



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

**November 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 Jomar Properties LLC** A. Foster
CE21100022
22-61
FAILURE TO COMPLY WITH FLORIDA FIRE PREVENTION CODE
2. **City of Stuart vs Thor and Janine O'Brien** V. Lorenzo
CE21020066
FINAL JUDGEMENT
3. **City Of Stuart vs. Inez Van Ravenzwaaij** D. Carrasco
CE21100049
10-36, 105.4.1.1
WORK WITHOUT A PERMIT - MUST OBTAIN A NEW PERMIT.

ADJOURNMENT

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

Meeting Date: 11/18/2021

Narrative:

FAILURE TO COMPLY WITH FLORIDA FIRE PREVENTION CODE

Magistrate Action:

Administrative Costs:

\$300.00

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
City of Stuart vs Jomar Properties LLC	11/16/2021	Exhibit



PIN 38-38-41-002-071-00000-3 **AIN** 35157 **Situs Address** 3202 SE FEDERAL HWY STUART FL **Website Updated** 11/4/21

General Information

Property Owners JOIMAR PROPERTIES LLC **Parcel ID** 38-38-41-002-071-00000-3 **Use Code/Property Class** 1600 - 1600 Community shopping center
Mailing Address 5082 E HAMPDEN AVE #316 DENVER CO 80222 **Account Number** 35157 **Neighborhood** 50400 Federal Indian St
Tax District STUART **Property Address** 3202 SE FEDERAL HWY STUART FL **Legal Acres** 9.8924
Legal Description SEWALL'S POINT LAND CO PORTIONS OF TR'S ... **Ag Use Acres** N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2021	\$ 1,775,360	\$ 1,642,716	\$ 3,418,076	\$ 0	\$ 3,418,076	\$ 0	\$ 3,418,076

Current Sale

Sale Date 1/9/04 **Grantor (Seller)** WAL-MART STORES, INC **Doc Num** 1723162
Sale Price \$ 3,350,000 **Deed Type** SW **Book & Page** 1859 1095

CITY EXHIBIT 1



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Foreign Limited Liability Company
JOMAR PROPERTIES, LLC

Filing Information

Document Number M04000002628
FEI/EIN Number 54-2129852
Date Filed 07/02/2004
State CO
Status ACTIVE
Last Event LC AMENDMENT
Event Date Filed 10/11/2013
Event Effective Date NONE

Principal Address

5082 E. HAMPDEN AVE., #316
DENVER, CO 80222

Changed: 05/01/2013

Mailing Address

5082 E. HAMPDEN AVE., #316
DENVER, CO 80222

Changed: 05/01/2013

Registered Agent Name & Address

SUMMERS, ROBERT P, ESQ.
2400 S.E. FEDERAL HIGHWAY, 4TH FL
STUART, FL 34994

Authorized Person(s) Detail

Name & Address

Title MGR

CALABRIA, JOSEPH, JR
7585 W. 66TH AVENUE
ARVADA, CO 80003

Annual Reports

Report Year **Filed Date**

11/18/2021 MAGISTRATE

CITY EXHIBIT 7

BUSINESS ID# _____ OCCUPANCY TYPE: Assembly CONTACT: David
ADDRESS: 3211 SE Federal Hwy EMAIL: David.knuff@gmail.com
BUSINESS NAME: Domar Properties PHONE: 772-924-7318

BILLING ADDRESS: _____ OCCUPANCY LOAD: _____ SQ. FEET: _____
ANNUAL LIFE SAFETY: ☒ OCCUPATIONAL LICENSE: _____ OTHER: ☒

- EGRESS-NFPA 101
☐ Exits Clear of Obstructions
☐ Exit Signs
☐ Emergency Lighting
☐ Sufficient Exits / Size
☐ Proper Hardware / Thumb latch
- FIRE EXTINGUISHERS-NFPA 10
☐ Size / Type / Coverage
☐ Annual Inspection Tag
☐ Mounted/Height
- SPRINKLER SYSTEMS-NFPA 25
☒ NFPA 25 Inspections / Riser Tagged
☐ NFPA 25 Contractor
☐ Coverage Compliance / Valves Open
☐ Fire Department Connection
☐ Spare Heads / wrench, sprinkler guards
☐ Clearance (Heads 18")
☐ Fire Pump / Stand Pipe
☐ Escutcheon Plates
☐ Private Fire Hydrants

- FIRE ALARM SYSTEMS-NFPA 72
☒ System Tagged / As Built / Manuals
☐ Monitoring Company
☐ Smoke / Heat Detectors
☐ Duct Detector / Remote Test
☐ Horn Strobe 80"
☐ Remote Annunciator

- ELECTRICAL-NFPA 70
☐ Panels / Meters Clear of Obstructions
☐ Proper Covers / Voids in Panel
☐ Panel Clearly Labeled
☐ Wiring in Conduit
☐ Multi-Plug Adapters/Ext Cords
- GENERAL REQUIREMENTS-NFPA 101
☐ Correct Address Posted / Rear
☐ Occupant Load Posted
☐ Flammable Storage
☐ Housekeeping (General)
☐ NFPA 704M Labeling
☐ Knox Box
- HOOD EXTINGUISHING SYSTEM-NFPA 96
☐ Semi-Annual Inspections / Tagged
☐ Nozzle Coverage
☐ Gas / Electric Shutoff / with Sign
☐ Exhaust Fans Operational / Labeled
☐ K-Class Extinguishers
☐ Clean Grease Filters and Ducts

Pass _____ Fail ☒ Re-Inspection Date 9/22/21 Time _____ Yellow Card _____
-Have the fire alarm deficiencies and 11 sprinkler system deficiencies corrected immediately.
-Submit deficiency repair reports and inspection reports to www.thecomphomeengine.com

CITY EXHIBIT 3

9/8/21
Date 11/18/2021 MAGISTRATE _____ Signature Owner/Occupant _____
Inspector A. Foster

* All fees associated with this inspection are due within 30 days.

From: Foster, Ashley
Sent: Wednesday, September 8, 2021 4:27 PM
To: jarridknuff@gmail.com
Cc: Cawley, Matthew <mrcawley@ci.stuart.fl.us>
Subject: Fire Inspection Report - DUE 9/22

Good Afternoon Jarrid,

Per our conversation, please see the attached fire inspection form. The screenshot below shows 16 open deficiencies for the fire alarm and 11 open deficiencies for the sprinkler system. These deficiencies need to be corrected immediately. Please have Total Life Safety contact me so I can send them these deficiencies as some of them have been open and not cleared since 2014. Additionally, your fire alarm, sprinkler, and 5 year sprinkler inspection reports are all overdue. Again, please contact Total Life Safety to have these reports uploaded to www.TheComplianceEngine.com. As noted on the inspection sheet, 2 weeks will be allotted to have these issues corrected.

Inspection Report Type	Last Inspection Date	Renewed Date	Status	Days First Due		Open Deficiencies
				Next Due	Next Due if Deferred	
Fire Sprinkler	07/23/2024	07/23/2024	Next Due	9/15	9/15	16
Fire Alarm	09/09/2024	09/09/2024	Next Due if Deferred	9/15	9/15	11
Sprinkler System	09/09/2024	09/09/2024	Next Due if Deferred	9/15	9/15	11

Thank you,

Ashley Foster
Fire Inspector
City of Stuart Fire Rescue
ISO Class 1 Department

CITY EXHIBIT 3A



CITY OF STUART
NEIGHBORHOOD SERVICES
121 SW FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

Oct 13, 2021

JOMAR PROPERTIES LLC
5145 IDYLWILDE TRL
BOULDER, CO 80301

Case #: CE21100022

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: 3202 SE FEDERAL HWY OBSERVATION DATE: 10/12/21
PARCEL ID #: 3838410020710000030000 CORRECTION DATE: 10/29/2021
VIOLATION(S) 22-61
AND Failure to comply with Florida Fire Prevention Code.
CORRECTIVE Correction: 22-61
ACTIONS: Must comply with specified Fire Code

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 Neighborhood Services Magistrate on 11/18/2021 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 Neighborhood Services 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 Neighborhood Services at (772) 288-5325 or (772) 600-1254.

Vito Lorenzo
Neighborhood Services Officer
Vito Lorenzo / Deborah Carrasco
Certified Mail #
7018 0680 0001 8397 7159
7018 0680 0001 8397 7722
7018 0680 0001 8397 7166

11/18/2021 MAGISTRATE

4
CITY EXHIBIT



**NATIONAL
FIRE CODES®**

Copyright by National Fire Protection Association (NFPA). NFPA 25 is licensed, by agreement for individual use. No other reproduction or transmission in any form permitted without written permission of NFPA. For inquiries or to report unauthorized use, contact licensing@nfpa.org.

4.1 Responsibility of Property Owner or Designated Representative.

4.1.1 * Responsibility for Inspection, Testing, Maintenance, and Impairment.

The property owner or designated representative shall be responsible for property maintaining a water-based fire protection system.

4.1.1.1 *

Inspection, testing, maintenance, and impairment procedures shall be implemented in accordance with those established in this document and in accordance with the manufacturer's instructions.

4.1.1.2

Inspection, testing, and maintenance shall be performed by qualified personnel.

4.1.1.2.1 *

The owner shall coordinate with the entity conducting the inspection, testing, and maintenance activities to minimize any water damage caused by the discharge of water.

4.1.1.3 *

Where the property owner or designated representative is not the occupant, the property owner or designated representative shall be permitted to delegate the authority for inspecting, testing, maintenance, and the managing of impairments of the fire protection system to a designated representative.

4.1.1.4

Where a designated representative has received the authority for inspecting, testing, maintenance, and the managing of impairments, the designated representative shall comply with the requirements identified for the property owner or designated representative throughout this standard.

4.1.2 * Freeze Protection.

The property owner or designated representative shall ensure that water-filled piping is maintained at a minimum temperature of 40°F (4°C) unless an approved antifreeze solution is utilized.

4.1.2.1

All areas of the building containing water-filled piping that does not have another means of freeze protection shall be maintained at a minimum temperature of 40°F (4.0°C).

4.1.2.2

Aboveground water-filled pipes that pass through open areas, cold rooms, passageways, or other areas exposed to temperatures below 40°F (4.0°C), protected against freezing by insulating coverings, frostproof casings, listed heat tracing systems, or other reliable means, shall be maintained at temperatures between 40°F (4.0°C) and 120°F (48.9°C).

4.1.2.3

Where other approved means of freeze protection for water-filled piping as described in 4.1.2.2 are utilized, they shall be inspected, tested, and maintained in accordance with this standard.

4.1.3 * Accessibility.

The property owner or designated representative shall provide ready accessibility to components of water-based fire protection systems that require inspection, testing, and maintenance.

4.1.4 Notification of System Shutdown or Testing.

The property owner or designated representative shall notify the authority having jurisdiction, the fire department, if required, and the alarm-receiving facility before testing or shutting down a system or its supply.

4.1.4.1

CITY EXHIBIT 4A

14.2.2.2 Impairments/Deficiencies.

14.2.2.2.1

The requirements of Section 10.20 shall be applicable when a system is impaired.

14.2.2.2.2

System deficiencies shall be corrected.

14.2.2.2.3

If a deficiency is not corrected at the conclusion of system inspection, testing, or maintenance, the system owner or the owner's designated representative shall be informed of the impairment in writing within 24 hours.

14.2.2.2.4

In the event that any equipment is observed to be part of a recall program, the system owner or the system owner's designated representative shall be notified in writing.

14.2.3 Responsibilities.

14.2.3.1 *

The property or building or system owner or the owner's designated representative shall be responsible for inspection, testing, and maintenance of the system and for alterations or additions to this system.

14.2.3.2

Where the property owner is not the occupant, the property owner shall be permitted to delegate the authority and responsibility for inspecting, testing, and maintaining the fire protection systems to the occupant, management firm, or managing individual through specific provisions in the lease, written use agreement, or management contract.

14.2.3.3

Inspection, testing, or maintenance shall be permitted to be done by the building or system owner or a person or organization other than the building or system owner if conducted under a written contract.

14.2.3.4

Where the building or system owner has delegated any responsibilities for inspection, testing, or maintenance, a copy of the written delegation required by 14.2.3.3 shall be provided to the authority having jurisdiction upon request.

14.2.3.5

Testing and maintenance of central station service systems shall be performed under the contractual arrangements specified in 26.3.3.

14.2.3.6 * Service Personnel Qualifications and Experience.

Service personnel shall be qualified and experienced in accordance with the requirements of 10.5.3.

14.2.4 * Notification.

14.2.4.1

Before proceeding with any testing, all persons and facilities receiving alarm, supervisory, or trouble signals and all building occupants shall be notified of the testing to prevent unnecessary response.

14.2.4.2

At the conclusion of testing, those previously notified (and others, as necessary) shall be notified that testing has been concluded.

14.2.4.3

The owner or the owner's designated representative and service personnel shall coordinate system testing to prevent interruption of critical building systems or equipment.

14.2.5 System Documentation.

Prior to system maintenance or testing, the record of completion and any information required by Chapter 7 regarding the system and system alterations, including specifications, wiring diagrams, and floor plans, shall be provided by the owner or a designated representative to the service personnel upon request.

4.5.6.3

Flammable, hazardous, or explosive substances or equipment for repairs or alterations shall be permitted in a building while the building is occupied if this condition of use and safeguards provided do not create any additional danger or impediment to egress beyond the normally permissible conditions in the building and is such that materials are safeguarded when the building is unoccupied.

4.5.7 * Changes of Occupancy.**4.5.7.1**

In any building or structure, whether or not a physical alteration is needed, a change from one occupancy classification to another shall be permitted only where such a structure, building, or portion thereof conforms with the requirements of this Code that apply to new construction for the proposed new use, except as follows:

- (1) Where, in the opinion of the AHJ, the proposed occupancy or change in use is not more hazardous than the existing use, based on life safety and fire risk, the AHJ shall be permitted to approve such change of occupancy provided compliance with the requirements of this Code for buildings of like occupancy or use are specifically incorporated to safeguard the life, health, and welfare of persons.
- (2) Change of tenants or ownership shall not be construed to be a change of occupancy classification where the nature of use and assigned occupancy classification remain the same.

4.5.7.2

Where specifically permitted elsewhere in the Code, existing construction features shall be permitted to be continued in use in conversions.

4.5.8 Maintenance, Inspection, and Testing.**4.5.8.1**

Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature is required for compliance with the provisions of this Code, such device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or other feature shall thereafter be continuously maintained. Maintenance shall be provided in accordance with applicable NFPA requirements or requirements developed as part of a performance-based design, or as directed by the AHJ. [101:4.6.12.1]

4.5.8.2

No existing life safety feature shall be removed or reduced where such feature is a requirement for new construction. [101:4.6.12.2]

4.5.8.3 *

Existing life safety features obvious to the public, if not required by the Code, shall be either maintained or removed. [101:4.6.12.3]

4.5.8.4 *

Existing life safety features that exceed the requirements for new buildings shall be permitted to be decreased to those required for new buildings. [101:4.6.7.4]

4.5.8.5 *

Existing life safety features that do not meet the requirements for new buildings, but that exceed the requirements for existing buildings, shall not be further diminished. [101:4.6.7.5]

4.5.8.6

Any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature requiring periodic testing, inspection, or operation to ensure its maintenance shall be tested, inspected, or operated as specified elsewhere in this Code or as directed by the AHJ. [101:4.6.12.4]

4.5.8.7

Maintenance, inspection, and testing shall be performed under the supervision of a responsible person who shall ensure that testing, inspection, and maintenance are made at specified intervals in accordance with applicable NFPA standards or as directed by the AHJ. [101:4.6.12.5]

4.5.9 Noncombustible Material.**4.5.9.1**

A material that complies with any one of the following shall be considered a noncombustible material:

- (1)* The material, in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat.

11/18/2021 MAGISTRATE

2227 76E9 1000 0890 8707

**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 \$

Postmark Here 10/13/21

Sent To Robert P Summers Esq
 Street and/or P.O. Box No. 5082 F Hampden Ave #316
 City, State, ZIP+4® Denver, CO 80222
 PS Form 3800, April 2015 PSN 7530-02-000-9007 See Reverse for Instructions

7070 76E9 1000 0890 8707

**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 \$

Postmark Here 10/13/21

Sent To Robert P Summers Esq
 Street and/or P.O. Box No. 5082 F Hampden Ave #316
 City, State, ZIP+4® Denver, CO 80222
 PS Form 3800, April 2015 PSN 7530-02-000-9007 See Reverse for Instructions

2227 76E9 1000 0890 8707

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
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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 \$

Postmark Here 10/13/21

Sent To Jomar Properties LLC
 Street and/or P.O. Box No. 5082 F Hampden Ave #316
 City, State, ZIP+4® Denver, CO 80222
 PS Form 3800, April 2015 PSN 7530-02-000-9007 See Reverse for Instructions

7970 76E9 1000 0890 8707

**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 \$

Postmark Here 10/13/21

Sent To Joseph Calabria Sr
 Street and/or P.O. Box No. 7585 W 66th Avenue
 City, State, ZIP+4® Arvada, CO 80003
 PS Form 3800, April 2015 PSN 7530-02-000-9007 See Reverse for Instructions

OFF EXHIBIT 5

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:
 Robert P Summes Esq
 5082 E Hampden Ave #316
 Denver, CO 80222

2. Article Number (Transfer from service label)
 9590 9402 6540 1028 1536 41
 7018 0680 0001 8397 7159

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

PS Form 3811, July 2020 PSN 7530-02-000-9003

COMPLETE THIS SECTION ON DELIVERY

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

OCT 20 2021

RECEIVED

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

PS Form 3811, July 2020 PSN 7530-02-000-9003

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:
 Joseph Calabria Jr
 7585 W 66th Avenue
 Arvada, CO 80003

2. Article Number (Transfer from service label)
 9590 9402 6540 1028 1536 34
 7018 0680 0001 8397 7159

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

PS Form 3811, July 2020 PSN 7530-02-000-9003

CITY EXHIBIT 6

CITY EXHIBIT 7

Robert P Summers ESQ
5082 E Hampden Ave #316
Denver, CO 80233

701A 0660 0001 8397 7722

WEST PALL BCH F 304 PM 3
OCT 20 11PM 3

quadrant

FIRST-CLASS MAIL

\$007.33⁹

10/13/2021 ZIP 34994

043M31219434

US POSTAGE

0019/23/21

888 DE 1

NIXIE

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

EC: 34994213921

*0475-00217-14-39

34994213921

8022-732542

ANK

Neighborhood Services
City of Stuart
121 S.W. Flagler Avenue • Stuart, FL 34994-2172

RECEIVED

OCT 28 2021

CODE ENFORCEMENT
CITY OF STUART

11/18/2021 MAGISTRATE

Product Tracking & Reporting

USPS Tracking Intranet Delivery Signature and Address

Tracking Number: 7013 0580 0001 8397 7166

This item was delivered on 10/19/2021 at 10:23:00

[Return to Tracking Number View](#)

Signature	6783 Wed
Address	DK 351 R19

Enter up to 35 items, separated by commas.

Select Search Type: Submit

Product Tracking & Reporting, All Rights Reserved
Version: 22.1.10.29

CITY EXHIBIT 8

Tracking Number: 70180680000183977166 Remove X

Your item has been delivered to an agent for final delivery in ARVADA, CO 80003 on October 19, 2021 at 10:23 am.

Delivered to Agent for Final Delivery

October 19, 2021 at 10:23 am
ARVADA, CO 80003

Get Updates 

Text & Email Updates 

Tracking History 

Product Information 

Feedback

See Less 

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

CITY EXHIBIT 9



04/11/2021

ARMER PROPERTIES LLC
12189 FLAGLER AVE
BOULDER, CO 80501

CITY OF STUART
NEIGHBORHOOD SERVICES
12189 FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

Case #: C21100022

You are hereby notified that the following violation(s) of the Code of Ordinances under the Land Development Regulations of the City of Stuart exists on the property listed:

ADJUDIC. 2345 SE FEDERAL HWY
PARCEL ID #: 383419057100003069
CORRECTION DATE: 10/29/2021

VIOLATIONS
AND
CORRECTIVE
ACTIONS
You are hereby notified that the following violation(s) of the Code of Ordinances under the Land Development Regulations of the City of Stuart exists on the property listed:

NOTICE OF HEARING SUMMONS

Failure to correct the violation(s) by the above date will result in the City of Stuart (in this matter as a hearing officer) filing a petition with the court to enforce the Code of Ordinances. The violation charged is a civil infraction and failure to appear at the hearing will result in a default judgment being entered against you.

The Neighborhood Services 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 summons. The hearing will be held at the City of Stuart, 12189 Flagler Ave, Stuart, FL 34994-2139.

Failure to appear will result in the City of Stuart proceeding with enforcement of the Code of Ordinances. The City of Stuart will not be responsible for any costs or fees incurred by you in the hearing.

As administrative fee of \$200.00 will be assessed if you should fail to comply by the correction date above.

For more information regarding this notice, please contact Neighborhood Services at (772) 286-5122 or (772) 680-1254.

Neighborhood Services Officer
Lorraine / Deborah, Corrao

City of Stuart
12189 Flagler Ave
Stuart, FL 34994-2139

10/29/2021

STATE OF FLORIDA
CITY OF STUART
CODE ENFORCEMENT

AFFIDAVIT OF POSTING-MAGISTRATE HEARING

Code Enforcement Case Number: CE21100022

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, VITO LORENZO, being fully sworn, deposes and states as follows:

1. That I am an employee of the City of Stuart, Florida Code Enforcement Department; and
2. That part of my duties includes posting Notice of Violations/Notice of Hearing letters, Notice to Abate Nuisance and other correspondence; and
3. That on October 29, 2021 at 9:00 AM, I posted a Notice of Violation, for Case No. CE21100022, Jomar Properties LLC to: 3202 Se Federal Hwy, Stuart, FL 34994; and
4. Said Notice was also posted on the public bulletin board for public viewing in front of City of Stuart City Hall located at 121 SW Flagler Avenue, Stuart, Florida 34994 on October 29, 2021.

FURTHER AFFIANT SAYETH NAUGHT.

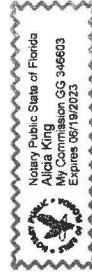
BY: Vito Lorenzo
Vito Lorenzo, Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF MARTIN

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 29th day of October 2021, by Vito Lorenzo, Code Enforcement Officer for the City of Stuart, Florida who is personally known to me or who has produced _____ as identification.

Alicia King
Notary Public, State of Florida

(Seal)



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

Meeting Date: 11/18/2021

Narrative:

FINAL JUDGEMENT

Magistrate Action:

Fine Amount:

\$36,300.00

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
City of Stuart vs Janine & Thor Obrien	11/10/2021	Exhibit



CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No. CE21020066

CITY OF STUART, FLORIDA
Petitioner,

v.

Thor Paul Christopher O'Brien and
Janine Danielle O'Brien
204 SE Ila Street
Stuart, FL 34994
Respondent(s).

PCN# 093841001007000205

ORDER FINDING VIOLATION

THIS MATTER having come before the Code Enforcement Magistrate on **March 18, 2021** and having heard the testimony of the parties, and having considered the evidence presented by the parties; and having been fully apprised of the circumstances, does find as follows:

FINDINGS OF FACT

1. The above Respondent(s) is the owner(s) of the property located at **204 Ila St., Stuart, Florida 34994**, and legal description attached hereto as Exhibit "A."
2. On **March 8, 2021**, an inspection of the property was performed by **City of Stuart inspectors**, and at that time, and continuing until the date of this hearing, the Respondent(s) did maintain conditions on the property as cited in the Notice of Violation and Notice of Hearing, issued in this case, attached hereto as Exhibit "B".

CONCLUSIONS OF LAW

3. The Findings of Fact support, by a preponderance of the evidence, that Respondents have violated: (1) **10-61(j)(1) (Exterior property and storage prohibited: General Storage)**; (2) **10-69(c)(1) (Motor vehicle parking and storage)**; and (3) **8-2(b) (Livestock Prohibited)**, of the City of Stuart Code of Ordinances, or other code cited.

COMPLIANCE

IT IS HEREBY ORDERED that Respondents shall comply with the above code section as follows:

- A. On or before **MARCH 21, 2021**, Respondent(s) shall come into compliance with the above cited Code sections by: (1) Immediately removing outdoor storage; (2) Removing and or covering inoperable vehicles with approved vehicle cover and park/store all vehicles and vessels on an approved paved surface; and (3) Removing all prohibited livestock from the property. Upon compliance the Respondent(s) shall request an inspection by contacting the City's Code Enforcement by calling (772) 600-0118. A request for inspection must be made at least 1 day(s) prior to the requested inspection. If Respondent(s) fails to comply with the requirements of these subsections, there is hereby levied a fine in the amount of \$ **50.00** per day thereafter.

CITY EXHIBIT 1

City of Stuart v. O'Brien
Order Finding Violation – CE21020066
Page 2 of 2

per each violation of: (1) ~~10-61(j)(1)~~ (Exterior property and storage prohibited: General Storage); (2) ~~10-63(c)(1)~~ (Motor vehicle parking and storage); and (3) ~~8-2(b)~~ (Livestock ~~Prohibited~~) each and every day of non-compliance, and administrative costs in enforcing this action. Pursuant to City ordinance and Chapter 162, Florida Statutes, no further hearing shall be required for the entry of such fine and costs. In addition, all fines and costs become liens on the property of the Respondent(s).

B. Should the Respondent(s) come into compliance in accordance with this Order Finding Violation, and subsequently violate the same code sections, such reoccurrences shall subject the Respondent(s) to an administrative fine of up to ~~\$500.00~~ ^{\$750.00} per day for each violation.

C. Respondent(s) is assessed the administrative cost of this action in the amount of ~~\$200.00~~ as provided by law, and shall pay the same to the City at 121 SW Flagler Avenue, Stuart, FL 34994, on or before Not Applicable 2021.

The City, its' agents, officers, and employees are authorized to enter the property during daylight hours to inspect and monitor compliance with this Order.

DONE AND ORDERED this 18th day of March 2021.


Paul J. Nicoletti, Magistrate

Copies furnished to the Parties, BY Hand Delivery



11182021 MAGISTRATE

CITY EXHIBIT 2



11182021 MAGISTRATE

CITY EXHIBIT **3**



CITY EXHIBIT 4



CITY EXHIBIT 5





CODE AND ORDINANCE VIOLATION NOTICE

CITATION NO. **S04020**

NO. **10-2-10**
TO THE OWNER, LESSEE, TENANT, OCCUPANT OR PERSON IN CHARGE OF THE
PROPERTY/VEHICLE DESCRIBED BELOW:

NAME: **Janine & Peter O'Brien**

PREMISE ADDRESS: **204 Jig St**

VEHICLE MAKE _____ MODEL _____ LICENSE _____ STATE _____
PLEASE TAKE NOTICE THAT ON (Date): **10/1/21** (Time): **3:20 PM**
YOU WERE FOUND IN VIOLATION OF:

ORDINANCE(S) # 10-2-10	# 10-691X	
SPECIFICALLY THE VIOLATION CONSISTS OF:		
☐ ILLEGALLY PARKED OR INOPERABLE VEHICLE(S) ON	☐ STREET	FINE \$ _____
☐ UNPERMITTED EVENT		FINE \$ _____
☐ TRASH		FINE \$ _____
☐ HIGH GRASS OR WEEDS		FINE \$ _____
☐ LITTERING	☐ LITTERING BY HANDBILLS	FINE \$ _____
☐ NOISE		FINE \$ _____
☐ WORK WITHOUT A PERMIT		FINE \$ _____
☒ OTHER parking on the boulevard	15th ave	FINE \$ 500.00
ADDITIONAL DESCRIPTION OF VIOLATION: Free parking		
Vehicle		

THE ABOVE LISTED CHARGE(S) MUST BE PAID WITHIN **10** DAYS TO AVOID
ANY FURTHER ACTION. TO PAY THE INDICATED FINE(S) MAIL OR RETURN IN
PERSON YOUR SIGNED COPY OF THE VIOLATION ALONG WITH A CHECK TO:

CITY OF STUART
121 SW Flagler Avenue, Stuart, FL 34984
8:00 AM until 4:00 PM, Monday through Friday,
except holidays, or by phone at 772-600-1264.

IN LIEU OF PAYING THE FINE YOU MAY CONTEST THE CITATION AND REQUEST
TO APPEAR BEFORE THE MAGISTRATE. IF YOU WISH TO CONTEST THE CITATION,
YOU MUST DO SO BY CALLING THE CODE CLERK AT 772-600-1264 WITHIN
TEN (10) DAYS OF THE ISSUANCE OF THIS CITATION. IF YOU FAIL TO CONTEST
THE CITATION WITHIN 10 DAYS, OR FAIL TO APPEAR AT THE HEARING TO CONTEST
THE CITATION, OR IF YOU FAIL TO PAY THE FINE, YOU SHALL BE DEEMED
TO HAVE WAIVED YOUR RIGHT TO APPEAR AND REQUEST A MAGISTRATE
HEARING. YOUR ORDER MAY BE ENTERED FOR AN AMOUNT UP TO THE
MAXIMUM CIVIL PENALTY ESTABLISHED BY ORDINANCE, PLUS COSTS.

ISSUING OFFICER: **10-691X** ID# _____
SIGNATURE OF VIOLATOR: _____ DATE: **10/1/21**

CITY EXHIBIT **7**







CITY EXHIBIT 10



CITY EXHIBIT 

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

Case: CE21020066

Officer Name: V. Lorenzo

CITY OF STUART, FLORIDA,

Petitioner;

v.

**Janine Danielle Obrien & Thor Paul Obrien
204 Se ILA St
Stuart, FL 34994**

Respondent(s).

RE-NOTICE OF MAGISTRATE HEARING

Please take notice that on **Thursday the 18th day of November 2021, at 10:00 AM,** in the City of Stuart Commission Chambers located at **121 SW Flagler Ave, Stuart, FL,** the City will bring on to be heard the Code Enforcement Case CE21020066. Please govern yourself accordingly.

I HEREBY CERTIFY that a true copy of this Notice of Hearing was served upon the Respondent by Certified Mail on this **28th** day of **October, 2021.**



Vito Lorenzo
121 SW Flagler Ave
Stuart, FL 34994
(772) 288-5325

CITY EXHIBIT 12-

U.S. Postal ServiceTM
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) \$
☐ Restricted Mail (hardcopy) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Postmark Here
 10/28/21

Sent To: Thor & Janine Obrien
204 SE I LA ST
STUART, FL 34994
 City, State, ZIP+4[®]
 PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

7010 0400 1000 0890 2639 7258

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:
Thor & Janine Obrien
204 SE I LA ST
STUART, FL 34994
 Article 9590 9402 6540 1028 1537 33
 Article Number (Transfer from service label)
 7016 0660 0001 8397 7258

COMPLETE THIS SECTION ON DELIVERY

A. Signature? ☒ Signature ☐ Agent
 B. Received by (Printed Name) [Signature]
 C. Date of Delivery NOV 04 2021
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

CODE ENFORCEMENT

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

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

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

Meeting Date: 11/18/2021

Narrative:

WORK WITHOUT A PERMIT - MUST OBTAIN A NEW PERMIT.

Magistrate Action:

Fine Amount:

\$250.00 per violation

Administrative Costs:

\$300.00

ATTACHMENTS:

<i>Description</i>	<i>Upload Date</i>	<i>Type</i>
City Of Stuart vs. Inez Van Ravenzwaaij	11/16/2021	Exhibit



Basic Info

PIN 09-38-41-003-008-00020-1	AIN 26018	Situs Address 858 SE 14TH ST STUART FL	Website Updated 11/15/21
--	---------------------	--	------------------------------------

General Information

Property Owners VAN RAVENZWAALJ INEZ	Parcel ID 09-38-41-003-008-00020-1	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 858 SE 14TH ST STUART FL 34994	Account Number 26018	Neighborhood 309380 Lawler Hts, Eldorado Hts,Dixie
Tax District STUART	Property Address 858 SE 14TH ST STUART FL	Legal Acres .2850
	Legal Description ELDORADO HEIGHTS AMENDED LOTS 2 & 3 BLK ...	Ag Use Acres N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2021	\$ 108,300	\$ 48,840	\$ 157,140	\$ 0	\$ 157,140	\$ 0	\$ 157,140

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

REGISTRAR

CITY EXHIBIT 7



11182021 MAGISTRATE

CITY EXHIBIT 2



11182021 MAGISTRATE

CITY EXHIBIT 3



CITY OF STUART
NEIGHBORHOOD SERVICES
121 SW FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

Oct 21, 2021

RAVENZWALL, INEZ VAN
858 SE 14TH STREET
STUART, FL 34994

Case #: CE21100049

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: 858 SE 14 ST OBSERVATION DATE: 10/21/21
PARCEL ID #: 0938410030080002010000 CORRECTION DATE: 11/05/2021

VIOLATION(S)
AND
10-36 Work without a Permit
105.4.1.1

CORRECTIVE
ACTIONS:
105.4.1.1 If work has commenced and the permit is
revoked, becomes null and void, or expires because of
lack of progress or abandonment, a new permit covering
the proposed construction shall be obtained before
proceeding with work

Correction: 10-36
Obtain and Complete all Requirements of Permit
105.4.1.1
Obtain a new permit

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 Neighborhood Services Magistrate on 11/18/2021 at 10:00 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 Neighborhood Services 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 Neighborhood Services at (772) 288-5325 or (772) 600-1254.

Deborah Carrasco
Neighborhood Services Officer
Vito Lorenzo / Deborah Carrasco

7018068000183977197
Certified Mail #

CITY EXHIBIT 4

11/18/2021 MAGISTRATE

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 (show how and how as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Postmark Here

10/21/21

858 14th

Street and Apt. or P.O. Box No.
 City, State, ZIP+4[®]

PS Form 3811, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

7010 0680 0001 8397 7197

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:
 Irene Van Ravenswaay
 858 14th St-
 Stuart FL 34994

9590 9402 6540 1028 1536 65

2. Article Number (Transfer from service label)
 7018 0680 0001 8397 7197

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

COMPLETE THIS SECTION ON DELIVERY

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

OCT 27 2021

CODE ENFORCEMENT
 CITY OF STUART

3. Service Type
☒ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express[®]
☐ Registered Mail[™]
☐ Registered Mail Restricted
☐ Signature Confirmation[™]
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CITY EXHIBIT 5



11182021 MAGISTRATE

CITY EXHIBIT 6



11182021 MAGISTRATE

CITY EXHIBIT 7



11182021 MAGISTRATE

CITY EXHIBIT **8**



11/8/2021 MAGISTRATE

CITY EXHIBIT 9



CITY EXHIBIT 10