

TOWN OF SEWALL'S POINT



**Special Magistrate Hearing
June 12, 2025
10:00 AM**

CALL TO ORDER

Pledge of Allegiance to the Flag

Swearing-in of Staff and Violators

PUBLIC COMMENT ON NON-AGENDA ITEMS-PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENT TO THREE MINUTES. No time extension permissible. If the thirty (30) minute time period has been exhausted, the Special Magistrate will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.

TOSP Public Comment Guidelines

[Public Comment Guidelines.pdf](#)

1. FINE MITIGATIONS

B23-0001 - Andrew Marek - 1 Fieldway Drive - Fine Reduction

[B23-0001 1 Fieldway Dr_Packet.pdf](#)

ADJOURN

CIVILITY CLAUSE: It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772) 287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will 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.



Guidelines for Public Comments

- Please submit a comment card to the Town Clerk prior to the start of the meeting.
- All comments are limited to 3 minutes.
- Please state your name and address for the record prior to addressing the Town Commission.
- All remarks should be addressed to the Commission as a body.
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input.
- Any person addressing the Commission who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting.



Affidavit of Compliance

Case Number: B23-0001
Owner Name: Andrew Marek
Address: 1 Fieldway Dr
PCN: 35-37-41-002-003-00030-8
Phone: _____

Hearing Date: 03/08/2023
Admin Cost: \$100 paid Due Date: _____
Compliance Date: 02/06/2025
Reinspection for Compliance: _____
Daily Fines: \$250/day Begin Accruing: 3/29/2023

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Jack Reisinger, being duly sworn, depose and say that I am a Code Enforcement Officer for the Town of Sewall's Point.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

Jack Reisinger 3-28-25
Signature Date

The foregoing instrument was acknowledged before me this 28th day of March, 2025, by Jack Reisinger. He/She is personally known to me or has produced _____ as identification.



CHRYSTAL GOMEZ
Commission # HH 339139
Expires February 24, 2027

Chrystal Gomez
Notary Public, State of Florida
My Commission Expires: _____

1 Fieldway Dr

B23-0001 Property Maintenance

Compliance date 03.29.23-02.06.2025=681 days

250 x 681 days=

\$ 170,250.00

From: [Robert Daniels](#)
To: [Clow, Gordon L](#)
Cc: [lara marek](#); [Kathy Miscocki](#); [glclow@yahoo.com](#); [Jack Reisinger](#); [Chrystal Gomez](#)
Subject: RE: Magistrate's Hearing
Date: Tuesday, April 1, 2025 3:37:24 PM

Gordon,

I am in receipt of your request and will schedule this for the magistrate's hearing on April 10, 2025, at 10 a.m. Please advise if there are any changes.

Bob

From: Clow, Gordon L <GordonLClow@maximus.com>
Sent: Friday, March 28, 2025 12:27 PM
To: Robert Daniels <RDaniels@sewallspoint.org>
Cc: Clow, Gordon L <GordonLClow@maximus.com>; lara marek <laramarek@hotmail.com>; Kathy Miscocki <kjmiscocki@gmail.com>; glclow@yahoo.com
Subject: Magistrate's Hearing

Good afternoon Bob,

Now that the 1 Fieldway Drive property has been brought into compliance, we would like to request a Magistrate's Hearing to mitigate the fines.

The next date is scheduled for April 10, 2025.

Let me know if you have any questions or need anything additional from us.

Thanks

Gordon and Lara Clow

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**CODE ENFORCEMENT ORDER
TOWN OF SEWALL'S POINT, FLORIDA**

TOWN OF SEWALL'S POINT, FLORIDA,

Petitioner,

vs.

ESTATE OF ANDREW M. MAREK,

Respondent(s).

Case No.: B23-0001



ORDER FINDING VIOLATION AND ASSESSING FINE

Property Address: 1 Fieldway Drive
PCN: 35-37-41-002-003-00030-8

Re: Violation of Town Ordinance 22-2 – Property Maintenance

The Code Enforcement Board appointed by the Town of Sewall's Point to hear code enforcement cases for the Town, in accordance with Chapter 18, Article II, Division 1 of the Town's Code of Ordinances, has heard testimony at the Code Enforcement hearing held on the March 8, 2023, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent, the Estate of Andrew M. Marek, was not present at the hearing, nor was any representative of Respondent present at the hearing.
2. The Respondent was properly notified of the violation and the hearing.
3. The Town attorney and Town's Building Official presented competent substantial evidence which included testimony, pictures and other documentation to establish that the Respondent was in violation of the above cited section(s) of the Code of Ordinances.
4. Testimony and evidence established that the property described above was not being properly maintained and was in violation of the above cited section(s) of the Code of Ordinances.

CONCLUSIONS OF LAW

1. Pursuant to Section 18-102 of the Town of Sewall's Point Code of Ordinances, the Town's Building Official is a code enforcement officer.
2. Notice was provided to the Respondent in compliance with, and pursuant to, the requirements of Section 162.12, Florida Statutes, and Section 18-207, of the Code of Ordinances.
3. The Respondent is in violation of the Town of Sewall's Point Code of Ordinances for failing to maintain above-described property in violation of the above cited section(s) of the Code of Ordinances.

Inst. # 3006481
Bk: 3364 Pg: 638 Pages: 1 of 2
Recorded on: 3/15/2023 9:32 AM Doc: ORD
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$18.50



ORDER

1. The Respondent is hereby ordered to comply with Town Ordinance 22-2 by March 28, 2023, by properly maintaining the subject property, which shall include but is not necessarily limited to, cleaning up mildew around the windows and other parts of the residential structure, maintaining the lawn, hedges and pool, removing debris and providing pest control to eliminate pests on or about the subject property. If Respondent fails to achieve compliance by March 28, 2023, a daily fine of Two Hundred Fifty Dollars (\$250.00) per day shall be imposed for each day thereafter the violation continues to exist. Said violation shall continue until the Town issues an Affidavit of Compliance and it shall be the responsibility of the Respondent to notify Town staff when the subject property is in compliance.

2. The Respondent is further ordered to pay administrative costs in the amount of One Hundred Dollars (\$100.00) incurred by the Town for the enforcement and prosecution of this violation, which amount shall be due and paid in full immediately.

3. Should the Respondent violate the same Section or Sections of the Code again, the Respondent may be subject to a fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Should the violations be deemed to be irreparable and irreversible, the Respondent may be subject to a fine of up to \$5,000.00 for each violation. Additionally, the code enforcement officer is not required to give a reasonable time to correct a repeat violation, or an irreparable/irreversible violation, and the case may be presented to either the Code Enforcement Board or the Special Magistrate even if the repeat violation has been corrected or the irreparable/irreversible violation has stopped prior to such hearing.

DONE AND ORDERED this 8th day of March 2023.

TOWN OF SEWALL'S POINT CODE ENFORCEMENT
BOARD

BY: 
Johnny Colson, Chairperson

Copies of this Order were provided to the following:

Respondent

Town Manager