard. The exterior walls of the primary structure are in disrepair, and accumulating dirt/ mold, and debris.

Magistrate Paul Nicoletti read the case into the record and swore in Lou Hatten - Building Official, Robert Perez - Code Enforcement Officer, and Scott Shiner - Code Enforcement Officer.

Code Enforcement Officer Perez presented the case and exhibits.

Magistrate swore in Doug Bomeisler, the ex-roommate of Mr. Hass.

City Attorney Lee Bagget cross-examined Doug Bomeisler with different pictures from within the house and externally from the house.

Code Enforcement Officer Perez continued presenting exhibits, requesting that exhibits 1-19B be received into evidence, in order to comply with the cited provision by April 19, 2025. If not in compliance, a fine will be levied on the owner of \$250.00 per day per violation incurred and an administrative cost to the City of \$300.00.

Magistrate wanted to confirm what was to be done in 30 days. The Building Official stated in 30 days he needed to get the permit pulled and drawings from an engineer or architect.

2:48 PM - Magistrate accepted into evidence exhibits 1-19B.

Mr. Hass was sworn in and further explained exhibit 2B, provided a history of the property and the work that was done and will be done. Magistrate requested clarification of the different items in the exhibits.

MAGISTRATE FINDING: Property in violation does exist and will give him until April 19, 2025, to pull the permits and get the outside work completed by May 19, 2025, failing which \$100.00 per violation per day and award the City \$300.00 for administrative costs.

1. CITY OF STUART VS WWH1 LLC

Scott Shiner

CASE NO: CE25010022

ADDRESS OF VIOLATION: 901 SE NASSAU AVE, STUART FL
34994

CODE SECTION: SEC 36-5(b) SWALE AREA MAINTENANCE

DESCRIPTION OF VIOLATION: SWALE AREA OVERGROWN
AND NOT MAINTAINED

Code Enforcement Shiner presented exhibits and requests the property owner come into compliance by April 19, 2025. If not in compliance request they pay \$100.00 per day per fine and reimburse the City administrative costs of \$300.00.

MAGISTRATE FINDINGS: Accepted exhibits 1-12 based upon evidence and testimony violation does exist. Property must come into compliance by April 20, 2025, failing which \$100.00 per violation per day and award the City \$300.00 for administrative costs.

2. CITY OF STUART VS PIERRE ARCAND & HELENE POULIOT

Scott Shiner

"COMPLIED"

CASE NO: CE25020003

ADDRESS OF VIOLATION: 175 ST LUCIE BLVD UNIT E-160.
STUART, FL 34996

CODE SECTION: SEC 10-36 105.1 FBC

DESCRIPTION OF VIOLATION: ELECTRICAL WORK WITHOUT
PERMITS

3. CITY OF STUART VS MEDALIST BUILDING GROUP LLC

Scott Shiner

CASE NO: CE25020011

ADDRESS OF VIOLATION: 37 SE SEMINOLE ST. STUART, FL
CODE SECTION: SEC 202-20(b) GENERAL SANITATION OF
PROPERTY

DESCRIPTION OF VIOLATION: VACANT LOT OVERGROWN

Code Enforcement Shiner presented exhibits and requests the property owner come into compliance by April 20, 2025. If not in compliance request, they pay \$100.00 per day per fine and reimburse the City administrative costs of \$300.00.

MAGISTRATE FINDINGS: Accepted exhibits 1-12 based upon evidence and testimony violation does exist. Property must come into compliance by April 20, 2025, failing which \$100.00 per violation per day and award the City \$300.00 for administrative costs.

4. CITY OF STUART VS ALL AMERICAN EAGLE PROPERTIES LLC. "COMPLIED" Scott Shiner

CASE NO: CE25010044

ADDRESS OF VIOLATION: 205 SW FEDERAL HWY

CODE SECTION: SEC 6.11.14(D) MURALS

DESCRIPTION OF VIOLATION: LARGE RED FACE WITH HORNS PAINTED ON COMMERCIAL DOOR

5. CITY OF STUART VS ALL AMERICAN EAGLES PROPERTIES LLC Robert Perez

CASE NO: CE25010045

ADDRESS OF VIOLATION: 200 SW ALBANY AVENUE, STUART FL 34994

CODE SECTION: SEC. 10-61 MAINTENANCE OF STRUCTURE, SEC. 10-62 INTERIOR STRUCTURE, SEC. 20-20 GENERAL SANITATION

DESCRIPTION OF VIOLATION: The exterior and interior portions of the two structures on site are in significant disrepair and present a potential hazard. The two structures on site are in need of regular maintenance and repair.

Code Enforcement Perez stated this case did come into compliance prior to the hearing.

7. CITY OF STUART VS CRIST MARION ESTATE C/O DOROTHY ROBERTS Robert Perez

CASE NO: CE25010013

ADDRESS OF VIOLATION: 822 SE CENTRAL AVENUE, STUART FL 34994

CODE SECTION: SEC. 10-83 UNSAFE BUILDINGS, SEC. 10-61 MAINTENANCE OF STRUCTURE, SEC. 10-63 RUBBISH AND GARBAGE, SEC. 20-50 PROHIBITED ACTS

DESCRIPTION OF VIOLATION: This structure has been deemed unsafe by the Building Official, and all the occupants have been instructed to vacate immediately. The exterior and interior portions of the structure are in significant disrepair. There is also trash, debris, and inoperable vehicles being maintained along the exterior areas surrounding the property.

Code Enforcement Perez presented exhibits and stated Building Official Hatten and Fire Deputy Chief Honeycutt deemed the property unsafe and instructed the residents to vacate immediately. Residents requested more time from February 27, 2025, until March 19, 2025, to remove belongings with an inspection on March 20, 2025. Presented Stipulation agreement and stated a compliance date of March 20, 2026, following which there would be a fine of \$250.00 per day per violation.

MAGISTRATE FINDINGS: Accepted exhibits 1-11 based upon evidence and testimony to enter into an agreed order and order compliance as stated in the stipulation.

8. CITY OF STUART VS SELENA A. DAVIS

Robert Perez

CASE NO: CE25010032

ADDRESS OF VIOLATION: 931 SE MARTIN LUTHER KING JR
BLVD STUART, FL 34994

CODE SECTION: SEC. 10-63 RUBBISH AND GARBAGE, SEC.
20-20 GENERAL SANITATION, SEC. 10-69 MOTOR VEHICLE
PARKING, SEC. 20-50 PROHIBITED ACTS, SEC. 10-61
MAINTENANCE OF STRUCTURE

DESCRIPTION OF VIOLATION: The respondent is storing trash,
debris, and miscellaneous materials within the carport on site.
There are two inoperable vehicles being stored on site, and vehicles
are regularly maintained on unapproved surfaces. The storm
shutters are all closed, covering all the windows along the front side
of the property.

Code Enforcement Perez presented exhibits and requests the property owner come into compliance by April 19, 2025. If not in compliance request they pay \$100.00 per day per fine and reimburse the City administrative costs of \$300.00.

MAGISTRATE FINDINGS: Accepted exhibits 1-7C based upon evidence and testimony that violations do exist. Property must come into compliance by April 19, 2025, failing which \$100.00 per day and award the City \$300.00 for administrative costs.

**9. CITY OF STUART VS MCNAMARA 1991 FEDERAL
LLC "COMPLIED"**

Robert Perez

CASE NO: CE25010006

ADDRESS OF VIOLATION: 1991 SE FEDERAL HIGHWAY
STUART, FL 34994

CODE SECTION: SEC. 10-69 MOTOR VEHICLE PARKING, SEC.
10-61 MAINTENANCE OF STRUCTURES

DESCRIPTION OF VIOLATION: The respondent has been
maintaining vehicles on the grass, and easements on site. As a
result, a light pole on site has been damaged with live wires exposed
within the parking lot.

ADJOURNMENT

4:02 PM