



City of Stuart

MAGISTRATE HEARING DOCKET

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

**APRIL 16, 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 DOLPHIN ESTATES TRUST 2015

Lee Baggett

CASE NO: CE19050004

ADDRESS OF VIOLATION: 708 SE OCEAN AVE STUART FL 34996

CODE SECTION: CH 105.4 FBC ABANDONED PERMIT

SEC 111.1 - CERTIFICATE OF OCCUPANCY

DESCRIPTION OF VIOLATION: WORK COMPLETED WITHOUT A PERMIT.

2. CITY OF STUART VS EVANS LODGE 72 AF & AM INC

Scott Shiner

CASE NO: CE25020014

ADDRESS OF VIOLATION: 925 SE SPRUCE AVE. STUART, FL 34996

CODE SECTION: SEC 10-61(C)(M)(10) *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. *STAIRWAYS, DECKS, PORCHES AND BALCONIES*. EVERY EXTERIOR STAIRWAY, DECK, PORCH AND BALCONY, AND ALL APPURTENANCES ATTACHED THERETO, SHALL BE MAINTAINED STRUCTURALLY SOUND, IN GOOD REPAIR, WITH PROPER ANCHORAGE AND CAPABLE OF SUPPORTING THE IMPOSED LOADS.

DESCRIPTION OF VIOLATION: EXTERIOR STRUCTURE (MISSING PAINT) AND DAMAGED STAIRS IN REAR OF BUILDING.

3. CITY OF STUART VS HESS RETAIL STORES LLC "COMPLIED"

Scott Shiner

CASE NO: CE25020012

ADDRESS OF VIOLATION: 3201 SE FEDERAL HWY. STUART, FL 34997

CODE SECTION: SEC 10-61(M)(2) *PROTECTIVE TREATMENT*. ALL EXTERIOR SURFACES, INCLUDING BUT NOT LIMITED TO, DOORS, DOOR AND WINDOW FRAMES, CORNICES, PORCHES, TRIM, BALCONIES, DECKS AND FENCES SHALL BE MAINTAINED IN GOOD CONDITION AND FREE FROM MOLD AND MILDEW. EXTERIOR WOOD SURFACES, OTHER THAN DECAY RESISTANT WOODS, SHALL BE PROTECTED FROM THE ELEMENTS AND DECAY BY PAINTING OR OTHER PROTECTIVE COVERING OR TREATMENT. PEELING, FLAKING AND CHIPPED PAINT SHALL BE ELIMINATED AND SURFACES REPAINTED. ALL SIDING AND MASONRY JOINTS AS WELL AS THOSE BETWEEN THE BUILDING ENVELOPE AND THE PERIMETER OF WINDOWS, DOORS, AND SKYLIGHTS SHALL BE MAINTAINED WEATHER RESISTANT AND WATERTIGHT. ALL METAL SURFACES SUBJECT TO RUST OR CORROSION SHALL BE COATED TO INHIBIT SUCH RUST AND CORROSION AND ALL SURFACES WITH RUST OR CORROSION SHALL BE STABILIZED AND COATED TO INHIBIT FUTURE RUST AND CORROSION. OXIDATION STAINS SHALL BE REMOVED FROM EXTERIOR SURFACES. SURFACES DESIGNED FOR STABILIZATION BY OXIDATION ARE EXEMPT FROM THIS REQUIREMENT.

DESCRIPTION OF VIOLATION: MILDEW STAINED BUILDING

4. **CITY OF STUART VS CLAQUI LLC "COMPLIED"** CASE NO: Scott Shiner
CE25020026
ADDRESS OF VIOLATION: 923 SE SPRUCE AVE. STUART, FL
34994
CODE SECTION: SEC 20-20(A)(B) GENERAL SANITATION OF
PROPERTY -
(A)
THIS ARTICLE SHALL BE APPLICABLE TO ALL PERSONS
HAVING A LEGAL OR BENEFICIAL OWNERSHIP OF, OR HAVING
POSSESSION OR BEING IN CHARGE OF, OR OCCUPYING, ANY
REAL PROPERTY LOCATED IN THE CITY, AS TENANT OR
OTHERWISE, WHETHER VACANT OR OCCUPIED, IMPROVED OR
UNIMPROVED.
(B)
NO OWNER OR LESSEE OF ANY REAL PROPERTY WITHIN THE
CITY SHALL ALLOW IT TO BECOME UNCLEAN, UNSANITARY OR
OVERGROWN WITH GRASS AND WEEDS, OR ALLOW RUBBISH
OR OTHER NOXIOUS OR UNHEALTHY MATERIAL TO
ACCUMULATE THEREON.
DESCRIPTION OF VIOLATION: VACANT LOT OVERGROWN
5. **CITY OF STUART VS 245 ST LUCIE LLC - "COMPLIED"** Scott Shiner
CASE NO: CE25020020
ADDRESS OF VIOLATION: 245 SE ST LUCIE BLVD. STUART, FL
34996
CODE SECTION: SEC 10-61(I) ACCESSORY STRUCTURE -
ACCESSORY STRUCTURES. ALL ACCESSORY STRUCTURES,
INCLUDING DETACHED GARAGES, FENCES AND WALLS, SHALL
BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR.
DESCRIPTION OF VIOLATION: WOODEN FENCE DILAPIDATED
6. **CITY OF STUART VS RICHARD & LYNN
BROCKWAY "COMPLIED"** Scott Shiner
CASE NO: CE2503001
ADDRESS OF VIOLATION: 628 SE OCEAN AVE. STUART, FL 34996
CODE SECTION: SEC 20-21 DUTY TO KEEP GRASS MOWED - THE
OWNERS, CUSTODIANS, AGENTS, LESSEES OR OCCUPANTS OF
REAL PROPERTY WITHIN THE CITY SHALL NOT PERMIT THE
GRASS, WEEDS, FLORA OR UNDERBRUSH THEREON TO
EXCEED A HEIGHT OF EIGHT INCHES ABOVE THE GRADE OF
THE LAND, INCLUDING ANY ELEVATED AND DEPRESSED AREAS.
ALL SUCH MATERIALS SHALL BE CUT AND MAINTAINED TO A
HEIGHT OF EIGHT INCHES OR LESS AND CUTTINGS SHALL BE
EITHER REMOVED FROM THE PROPERTY OR MULCHED. ALL
SUCH MATERIALS SHALL BE CUT AND REMOVED OR MULCHED
WITHIN TEN CALENDAR DAYS OF NOTICE TO DO SO ISSUED BY
THE CITY AS PROVIDED IN THIS ARTICLE.
DESCRIPTION OF VIOLATION: WEEDS, OVERGROWTH, JUNK
AND DEBRIS IN PUBLIC VIEW
7. **CITY OF STUART VS WILLIE LEE SMITH ESTATE "COMPLIED"** Scott Shiner
CASE NO: CE25020019
ADDRESS OF VIOLATION: SE TARPON STREET (VACANT LOT)

PARCEL # 04-38-41-017-008-00041-0

CODE SECTION: 10-69(C)(1)(3) MOTOR VEHICLE PARKING AND STORAGE - *PARKING ONLY*. ONLY FULLY OPERABLE: AUTOMOBILES, RECREATIONAL VEHICLES, LIGHT TRUCKS, MOTORCYCLES, VESSELS ON TRAILERS, AND LIGHT UTILITY TRAILERS SHALL BE PARKED ON RESIDENTIAL PROPERTIES WHEREVER LOCATED IN THE CITY, (3)ANY VEHICLE, VESSEL ON A TRAILER, OR TRAILER WHICH IS STORED ON A RESIDENTIAL LOT SHALL BE COMPLETELY COVERED WITH REASONABLY FITTED COVER COMPOSED OF OPAQUE FABRIC.

DESCRIPTION OF VIOLATION: COMMERCIAL EQUIPMENT STORED ON VACANT LOT

8. CITY OF STUART VS WILLIAMS ANNIE RUTH ESTATE

Scott Shiner

"COMPLIED"

CASE NO: CE25010031

ADDRESS OF VIOLATION: 917 SE 13TH ST STUART, FL 34994

CODE SECTION: SEC 20-50 - PROHIBITED ACTS; VIOLATION A PUBLIC NUISANCE; JURISDICTION OF CODE ENFORCEMENT BOARD.

SEC 10-61 - MAINTENANCE OF STRUCTURES, EQUIPMENT AND EXTERIOR PROPERTY.

DESCRIPTION OF VIOLATION: INOPERABLE VEHICLE STORED ON DRIVEWAY, DAMAGED FENCE, JUNK AND DEBRIS

9. CITY OF STUART VS LGDD LLC "COMPLIED"

Scott Shiner

CASE NO:

ADDRESS OF VIOLATION: 216 SE OSCEOLA ST. STUART, FL 34996

CODE SECTION: SEC 20-21 DUTY TO KEEP GRASS MOWED

DESCRIPTION OF VIOLATION: ENTIRE YARD HAS WEEDS OVERGROWN

10. CITY OF STUART VS STUART ARCADE ASSOCIATES LLC "COMPLIED"

Robert Perez

CASE NO: CE25020005

ADDRESS OF VIOLATION: 23 SW OSCEOLA STREET STUART, FL 34994

CODE SECTION: SEC. 10-61 MAINTENANCE OF STRUCTURES, SEC. 10-62 INTERIOR STRUCTURES

DESCRIPTION OF VIOLATION: OUTDOOR STORAGE, DUMPSTER ENCLOSURE IN DISREPAIR, AND INTERIOR DAMAGE TO CEILING IN COMMERCIAL BUILDING.

11. CITY OF STUART VS OSCEOLA STREET HOLDING LLC "COMPLIED"

Robert Perez

CASE NO: CE25020021

ADDRESS OF VIOLATION: 400 SE OSCEOLA STREET UNIT 3 STUART, FL 34994

CODE SECTION: SEC. 10-36 VIOLATIONS AND PENALTIES

DESCRIPTION OF VIOLATION: WORK WITHOUT PERMIT

12. CITY OF STUART VS MARIE F STEIN "COMPLIED"

Robert Perez

CASE NO: CE25020017

ADDRESS OF VIOLATION: 418 SE FLAMINOG AVENUE STUART,
FL 34996
CODE SECTION: SEC. 10-61 EXTERIOR MAINTENANCE
DESCRIPTION OF VIOLATION: OUTDOOR STORAGE IN CARPORT
AREA

13. CITY OF STUART VS HENDRIKS LESLIE PAUL "COMPLIED"

Robert Perez

CASE NO: CE25020030
ADDRESS OF VIOLATION: 701 SE MICHAELS COURT STUART, FL
34996
CODE SECTION: SEC. 10-69 MOTOR VEHICLE PARKING AND
STORAGE
DESCRIPTION OF VIOLATION: VEHICLES PARKING ON
UNAPPROVED SURFACES ON SITE, AND OBSTRUCTING THE
PUBLIC RIGHT-OF-WAY

14. CITY OF STUART VS G & K LAND COMPANY LLC "COMPLIED"

Robert Perez

CASE NO: CE25020010
ADDRESS OF VIOLATION: 829 SE 6 STREET STUART, FL 34994
CODE SECTION: SEC. 10-61 EXTERIOR MAINTENANCE
DESCRIPTION OF VIOLATION: OVERGROWN LANDSCAPING, AND
OUTDOOR STORAGE ON SITE

**15. CITY OF STUART VS RTM ORLANDO PROPERTIES
LLC "COMPLIED"**

Robert Perez

CASE NO: CE25020028
ADDRESS OF VIOLATION: 1100 SE OCEAN BLVD STUART, FL
34996
CODE SECTION: SEC. 10-61 EXTERIOR MAINTENANCE
DESCRIPTION OF VIOLATION: OVERGROWN LANDSCAPING, AND
EXTERIOR MAINTENANCE OF THE STRUCTURE/PARKING LOT.

16. CITY OF STUART VS PAUL W KOHLER "COMPLIED"

Robert Perez

CASE NO: CE25020027
ADDRESS OF VIOLATION: 1109 SE THERESA STREET STUART,
FL 34996
CODE SECTION: SEC. 10-36 VIOLATIONS AND PENALTIES
DESCRIPTION OF VIOLATION: NO PERMIT FOR INTERIOR
RENOVATIONS ON SITE

ADJOURNMENT