

SPECIAL MASTER HEARING
City Commission Meeting Room
Judge Daniel Futch, Presiding
February 6, 2003
9:00 A.M. – 11:45 A.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Jennifer Chenault, Secretary
Todd Hiteshew, Community Code Supervisor
Assistant City Attorney
Tim Welch, Engineering Design Manager
Andy Townsend, Engineering Inspector
Cheryl Pingitore, Community Inspections Officer
Frank Stockinger, Community Inspections Officer
Leonard Ackley, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
John Gossman, Community Inspections Officer
Andre Cross, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Deborah DiMaggio, Community Inspections Officer
Burt Fletcher, Community Inspections Officer
Mike Donovan, Community Inspections Officer
Maurice Murray, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Karl Lauridsen, Community Landscape Officer

Also Present:

Stan Pfeifer, CE03011080
Susan Pfeifer, CE03011080
John Nye, CE03011080
Ronnie Rolax, CE02091655
Bernadette Meade, CE02030631
Basil Wees, CE02060159
Charles Boye, CE02020205
Dennis Fetch, CE02100019
Dawn Boneta, CE02040981
Nicole Carter, CE02061784
Joseph Poklemba, CE02020205
Tena Aiello, CE01040804
Jason Brown, CE02090466

Benjamin Stroman, CE02041937
Adaish Jangbahadoor, CE02101610
Ralph Lynch, CE03010194

NOTE: All individuals who presented information to the Special Master during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 9:00 A.M. Judge Futch introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

Reference CE02020205

Boyes Gas Service Inc.
531 Northeast 8th Street

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on March 7, 2002, with compliance ordered by July 4, 2002; on July 18, the date was extended to September 16 and the fines were abated. On September 17 the date was extended to November 18; on November 21 the date was extended to January 20, 2003. The current fine stands at \$475.00.

Mr. Charles Boye explained that he had an appointment with Mr. Brewton to discuss plans for a building to house the propane filling operation. He requested 90 days for the permits to be finalized and the building constructed. Judge Futch remarked that Mr. Boye had had over one year to put this building up. Mr. Boye explained that this was "not your average thing," but the planning had finally been worked out.

The Assistant City Attorney informed Judge Futch that the City did not object to the extension request; the owner had assured the City that the work could be completed in 90 days, and the City was satisfied with this.

Mr. Joseph Poklemba, representative of Mr. Jim Brady, informed Judge Futch that Mr. Brady was opposed to this use of the property, and contended that this was illegal use. Mr. Brady also opposed any extension of time to comply.

Judge Futch granted an extension of 90 days.

Reference CE01040804

Tena Aiello
1458 Southwest 19th Avenue

Request for Abatement of Fines

Ms. Batchelder announced that this case was originally heard on June 7, 2001, with compliance ordered by July 7, 2001; the compliance date was July 8, 2002. Fines had accrued in the amount of \$9,125.00.

Ms. Tena Aiello, owner, informed Judge Futch that all the debris from the original complaint had been removed in July 2001 except for two 4 X 4s. She had experienced difficulty since then getting in touch with Inspector Kaplan. She stated that she had made appointments with "Sylvia", who repeatedly cancelled their meetings. Ms. Aiello was very confused about how she could owe \$9,000.00 for two 4 X 4s.

The Assistant City Attorney stated that the City would recommend a reduction of the fine to \$500.00 based on the length of the violation and the property's history. Mr. Kaplan agreed to the fine reduction proposed by Ms. Aiello suggested dropping the fine to \$100.00 and Judge Futch agreed.

Judge Futch abated the fines to \$100.00.

Reference CE02040891

William Boneta
1016 Southwest 22nd Terrace

Request for Extension of Time

Ms. Batchelder announced that this case had originally been heard on December 5, 2002 with compliance ordered by January 6, 2003. Fines had accrued in the amount of \$1,600.00.

Ms. Dawn Boneta, representative of the owner, explained to Judge Futch that the City had put the rocks in the swale during a reclamation project, and Mr. Boneta did not understand why she was cited for missing ground cover in the swale. The rocks had also been used by the City at a few of his neighbors' homes at the time.

Mr. Tim Welch, Engineering Design Manager, was unaware of why the City would put rocks in the swale, and noted that members of the Engineering Department should be contacted to ensure that they were "on the same page" as far as enforcement. Ms. Batchelder suggested a 30-day extension for the City to research what needed to be done. Judge Futch agreed.

Judge Futch granted an extension of 30 days.

Reference CE02061786

Nicole Carter
528 Southwest 24th Avenue

Request for Abatement of Fine

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by December 9. The property was in compliance on December 30, 2002. Fines had accrued in the amount of \$1,100.

Ms. Nicole Carter, respondent, stated that she had never received a notice to appear for the violation. She assured Judge Futch that all of the repairs had been made. There had been a delay in reinspection because Ms. Burks had been away when repairs were completed and Ms. Carter attempted to make a reinspection appointment.

The Assistant City Attorney recommended a reduction of the fine to \$550.00 because it had taken nearly 6 months for Ms. Carter to remove the debris, and there had been 8 violations since Ms. Carter purchased the property in 2000. Ms Carter stated that she had not lived on the property when the violations occurred, and she did not receive the notice.

Judge Futch advised Ms. Batchelder that he wished to take some time to consider this case before ruling. He returned to the case after all other cases had been heard. Ms. Carter informed Judge Futch that she could not afford the fine because she was a single mother with four children.

Judge Futch reduced the fine to \$100.00.

Reference CE02100019

Mary Lo Bianco
1129 Northeast 5th Terrace

Request for Abatement of Fine

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by November 21 and December 7. One section did not comply in time, and fines had accrued in the amount of \$950.

Mr. Dennis Fetch, representative of the respondent, informed Judge Futch that the violation had been completed on time but he had neglected to call Inspector Fletcher right away for reinspection. Mr. Burt Fletcher, Community Inspections Officer, testified that he had complied the property on December 11, but it may have been cleaned up prior to that. The Assistant City Attorney noted that the respondent was responsible to call the inspector for reinspection.

The Assistant City Attorney stated that the City was opposed to any abatement because the property had a lengthy history of violations, including 6 since Ms. Lo Bianco purchased the property in June 2000. There was a new violation open from January 2003 regarding trash on the property.

Judge Futch denied the request for abatement.

Reference CE02030631

Bernadette Meade
1704 Northwest 8th Court

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on October 17, 2002 with compliance ordered by October 24 and November 16. On November 7, 2002, the date had been extended to December 22, 2002. Fines had accrued in the amount of \$11,650.00.

Ms. Bernadette Meade, speaking through a City Interpreter, requested a 30-day extension.

The Assistant City Attorney informed Judge Futch that the City had no objection to granting an extension in this case.

Judge Futch granted a 30-day extension.

Reference CE03011080

Stan & Susan Pfeifer
2625 Northeast 26 Place

Sec. 25-100(a): Driveway reconstructed
contrary to Engineering Department
standards

Ms. Batchelder announced that certified mail had been accepted on January 25, 2003.

Mr. Tim Welch, Engineer Design Manager, testified that after the permit was issued and the driveway built, the owner had rebuilt the driveway without a new permit. The new driveway did not comply with City standards. On October 8th the owner was advised to apply for a new permit and move the driveway back. This had never been done. He presented photographs of the driveway.

Ms. Susan Pfeifer, owner, informed Judge Futch that the driveway had not been moved; bricks that had been displaced during landscaping had been replaced and grouted. She stated that the neighbor they believed responsible for the complaint was "the best friend of the boyfriend of my husband's ex-wife." She noted that this neighbor had interfered with the project every step of the way. In October Ms. Pfeifer had sent a letter to Mr. Welch informing him of this situation. After this letter, they had been informed that the violation was no longer in the computer, but now the problem had returned. She noted that her husband had photographed other driveways in the area, and all appeared to be the same as theirs.

Judge Futch asked Mr. Welch's opinion; Mr. Welch stated that he would have preferred to take action against the contractor, but he did not have that ability here. The City's objection was to the grouting, which would now affect water drainage and adjacent properties. He

felt that the contractor should be required to re-lay the pavers in the manner stated on the permit, and it should be done at no cost.

Mr. Pfeifer state that he felt the paver company did nothing wrong, they had done as he had asked. After speaking to Mr. Welch, Mr. Pfeifer had contacted the paver company and received an estimate of \$3,000.00 to redo the driveway. He had asked the opinion of other inspectors, who felt there was no problem with the driveway.

Mr. Andy Townsend, Engineering Inspector, testified that the driveway had been inspected after the grouting, and the grade was no longer acceptable. He explained the procedure to Judge Futch.

Mr. John Nye, neighbor of the respondents, informed Judge Futch that these neighbors had done a better job than most to comply with requirements concerning their swale. He felt that the complaining neighbor had a hard position against the Pfeifers.

Ms. The Assistant City Attorney asked Judge Futch to find that the violation exists and give the owners 30 days to correct the problem.

Judge Futch granted a continuance until March 20, 2003.

Reference CE02041937

Florilla Stroman
2305 Northwest 6th Place

Sec. 9-280(b): Doors/windows not water/
weathertight; Sec. 9-281(b): Rubbish, trash and
inoperable, unlicensed vehicles on property;
Sec. 9-306: Peeling paint/fascia board in disrepair;
Sec. 47-21.8: Landscape maintenance;
Sec. 47-20.20 H: Parking area in disrepair

Ms. Batchelder announced that personal service had been made by Inspector Margerum on January 5, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the doors and windows were not in weather/watertight condition; there was trash and debris scattered throughout the property and 6 inoperable vehicles on the property; the house had peeling, chipping paint; the ground cover was not maintained; the driveway was cracked and in disrepair. He noted that there were now only 2 disabled vehicles on the property.

Mr. Benjamin Stroman, owner, informed Judge Futch that he had people making repairs on the property, and requested 60 days to complete compliance. Mr. Kaplan recommended:

- 30 days for the door and window repair, ground cover and painting;
- 7 days for the trash, vehicles and overgrowth;
- 60 days for the driveway.

Mr. Kaplan also presented photographs of the property.

Judge Futch found in favor of the City and ordered compliance within 45 days, or a fine of \$25.00 per day, per violation.

Reference CE02090466

Doug Grau
1433 Northwest 3rd Street

Sec. 47-21.8 A: Landscaping not maintained

Ms. Batchelder announced that service had been made via posting on the property and City Hall on December 11, 2002 and January 27, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that the landscaping was not being maintained on this property. He presented photographs of the property to Judge Futch, and noted that the property was originally cited on November 11, 2002.

Mr. Jason Brown, representative of the property management company, asked exactly what needed to be done, and requested 15 days to comply. Mr. Ackley informed Mr. Brown that grass needed to be planted on the property. Mr. Brown agreed.

Judge Futch found in favor of the City and ordered compliance within 15 days, or a fine of \$50.00 per day would be imposed.

Reference CE02091655

Clyde Rolax
427 Northwest 20th Avenue

Sec. 9-329(d): Required certificate of boarding

Ms. Batchelder announced that service had been made via posting on the property and at City Hall on December 11, 2002 and January 27, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that the required certificate of boarding had not been renewed, nor had the building been repaired, rehabilitated or sold, pursuant to 9-329(d). He stated that 9-329(d) required the building to be rehabilitated, demolished or sold within one year. He presented photographs of the property to Judge Futch.

Mr. Ronnie Rolax, owner, testified that he had attempted to renew the boarding certificate, but was informed that the certificate was too old, and should await further notice. He informed Judge Futch that the house was still in probate, and requested 7 days to renew the boarding certificate and re-board the house.

The Assistant City Attorney requested that the Judge allow 90 days to get the property out of probate, when a permit could be requested for rehabilitation or demolition.

Judge Futch found in favor of the City and ordered compliance within 90 days, or a fine of \$25.00 per day would be imposed.

Reference CE02101610

Adaish Jangbahadoor
539 Northwest 22nd Avenue

Request for Abatement of Fines

Ms. Batchelder announced that this case had originally been heard on November 21, 2002 with compliance ordered by November 29, 2002. Fines had accrued in the amount of \$800.00.

Mr. Adaish Jangbahadoor, owner, informed Judge Futch that 539 Northwest 22nd Avenue was not his property; his property was 535 Northwest 22nd Avenue. He stated that he had removed the trash from the property.

Mr. Ackley stated that this was a unique situation because the property had been split and sold. He noted that Mr. Jangbahadoor admitted the trash on 539 was his, and had signed an agreement to remove it. The tenant had informed Mr. Jangbahadoor that the trash had been removed, but it had not. Mr. Ackley suggested the fine be reduced to \$400.00. Mr. Jangbahadoor explained to Judge Futch that the tenant was being evicted.

The Assistant City Attorney testified that as property owner/manager, Mr. Jangbahadoor had the responsibility to see that the trash was removed and comply.

Judge Futch reduced the fine to \$100.00.

Reference CE02060159

Ellen & Basil Wees
442 Southwest 22nd Terrace

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by December 9, 2002 and January 6, 2003. Current fines stood at \$2,250.00.

Mr. Basil Wees, owner, informed Judge Futch that he had been ill and that was why he had been unable to clean up his property. He was waiting for his doctor to perform tests and make a date for him to have hernia surgery.

The Assistant City Attorney noted that Mr. Wees still needed to replace some ground cover and do some painting, and Mr. Wees should advise when he felt he would be able to complete the repairs. Mr. Wees felt 90 days should be enough time.

Judge Futch granted an extension of 90 days.

Reference CE02110400

Charles Erickson
2270 Northeast 62nd Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Derelict vehicle and trash in carport

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that the yard consisted of bare ground and weeds, and there was a derelict vehicle and trash in the carport. He noted that the car and trash had been removed, but work was still needed on the lawn. He had spoken with the owner, who was elderly, and suggested allowing 60 days to comply with the remaining violation, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with Section 47-21.8 A within 60 days, or a fine of \$25.00 per day would be imposed.

Reference CE02090818

Frieda Rashkin
5820 Northeast 22nd Avenue

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by November 14 and December 7, 2002; on December 5, 2002 the date was extended to January 3, 2003. Fines had accrued in the amount of \$225.00.

Ms. Batchelder noted that the City had spoken with the owner, and the City recommended an extension of 120 days.

Judge Futch granted an extension of 120 days.

Reference CE020120178

Darren Todd
809 Southwest 8th Terrace

Sec. 18-27(a): Trash and overgrowth on property

Ms. Batchelder announced that certified mail had been accepted on December 24, 2002.

Mr. Maurice Murray, Community Inspections Officer, testified that there was trash, rubbish and plant life on the property and in the swale. He presented photographs of the property to Judge Futch. He recommended 14 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 14 days, or a fine of \$25.00 per day would be imposed.

Reference CE02120031

Ruth & Lily Perraud Trust
3181 Davie Boulevard

Sec. 47-19.4 B.1: Dumpster in unapproved location

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the dumpster enclosure was in the wrong location. He had spoken with the owner, who had instructed the dumpster company to move the dumpster to the correct location. He recommended 14 days or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with within 14 days, or a fine of \$25.00 per day would be imposed.

Reference CE02081456

Dorothy & Renee Chestnut
1870 Northwest 24th Terrace

Sec. 9-329(d): Required Certificate of Boarding Renewal

Ms. Batchelder announced that personal service had been made by Inspector Pingitore on January 9, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the board up certificate had not been renewed, and the house had not been repaired, rehabilitated, or sold, pursuant to the requirements of 9-329(d). She presented photographs of the property to Judge Futch and recommended 30 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with within 30 days, or a fine of \$25.00 per day would be imposed.

Reference CE02111464

Vincent La Bella
1021 Northwest 25th Way

Sec. 9-281(b): Rubbish, trash, and overgrowth on property; Sec. 9-308 (b): Roof in disrepair; Sec. 9-314: Clothes on fence; Sec. 9-280(g): Broken and inoperable electrical fixtures

Ms. Batchelder announced that certified mail had been accepted on January 28, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish and debris scattered on the property; the roof had not been maintained and there was trash on the roof; there were broken and inoperable electrical fixtures on the property. Section 9-314 was now in compliance. Ms. Pingitore had visited the property on February 5, and the

property was still not in compliance. She presented photographs of the property to Judge Futch. Ms. Pingitore had spoken with the owner, who felt he could get the property into compliance within 30 days. She recommended 10 days to comply with Sections 9-281(b) and 9-308(b), and 30 days for Section 9-380(g), or a fine of \$100.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days for Section 9-280(g), and 10 days for Sections 9-281(b) and 9-308(b), or a fine of \$100.00 per day, per violation.

Reference CE03010194

Ralph Lynch
425 Northeast 8th street

Sec. 47-21.12.D.1.d: Required tree trimming standards

Ms. Batchelder announced that certified mail had been accepted on January 24, 2003.

Mr. Karl Lauridsen, Community Landscape Officer, testified that there was overlifting of the canopy and stubbed branches on a tree on the property. The owner needed to provide 2" of caliper class A replacement on site. He suggested 45 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with within 45 days, or a fine of \$25.00 per day would be imposed.

Reference CE03010219

Mitchell Domin Inc
619 North Andrews Avenue

Sec. 47-21.12.D.1.e: Hatracking of trees

Ms. Batchelder announced that certified mail addressed to the corporation had been accepted on January 23 and January 24, 2003.

Mr. Karl Lauridsen, Community Landscape Officer, testified that the department had required the owner to obtain a permit to have the abused tree removed and provide a replacement. The owner had obtained a permit, which was valid for 60 days. He requested 60 days from the date the permit was issued on January 28 for the owner to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 60 days from the permit date, or a fine of \$25.00 per day would be imposed.

Reference CE02100065

Sammy Brown & Stuart Pester
609 Northwest 15th Terrace

Sec. 47-21.8: Landscape Maintenance;
Sec. 9-281(b): Rubbish, debris and inoperable/
unlicensed vehicle on property; Sec. 9-280(b):
Doors/windows not weather/watertight or rodent
proof; Sec. 9-278(g): Missing/torn screens;
Sec. 9-306: Peeling paint/mildewed surfaces;
Sec. 47-34.1 A.1: Permitted Uses : Outdoor
storage

Ms. Batchelder announced that certified mail had been accepted on January 30, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the groundcover was not maintained; rubbish, trash and debris, including unlicensed vehicles were scattered on the property; door and windows were not weather/watertight and rodent proof; there were missing and torn screens in the windows; there was chipping, peeling paint and mildew on the walls; unlicensed, inoperable vehicles were stored on the property, which was not permitted in a residential district. He presented photographs of the property to Judge Futch. He commented that this case began when the owner had installed roofing without first obtaining a permit. Mr. Donovan had not been contacted by the owners. He recommended 30 days to comply, or a fine of \$50 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation, would be imposed.

Reference CE02100223

Carrie Bell Crawford
714 Northwest 15th Terrace

Sec. 9-306: Peeling paint/mildewed surfaces;
Sec. 47-20.13 A: Driveway in disrepair

Ms. Batchelder announced that personal service had been made by Inspector Stockinger on February 1, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the walls were dirty ad paint was chipping and peeling on the building, and the parking area was bare sand. He had visited the property with the owner's brother and he had agreed to allow 30 days to comply or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$25.00 per day, per violation, would be imposed.

Reference CE03010187

One Corporate Center LP
Tenant: USA Prescriptions
110 East Broward Boulevard #1700

Sec. 15-28: Required occupational license

Ms. Batchelder announced that the City requested a two-week continuance for this case.

Judge Futch granted a two-week continuance.

Reference CE02111805

M & S Management Corp.
3660 Davie Boulevard

Sec. 47-22.3 S: Signs without permits; Sec. 47-19.4 D.1: Dumpster not in approved enclosure

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that the dumpster was not in an approved enclosure, but Section 47-22.3 S was now in compliance. He recommended 120 days to comply or a fine of \$50.00 per day for the remaining violation.

Judge Futch found in favor of the City and ordered compliance with Section 47-19.4 D.1 within 120 days or a fine of \$50.00 per day would be imposed.

Reference CE02111814

Ruth & Lily Perraud Trust
3165 Davie Boulevard

Sec. 47-19.4 D.1: Required dumpster enclosure; Sec. 9-281(b): Rubbish, trash, and debris on property; Sec. 47-22.3 R: Signs without permits

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that the dumpster was not in an approved enclosure; there was trash, rubbish and debris on the property, and there were banner signs on the property without permits. He recommended 14 days to comply with Sections 9-281(b) and 47-22.3 R, and 30 days to comply with Section 47-19.4 D.1 or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Section 47-19.4 D.1 within 30 days, and Sections 9-281(b) and 47-22.3 R within 14 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE02110912

Marylin Baron
2115 Northwest 6th Place

Sec. 9-306: Metal gate in disrepair, peeling
chipping paint on wall

Ms. Batchelder announced that certified mail had been accepted on January 16, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the metal gate was in disrepair, and the wall had chipping, peeling paint. He recommended 14 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 14 days, or a fine of \$50.00 per day would be imposed.

Reference CE02070520

Vincent Panico
123 Southwest 21st Way

Sec. 47-21.8 A: Missing ground cover; Sec. 9-306:
Peeling paint

Ms. Batchelder announced that certified mail had been accepted on January 31, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there were areas of missing ground cover, but Section 9-306 was now in compliance. She recommended 30 days to comply with Section 47-21.8 A or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with Section 47-21.8 A within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE02101587

Christine Sang-Wong
2656 Southwest 6th Court

Sec. 47-21.10: Required ground cover;
Sec. 9-304(b): Driveway in disrepair

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there were areas of missing ground cover, and Section 9-304(b) was now in compliance. She recommended 30 days to comply with Section 47-21.10 or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 30 days for Section 47-21.10 or a fine of \$25.00 per day would be imposed.

Reference CE02110944

Hajredin Xhunga
301 Northwest 12th Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicle on property

Ms. Batchelder announced that service had been made via posting on the property on December 11, 2002 and January 27, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles stored on the property and recommended 7 days to remove the vehicles or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$50.00 per day would be imposed.

Reference CE02121952

Lewis Tunnage
534 Northwest 23rd Avenue

Sec. 9-281(b): Rubbish, trash, and debris on property

Ms. Batchelder announced that personal service had been made by Inspector Donovan on January 25, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was trash and debris on the property. He recommended 10 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 10 days or a fine of \$50.00 per day would be imposed.

Reference CE02071512

Grady Brinson
1325 Northwest 6th Avenue

Sec. 9-281(b): Rubbish, debris and inoperable/unlicensed vehicles on property; Sec. 9-308 (b): Roof mildew stained; Sec. 47-21.8 A: Missing ground cover; Sec. 9-280(b): Roof tiles broken and missing

Ms. Batchelder announced that personal service had been made by Inspector Malik on February 1, 2003, and certified mail had been accepted on January 21, 2003.

Mr. Skip Margerum, Community Inspections Officer, testifying for Inspector Deborah Dimaggio, stated there was trash, debris and several inoperable vehicles on the property; roof tiles were mildew-stained, the lawn was missing ground cover, and roof tiles were

broken and missing. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation, would be imposed.

Reference CE02100934

M. Louse Joseph
1308 North Andrews Avenue

Sec. 47-21.8 A: Missing ground cover;
Sec. 47-20.13 A: Required driveway surface

Ms. Batchelder that there was a signed, stipulated agreement for compliance within 30 days, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$25.00 per day, per violation, would be imposed.

Reference CE02121756

Mildred Robinson
1309 Northwest 4th Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicles on property

Ms. Batchelder announced that certified mail had been accepted on January 29, 2003.

Mr. Skip Margerum, Community Inspections Officer, testifying for Inspector Debbie DiMaggio, stated that there were several unlicensed, inoperable vehicles on the property. He recommended 14 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 14 days, or a fine of \$50.00 per day would be imposed.

Reference CE03010015

Daniel Barton
1125 Northeast 16th Street

Sec. 18-27(a): Overgrowth and unlicensed, inoperable vehicle on property

Ms. Batchelder announced that certified mail had been accepted on January 23, 2003.

Mr. Burton Fletcher, Community Inspections Officer, testified that the property and swale were overgrown with weeds; there was an unlicensed, inoperable vehicle on the property. He recommended 14 days or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 14 days or a fine of \$25.00 per day would be imposed.

Ms Batchelder announced the Cases CE01121904 and CE02020167 were on the agenda as Old Business, but no respondents were present to present them.

Cases Complied

Ms. Batchelder announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02090794	CE02120225	CE02121458	CE03010141
CE02091174	CE02120547	CE02121594	CE03010145
CE02110838	CE02120582	CE02121692	CE03010146
CE02110909	CE02120603	CE02121758	CE03010147
CE02111359	CE02120957	CE02121760	CE03010188
CE02111813	CE02121093	CE02121761	CE03010196
CE02111824	CE02121247	CE02121774	CE03011214
CE02111825	CE02121290	CE02121830	CE03010579
CE02120069	CE02121316	CE02121953	CE03010795
CE02120077	CE02121387	CE03010101	CE03011111

Cases Pending Service

Ms. Batchelder announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02041830	CE02081964	CE02110359	CE02121319
CE02051771	CE02082013	CE02110432	CE03010221
CE02061190	CE02091981	CE02110911	CE03010222
CE02070759	CE02102389	CE02111832	

Cases Rescheduled

Ms. Batchelder announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02100222	CE02120097	CE02120224	CE03010140
CE02111073			

Cases Withdrawn

Ms. Batchelder announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02121134 CE02010834 CE03010193 CE02111807
CE02051740

Approved for Enforcement

Ms. Batchelder presented Judge Futch with 20 cases that had not been brought into compliance as ordered. Judge Futch approved them for enforcement.

There being no further business, the hearing was adjourned at 11:45 A.M.

Special Master

ATTEST:

Clerk, Special Master