

CLERK SUMMARY
MAGISTRATE HEARING DOCKET OF THE STUART MAGISTRATE
SEPTEMBER 16, 2022
AT 10:00 AM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

MAGISTRATE: Paul Nicoletti

PLEDGE OF ALLEGIANCE

Called to order - 10:00 AM

VIOLATION HEARINGS

3. CITY OF STUART VS CENTRO NP DOWNTOWN PUBLIX LLC

Vito Lorenzo

CASE NO: CE22080002

ADDRESS OF VIOLATION: 838 SW Federal Hwy, Stuart FL

CODE SECTION: Florida Building Code 105.1

Code of Ordinance 22-61

DESCRIPTION OF VIOLATION: This case involves Revive Health and Wellness Stuart, LLC doing work without a permit and failure to comply with the Florida Fire Prevention Code

Vito Lorenzo, Code Enforcement Officer, presented the case and exhibits 1-10. Mr. Lorenzo requested that they be in compliance by September 26, 2022, if not in compliance, they should be fined \$250 per violation per day. Should they violate the same code sections in the future, they will be fined \$500 per violation per day and currently have an administrative cost to the City of \$300.

Attorney Mortell stated that the City is willing to waive the administrative cost if they come into compliance by the date the Magistrate sets.

Magistrate swore in Dominic Lacovone, owner of Revive, and Steven Darby, representative of Centro NP Downtown Publix, LLC.

Magistrate questioned Mr. Lacovone and Mr. Darby about the fines and what was going on in the building.

Magistrate swore in Steve Nicolosi, Building Official.

Mr. Nicolosi stated the City is aware of who the contractor was and stated they have the plans needed to complete the after the fact permits have recently been submitted but, have not been reviewed.

MAGISTRATE FINDING: Violation remains on the property, proper building permit needs to be issued and needs to be in compliance on or before September 30, 2022, Magistrate will waive the administrative fee. If not in compliance by set date, there will be a charge of

\$250.00 per day and the administrative fee will stay in place.

1. CITY OF STUART VS ROSETTA SAEZ

Vito Lorenzo

CASE NO: CE22080014

ADDRESS OF VIOLATION: 937 SE Spruce Ave

CODE SECTION: 10-61 (J) (1) General Storage of Materials

10-69 (B) (9) Parking and Storing

10-69 (B) (3) Commercial Vehicles

10-61 (M)(20)(C) Storm Shutter Regulations

DESCRIPTION OF VIOLATION: Outdoor Storage in exterior of the property. Inoperable vehicles and commercial vehicles on residential property and Plywood Covering windows.

10:18 PM

Mr. Lorenzo presented the case and exhibits 1-20. Mr. Lorenzo requested that they be in compliance by September 26, 2022. If not in compliance, they should be fined \$100.00 per violation per day, and be fined the administrative cost of \$300.00.

Magistrate asked Mr. Lorenzo to go through each exhibit in detail.

MAGISTRATE FINDING: Magistrate accepted the exhibits and finds there is a violation and set compliance on or before September 26, 2022. If not in compliance, a \$100 fine per violation per day and fined the administrative cost of \$300.00 to the City.

Attorney Mortell stated that the City will waive the administrative cost of \$300.00 if they come into compliance by the set date.

2. CITY OF STUART VS ROBERT STANCAVICH

Vito Lorenzo

CASE NO: CE21010007

ADDRESS OF VIOLATION: 1251 SW Nortons Lane, Stuart FL 34994

CODE SECTION:

DESCRIPTION OF VIOLATION: Follow up per Magistrate's request on August 19 2022 to update the City of the status of his Unity of Title.

10:29 AM

Attorney Mortell updated the Magistrate on the case and spoke on an email Mr. Stancavich sent.

Magistrate swore in Erin Wohlitka, Acting Development Director, and questioned Mrs. Wohlitka about the case.

Attorney Mortell, read into the record the email that was sent by Mr. Stancavich and Attorney Mortell's reply.

Magistrate stated he accepted the email into the record and that the fine continues running.

Attorney Mortell stated he would continue to update the Magistrate on the status of this

case on a quarterly basis.

ADJOURNMENT

10:52 PM