



City of Stuart

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

**March 18, 2021 AT 10:00 AM
Commission Chambers**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

WHAT IS CIVILITY?: Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

VIOLATION HEARINGS

1. City of Stuart vs Jerry Kyckelhahn

C. Sirois

PT20856

Prohibited parking/standing/stopping

Parked wrong way on one way street

2. City of Stuart vs. Janine and Thor O'brien

D. Carrasco

CE21020066

10-61(j)(1), 10-69 (C)(1), 10-69 (F), 8-2

Outdoor storage, Inoperable vehicles, Vehicles not parked on approved paved surface, and Livestock.

ADJOURNMENT

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

Meeting Date: 3/18/2021

Narrative:

Parked wrong way on one way street

Magistrate Action:

Fine Amount:

\$25.00 initial fine

Administrative Costs:

\$100.00 in administrative costs if found guilty

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
PT20856	2/24/2021	Attachment
FILE	3/4/2021	Exhibit



CITY OF STUART, FLORIDA



UNIFORM PARKING CITATION

CITATION NO. **PT 20856**

DAY OF WEEK SAT	MONTH 02	DAY 20	YEAR 21	TIME 1010	☒ AM ☐ PM
LOCATION 312 DUNN AVENUE					
TAG NO. & STATE Y 74 FGT FL					
MAKE ACURA		MODEL MDX		COLOR SILVER	
OTHER INFORMATION PARKED WRONG WAY ON ONE					

Parking Violation

WAY STREET

Fine

- ☒ (1) Prohibited Parking/Standing/Stopping **\$ 25.00**
- ☐ (2) Blocking Driveway **\$ 25.00**
- ☐ (3) On Sidewalk **\$ 25.00**
- ☐ (4) Loading Zone **\$ 25.00**
- ☐ (5) Left Side to Curb **\$ 25.00**
- ☐ (6) Yellow Curb **\$ 25.00**
- (7) Three-Hour Parking Violations:
- ☐ a. First Three Violations in a 12-Month Period **\$ 25.00**
- ☐ b. Fourth and Fifth Violations in a 12-Month Period **\$ 50.00**
- ☐ c. Sixth and Each Additional Violation -12-Month Period **\$ 200.00**
- ☐ (8) Within an Intersection **\$ 25.00**
- ☐ (9) Obstructing traffic **\$ 25.00**
- ☐ (10) Within 15 Feet of Hydrant **\$ 25.00**
- ☐ (11) In Fire Lane **\$ 25.00**
- ☐ (12) Emergency Vehicle Only **\$ 25.00**
- ☐ (13) Disabled Parking Only **\$ 250.00**
- ☐ a. Failure to display Disabled Parking Permit **\$ 25.00**
- ☐ (14) Truck Parked in a Residential Area **\$ 25.00**
- ☐ (15) Failure to Park in a Designated Parking Space **\$ 25.00**
- ☐ (16) Temporary Tow-Away Zone **\$ 100.00**
- ☐ (17) Other parking violation: _____ **\$ 25.00**

Fines not paid or contested within thirty days of issuance shall automatically double in amount.

At the date and time stated above, the undersigned officer did observe the violation checked. This citation is issued pursuant to Chapter 316, Florida Statutes, and City Code. You are required to do one of the following on the reverse side.

C. S. 1218 253
Officer Rank-Signature-Badge No.

WHITE - City Records

YELLOW - Individual



CITY OF STUART, FLORIDA



UNIFORM PARKING CITATION CITATION NO. **PT 20856**

DAY OF WEEK	MONTH	DAY	YEAR	TIME	AM/PM
20	02	20	21	1010	PM
LOCATION 312 DUNN AV					
TAG NO. & STATE Y74 FGT FL					
MAKE	MODEL	COLOR			
ACURA	MDX	SILVER			
OTHER INFORMATION PARKED WRONG WAY ON ONE					

Parking Violation	Fine
☒ (1) Prohibited Parking/Stopping	\$ 25.00
☐ (2) Blocking Driveway	\$ 25.00
☐ (3) On Sidewalk	\$ 25.00
☐ (4) Loading Zone	\$ 25.00
☐ (5) Left Side to Curb	\$ 25.00
☐ (6) Yellow Curb	\$ 25.00
(7) Three-Hour Parking Violations:	
☐ a. First Three Violations in a 12-Month Period	\$ 25.00
☐ b. Fourth and Fifth Violations in a 12-Month Period	\$ 50.00
☐ c. Sixth and Each Additional Violation -12-Month Period	\$ 200.00
☐ (8) Within an Intersection	\$ 25.00
☐ (9) Obstructing traffic	\$ 25.00
☐ (10) Within 15 Feet of Hydrant	\$ 25.00
☐ (11) In Fire Lane	\$ 25.00
☐ (12) Emergency Vehicle Only	\$ 25.00
☐ (13) Disabled Parking Only	\$ 250.00
☐ a. Failure to display Disabled Parking Permit	\$ 25.00
☐ (14) Truck Parked in a Residential Area	\$ 25.00
☐ (15) Failure to Park in a Designated Parking Space	\$ 25.00
☐ (16) Temporary Tow-Away Zone	\$ 100.00
☐ (17) Other parking violation:	\$ 25.00

Fines not paid or contested within thirty days of issuance shall automatically double in amount.

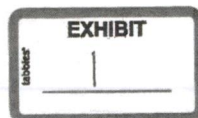
At the date and time stated above, the undersigned officer did observe the violation checked. This citation is issued pursuant to Chapter 316, Florida Statutes, and City Code. You are required to do one of the following on the reverse side.

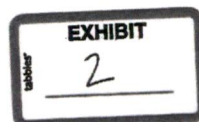
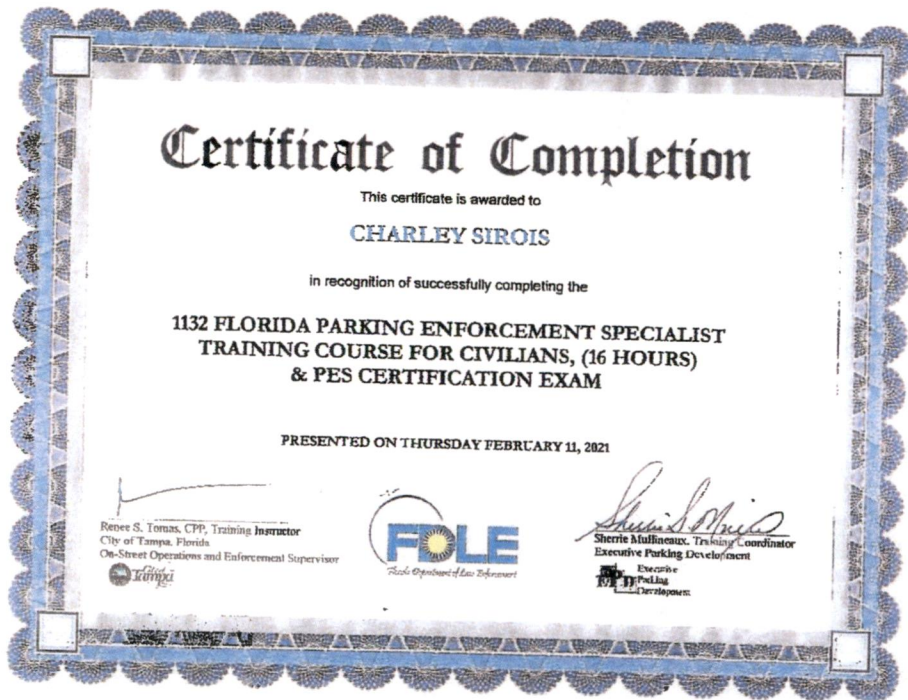
C. S. 11/15 253
Officer Rank-Signature-Badge No.

PROFANITY

WHITE - City Records

YELLOW - Individual





DAVID

DRIVER AND VEHICLE
INFORMATION DATABASE

STATE OF FLORIDA

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Time printed: 2/26/2021 9:37:25 AM EST

Vehicle Details

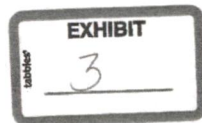
Year: 2005	Make: ACURA (AMERICAN HONDA MOTOR COMPANY)	VIN: JH4CL96885C012536
Vehicle Detail		
Color: BLUE, LIGHT	Vehicle Type: AUTO	Vehicle Use: PRIVATE
	Fleet/Unit: /	Body: 4 DOOR
	Class Code: PASSENGER VEHICLE	
Brands:		
Net Weight: 3,400	Odometer Mileage: 30,845	Odometer Status: ACTUAL
	Odometer Unit of Measure: M	Odometer Date: 10/16/2009

Registration

License Plate: Y74FGT	Plate Issue Date: 07/15/2016	Plate Type: FLORIDA REGULAR	Status: ACTIVE
Effective Date: 06/12/2020	Expiration Date: 08/22/2021	Registration Type: REGULAR	Registration Use: PRIVATE
Decal Number / Year: 09754634/2021	Activity County: MARTIN	Activity Agency: MARTIN CO 42 AG 02	

Owners

JERRY ALAN KYCKELHAHN 1466 SW SANDPIPER WAY PALM CITY, FL 34990-2434	DL: K245421463020	DOB: 08/22/1946	Race:	Sex: M
--	-------------------	-----------------	-------	--------

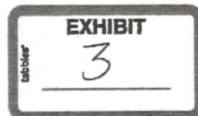


Title Detail

Title Number: 103262903	Title Status: ORIGINAL - USED	Title Type: Land Craft	Previous Title State: TX
Issue Date: 10/22/2009	Activity County: MARTIN	Activity Agency: MARTIN CO 42 AG 05	Previous Issue Date:

Owners

JERRY ALAN KYCKELHAHN 1466 SW SANDPIPER WAY PALM CITY, FL 34990-2434	DL: K245421463020	DOB: 08/22/1946	Race:	Sex: M
--	-----------------------------	---------------------------	--------------	------------------



Liens

NO RECORDS FOUND.

Vehicle Insurance Information

Pursuant to section 324.0221(1)(a) and 324.242, Florida Statutes, information regarding personal injury protection and property damage liability insurance policies held by the department is confidential.

Name of Insurance Company:

UNITED SERVICES AUTOMOBILE ASSOCIATION

Company Code:
4340**VIN Number:**
JH4CL96885C012536**Effective Date:**
10/28/2019**Policy Number:**
001007800U71014**Year/Make:**
2005 ACURA**Vehicle Added Date:**
10/28/2019**Insurance Status:**
I**Primary Driver****DL Number:**
K245421463020**Name of Insured:**
JERRY KYCKELHAHN





MAGISTRATE

EXHIBIT
5



MAGISTRATE



MAGISTRATE



MAGISTRATE

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

Case: **PT20856**
Officer ID No: & Name: C. Sirois

CITY OF STUART, FLORIDA,

Petitioner,

v.

Jerry Kyckelhahn
1466 SW Sandpiper Way
Palm City, Florida 34990,

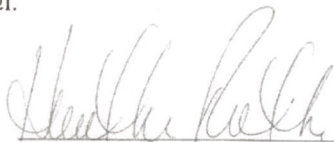
Respondent(s).
_____ /

NOTICE OF MAGISTRATE HEARING

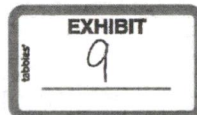
PLEASE TAKE NOTICE that on Thursday the 18th day of March, 2021 at 10:00 AM, the City will bring on to be heard Code Enforcement Case No. PT208561. The Magistrate hearing will take place at the City of Stuart, Florida City Hall Commission Chambers located at: 121 SW Flagler Avenue, Stuart, Florida 34994.

PLEASE GOVERN YOURSELF ACCORDINGLY.

I HEREBY CERTIFY that a true and accurate copy of this Notice of Hearing was served upon the Respondent by U.S. Certified Mail on this 25 day of February, 2021.



Captain Heather Rothe
830 SE Martin Luther King Jr. Blvd
Stuart, FL 34994
(772) 220-3923
(772) 288-5399 (FAX)



SENDEN COMPLETE THIS SECTION

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

Jerry Kyeckelahn
 1466 SW Sandpiper Way
 Palm City, Florida 34980.

9590 9402 4075 8092 9638 76
 7018 0660 0001 8397 9269

2. Article Number (Transfer from purchase label)
 PS Form 3811, July 2016 PSN 7530-02-000-9033

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

3. Service Type
☐ First-Class Mail®
☐ First-Class Mail® International®
☐ Registered Mail®
☐ Registered Mail International®
☐ Certified Mail®
☐ Certified Mail International®
☐ Signature Required®
☐ Signature Required International®
☐ Return Receipt for Merchandise®
☐ Return Receipt for Merchandise International®
☐ Return Receipt for Registered Mail®
☐ Return Receipt for Registered Mail International®

Domestic Return Receipt

U.S. Postal Service®
 CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

OFFICIAL USE

4. For use by the addressee only. Do not write in this area.
 Certified Mail Fee
☐ Return Receipt for Merchandise
☐ Return Receipt for Registered Mail
☐ Return Receipt for Registered Mail International
☐ Return Receipt for Signature Required
☐ Return Receipt for Signature Required International
☐ Return Receipt for Return Receipt for Merchandise
☐ Return Receipt for Return Receipt for Registered Mail
☐ Return Receipt for Return Receipt for Registered Mail International
☐ Return Receipt for Return Receipt for Signature Required
☐ Return Receipt for Return Receipt for Signature Required International
☐ Return Receipt for Return Receipt for Return Receipt for Merchandise
☐ Return Receipt for Return Receipt for Return Receipt for Registered Mail
☐ Return Receipt for Return Receipt for Return Receipt for Registered Mail International
☐ Return Receipt for Return Receipt for Return Receipt for Signature Required
☐ Return Receipt for Return Receipt for Return Receipt for Signature Required International

Total Postage and Fees

Postmark
 Date

Signature of Addressee
 Date of Signature

PS Form 3811, July 2016 PSN 7530-02-000-9033

9590 9402 4075 8092 9638 76
 7018 0660 0001 8397 9269

CERTIFIED MAIL

First-Class Mail
 USPS
 Permit No. G-10

USPS TRACKING® #
 9590 9402 4075 8092 9638 76

United States Postal Service
 * Sender: Please print your name, address, and ZIP+4® in this box*

Stuart Police Department
 830 SE Martin Luther King Jr. Blvd.
 Stuart, FL 34994

EXHIBIT
 10

MAGISTRATE

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 ☒ Signature ☐ Agent ☐ Addressee	
1. Article Addressed to: Leary A. Yckelhahn 1456 SW Sandpiper Way Palm City, Florida 34990		B. Received by (Printed Name) LEARY A. YCKELHAHN C. Date of Delivery MAR 1 2021	
2. Article Number (Transfer from original label) 7018 0680 0001 8397 9264		D. Is delivery address different from item 1? ☐ Yes ☒ No If YES, enter delivery address below:	
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Restricted Delivery		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

PS Form 3811, July 2015 PSN 7530-02-000-9053

USPS TRACKING #

9590 9402 4075 8092 9638 76

United States Postal Service

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

Sender: Please print your name, address, and ZIP+4® in this box®

Stuart Police Department
 830 SE Martin Luther King Jr. Blvd.
 Stuart, FL 34994

RECEIVED
 MAR 03 2021

By: *Capt. Locke*

EXHIBIT

10

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

Meeting Date: 3/18/2021

Narrative:

Outdoor storage, Inoperable vehicles, Vehicles not parked on approved paved surface, and Livestock.

Magistrate Action:

Fine Amount:

\$250.00 a day per violation.

Administrative Costs:

\$300.00

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
City of Stuart Vs. Janine and Thor O'brien	3/15/2021	Exhibit

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

generated on 3/9/2021 7:48:40 AM EST

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
09-38-41-001-007-00020-5	25932	204 SE ILA ST, STUART	\$180,820	3/6/2021

Owner Information

Owner(Current)	OBRIEN JANINE DANIELLE OBRIEN THOR PAUL
Owner/Mail Address	204 SE ILA ST STUART FL 34994
Sale Date	7/22/2016
Document Book/Page	2868 2375
Document No.	2587298
Sale Price	180000

Location/Description

Account #	25932	Map Page No.	O-09A
Tax District	3100	Legal Description	LOT 2 BLOCK 7 CASA TERRACE ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 PAGE 35 PUBLIC RECORDS MARTIN COUNTY FLORIDA
Parcel Address	204 SE ILA ST, STUART		
Acres	.1700		

NOTE: Legal description as shown is not to be used on legal documents. The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the legal description.

Parcel Type

Use Code	0100 Single Family
Neighborhood	383881 Indian Grvs,PalmettoHbr,Rivr P

Assessment Information

Market Land Value	\$112,000
Market Improvement Value	\$68,820
Market Total Value	\$180,820

CITY EXHIBIT**1**



2/19/2021

CITY EXHIBIT

MAGISTRATE

CITY EXHIBIT 2



MAGISTRATE

CITY EXHIBIT 3



2/19/2021

MAGISTRATE

CITY EXHIBIT 4



CITY EXHIBIT 5

2/19/2021

MAGISTRATE



MAGISTRATE

CITY EXHIBIT 6



MAGISTRATE

CITY EXHIBIT 7



CITY OF STUART
CODE ENFORCEMENT
830 SE MARTIN LUTHER KING, JR. BLVD
STUART, FL 34994-2139

NOTICE OF VIOLATION

Feb 22, 2021

O'BRIEN JANINE DANIELLE
204 SE ILA ST
STUART, FL 34994

Case #: CE21020066

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: 204 SE ILA ST
PARCEL ID #: 0938410010070002050000
OBSERVATION DATE: 02/22/21
CORRECTION DATE: 02/22/2021
VIOLATION(S) 10-61 (J) (1)
AND GENERAL STORAGE OF MATERIALS SHALL BE LOCATED ENTIRELY
CORRECTIVE WITHIN AN ENCLOSED BUILDING OR SCREENED FROM VIEW.
ACTIONS: 10-69 (C) (1)
INOPERABLE VEHICLE PARKED IN DRIVEWAY.
10-69 (F)
ALL VEHICLES, VESSELS AND TRAILERS TO BE PARKED ON AN
APPROVED SURFACE.

8-2
Livestock Prohibited in the City
Correction: 10-61 (J) (1)
MATERIALS SHALL BE ENTIRELY WITHIN AND ENCLOSED BUILDING OR
SCREENED FROM VIEW.
10-69 (C) (1)
REMOVE OR REGISTER VEHICLE.
10-69 (F)
REMOVE VEHICLE(S), VESSEL(S) AND OR TRAILERS IMMEDIATELY.
8-2
Remove livestock

NOTICE OF HEARING SUMMONS

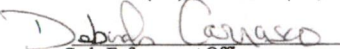
Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Code Enforcement Magistrate on 03/18/2021 at 10:00AM in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil 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

7019 2970 0001 76958557
Certified Mail #

CITY EXHIBIT 

MAGISTRATE

Page 26 of 35

7019 2970 0001 7695 8557

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 O'Brien Janine
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-8547 See Reverse for Instructions

2/22/21

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:
O'Brien Janine Danielle
204 SE ILA St.
Stuart, FL 34994

2. Article Number (Transfer from service label)
9590 9402 6387 0303 5713 57
7019 2970 0001 7695 8557

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent ☐ Addressee
JKO C94210

B. Received by (Printed Name)
C12

C. Date of Delivery
2/25/21

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

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

PS Form 3811, July 2020 PSN 7530-02-000-9063 Domestic Return Receipt

CITY EXHIBIT 9



MAGISTRATE

CITY EXHIBIT 10



MAGISTRATE

CITY EXHIBIT 11



MAGISTRATE

CITY EXHIBIT 12



MAGISTRATE



4/27/2020

MAGISTRATE

CITY EXHIBIT 14



MAGISTRATE

CITY EXHIBIT 15



MAGISTRATE

CITY EXHIBIT 16



MAGISTRATE

CITY EXHIBIT 17