

**SPECIAL MASTER HEARING**  
**City Commission Meeting Room – City Hall**  
**Special Master Zebedee Wright, Presiding**  
**September 16, 2004**  
**9:00 A.M. – 11:00 A.M.**

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Staff Present:

Jennifer Chenault, Secretary  
Leonard Ackley, Community Inspections Officer  
Lin Bradley, Community Code Supervisor  
Peggy Burks, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Burt Fletcher, Community Inspections Officer  
Robert Guilford, Community Inspections Officer  
Mike Maloney, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Dan Mullarkey, Community Inspections Officer  
Todd Nobles, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Frank Stockinger, Community Inspections Officer

Also Present:

Perry Martin, CE03030841  
Dawn Meyers, CE04071011  
Paul Harrington, CE04071011  
Charles Crawson, CE04071014  
Winston Stolk, CE04041459  
Michael McMenamin, CE04071053, 04071083  
Michael Bryan, CE04071050  
Christopher Vonzech, CE04050167  
Connie Chaney, CE04071012  
Sandra Stengle, Waterworks cases  
Frederick Stresau, CE03042269  
Glenda Laird, CE04071803, 04081444, 04080422  
Cesar Blanco, CE04071021  
Bruce Herman, CE04071097, 04071096, 04071093

\*Massey Hearing

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. Mr. Wright 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 CE04071803**

Right Smart Investment Group  
1816 Southwest 11<sup>th</sup> Court

Sec. 24-27(b): Dumpster left in right-of-way;  
Sec. 9-280(a): Exposed electrical components;  
Sec. 9-279(f): Plumbing drains onto ground

Mr. Bradley announced that certified mail addressed to the manager had been accepted on September 2, 2004 and certified mail addressed to the registered agent had been accepted (no date on card). He noted that the same owner had two other cases that would be handled together.

Mr. Dan Mullarkey, Community Inspections Officer, testified that the rollout dumpster was left out in front of the property and an electrical outlet was missing the outlet cover; Section 9-279(f) was now complied.

Ms. Glenda Laird, owner, asked for some time as the owners were in the process of replacing the maintenance people for the apartments.

Mr. Wright found in Favor of the City and ordered compliance with Sections 24-27(b) and 9-280(a) within 15 days or a fine of \$25.00 per day, per violation.

**Reference CE04080422**

Right Smart Investment Group  
1808 Southwest 11<sup>th</sup> Court

Sec. 9-280(d): Deteriorated structure/fixtures;  
Sec. 9-280(g): Electrical components in disrepair;  
Sec. 9-279(g): Inoperable plumbing

Mr. Bradley announced that certified mail addressed to the manager had been accepted on September 2, 2004 and certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Dan Mullarkey, Community Inspections Officer, testified that the roof was leaking and the utility room doors were in disrepair; the exterior lighting was in disrepair and there was no hot water in one apartment.

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

**Reference CE04081444**

Right Smart Investment Group  
1812 Southwest 11<sup>th</sup> Court

Sec. 9-280(d): Deteriorated structure/fixtures;  
Sec. 9-280(f): Plumbing in disrepair;  
Sec. 9-280(g): Electrical components in disrepair

Mr. Bradley announced that certified mail addressed to the manager had been accepted on September 2, 2004 and certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Dan Mullarkey, Community Inspections Officer, testified that the utility room doors were in disrepair; one apartment tub was leaking; one apartment's ceiling fan was inoperable; the exterior lighting was in disrepair and the air conditioning unit was not working.

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

**Reference CE04041459**

Winston Stolk & Kathleen Cordura  
3471 Southwest 20<sup>th</sup> Street

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-281(b): Rubbish and trash on property

Mr. Bradley announced that certified mail had been accepted on September 2, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead or missing ground cover on the property; Section 9-281(b) was now complied. He presented photographs of the property and recommended 30 days to comply Section 47-21.8 A or a fine of \$25.00 per day.

Mr. Winston Stolk, stated that many areas of the property had good grass growth now and offered to return with his own photos. Inspector Cross stated that his photos were taken within the week so the conditions had not improved. Mr. Wright told Mr. Stolk to return to the hearing with his own photographs. At the end of the hearing, Mr. Stolk had not returned, so Mr. Wright submitted the order to comply.

Mr. Wright 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 04050167**

Christopher Vonzech  
1533 Southwest 32<sup>nd</sup> Street

Sec. 47-34.4 B.3.a: Commercial vehicle  
parked/stored on property

Mr. Bradley announced that service was via the appearance of the owner at this hearing.

Mr. Todd Nobles, Community Inspections Officer, testified that there was an orange dump truck and a Bobcat parked on the property. He presented photographs of the property and recommended 14 days to comply or a fine of \$25.00 per day.

Mr. Christopher Vonzech, owner, asked for 21 days to remove the vehicles as he had just been released from the hospital and Mr. Wright agreed.

Mr. Wright found in favor of the City and ordered compliance within 21 days or a fine of \$25.00 per day would be imposed.

**Reference CE04071012**

Space Plus at 17<sup>th</sup> Street  
1850 South Miami Road

Sec. 28-32(a): Not connected to City sewer system;  
Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail addressed to the registered agent and a partner of the company were both accepted on August 18, 2004 and certified mail addressed to the owner was accepted on August 17, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He introduced Mr. Paul Bolander to explain the specifics of these cases.

Mr. Paul Bolander, Ft. Lauderdale Program Manager for the Waterworks 2011 project, explained that this program was a major utility capital improvement program that included extending sanitary sewers into the 40% of the City that was not currently on the City sewer system. The Miami Road sewers were completed in February and notices had been sent in January notifying property owners of their responsibility to connect to those sewers when they were completed. There were approximately 31 cases before the Special Master today to enforce the sections requiring connection to the new system within 90 days of their completion.

Mr. Bolander clarified that this was one of 3 properties that had an agreement with the City to abandon the existing private list station, hook up to the City's connection, and bear all costs of this connection. The property owners might therefore try to argue that their property was, in fact, in compliance because they were connected, but there were additional requirements for their compliance.

Mr. Bolander confirmed with Mr. Wright that there were an additional 14 cases for which he would request a continuance. Mr. Wright granted Mr. Bolander's recommendation for those continuances.

Ms. Connie Chaney, respondent, stated that she had only found out about this violation on August 10; her ex-husband had been running the business and had not informed her of the

violations. She was now running the business and was making repairs. She had a plumbing contractor on the project, but the recent hurricanes had caused delays. She felt the work could be completed within 30 days. Mr. Wright agreed to allow her the 30 days to comply.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

Inspector Nobles stated that the City's position was to recommend 30 days to comply or a fine of \$100.00 per day for all of these cases. Mr. Wright announced this stipulation to everyone present for this type of case. He then asked them all to come forward and requested that Inspector Nobles read all of the cases into the record at once.

**Reference CE04071050**

Mike Bryan  
1905 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail addressed to the owner had been accepted (no date on card).

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation. Mr. Michael Bryan, respondent, informed Mr. Wright that he understood the order and would comply.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071083**

Eleventh Court Associates  
725 Southeast 23<sup>rd</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail addressed to the owner had been accepted on August 18, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation. Mr. Michael McMenamin, respondent, stated that the property was already complied; final inspection had taken place the previous day.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071096**

Harbor Village LLC  
704 Southeast 18<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail had been accepted on August 17 and 19, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Bruce Herman, respondent for this and the next 2 cases, stated that there were extenuating circumstance for these 3 properties. Redevelopment was about to take place in the area and the architect had informed him that it would be better to wait until the new units could be connected to the sewers. This would be sometime next year. Inspector Nobles stated that there were no allowances in the code to consider redevelopment, but the continued use of septic systems presented environmental issues. There were financial considerations as well. Many future cases involving redevelopment would undoubtedly arise because of the cost of connecting older building to the new sewer system and Inspector Nobles feared that special consideration in these cases would lead to a loophole to avoid timely compliance.

Mr. Herman requested time to remove existing tenants from the properties and agreed to begin noticing tenants. He noted that this could not be accomplished until the end of October and after that, he would need to begin eviction proceedings against any tenant who had not vacated the premises. He felt he would need until November 1 to accomplish this.

Mr. Wright found in favor of the City and ordered compliance by November 1, 2004 or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071097**

Harbor Village LLC  
712 Southeast 18<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail had been accepted on August 17, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. See the previous case for evidence.

Mr. Wright found in favor of the City and ordered compliance by November 1, 2004 or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071093**

Harbor Village LLC  
795 Southeast 18<sup>th</sup> Court

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Bradley announced that certified mail addressed to the manager had been accepted on August 17, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. See the previous case for evidence.

Mr. Wright found in favor of the City and ordered compliance by November 1, 2004 or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE03030841**

Palms 2100 Master Association, Inc. Request for Extension  
2110 North Ocean Boulevard

Mr. Bradley announced that the case was heard on June 3, 2004, with compliance ordered by October 1, 2004. No fine had accrued to date.

Mr. Perry Martin, General Manager, request an extension to complete the project. The permit application process had been held up for quite some time and was not yet finished. He was unsure how long it would take to finish as he didn't know exactly when he would be granted the permit.

Mr. Robert Guilford, Community Inspections Officer, stated that the City supported a 120-day extension.

Mr. Wright granted a 120-day extension.

**Reference 04040280**

Victoria Fowler  
2121 Northeast 52<sup>nd</sup> Court

Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 47-21.8 A: Missing ground cover;  
Sec. 18-1: Stagnant pool water;  
Sec. 9-279(e): Lack of utilities;  
Sec. 9-279(e): No water due to lack of utilities;  
Sec. 9-279(g): Inoperable plumbing;  
Sec. 9-279(i): No cooking facilities

Mr. Bradley announced that service was via posting on the property on August 25, 2004 and via posting at City Hall on September 3, 2004. Personal service had also been made to the owner's son by Inspector Stockinger on August 26, 2004.

Mr. Frank Stockinger, Community Inspections Officer, testified that there were torn and missing screens in the building; the landscaping was not maintained; the pool was filled with stagnant water due to electricity for the pump being turned off; hot water was unavailable due to utilities being turned off; there was no water service; water heater and plumbing fixtures were not operating properly due to lack of utilities and there were no cooking facilities due to lack of utilities. He presented photographs of the property to Mr. Wright and recommended: 30 days to comply Sections 9-280(b), 9-279(e), 9-279(f), 9-279(g) and 9-279(e) or a fine of \$25.00 per day; 7 days to comply Section 18-1 and 60 days to comply Section 47-21.8.A or fines of \$50.00 per day.

Mr. Wright found in favor of the City and ordered compliance with:

- Sections 9-280(b), 9-279(e), 9-279(f), 9-279(g) and 9-279(e) within 30 days or a fine of \$25.00 per day;
- Section 18-1 within 7 days or a fine of \$50.00 per day;
- and with Section 47-21.8.A within 60 days or a fine of \$50.00 per day.

#### **Reference 04071749**

Ahmen Elkordy  
2176 Northeast 61<sup>st</sup> Court

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-306: Roof in disrepair

Mr. Bradley announced that certified mail had been accepted on September 1, 2004.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was missing ground cover on the property and the roof was deteriorated and did not appear to be watertight. He presented photographs of the property and recommended 60 days to comply or a fine of \$25.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within both sections within 60 days or a fine of \$25.00 per day, per violation.

#### **Reference 04032122**

Downtown Flagler Village Ltd.  
900 Southwest 11<sup>th</sup> Avenue

Sec. 18-27(a): Overgrowth on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-308: Roof in disrepair;  
Sec. 9-280(h)(1): Fence in disrepair

Mr. Bradley announced that service was via posting on the property on August 29, 2004 and via posting at City Hall on September 3, 2004.



Mr. Mike Maloney, Community Inspections Officer, testified that the property was overgrown; the paint was peeling and mildewed; the roof was covered with debris and the fence was in disrepair. He stated that he had originally cited this property in March and had not gotten any cooperation from the owner so he did not want to allow a long period of time to comply. He recommended 15 days to comply all violations or a fine of \$25.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance with all violations within 15 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference 04050128**

Deborah Sigler  
1512 Ponce De Leon Drive

Sec. 18-27(a): Overgrowth on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-308: Roof in disrepair;  
Sec. 18-1: Pool filled with stagnant water

Mr. Bradley announced that service was via posting on the property on August 25, 2004 and via posting at City Hall on September 3, 2004.

Mr. Mike Maloney, Community Inspections Officer, testified that the paint was peeling and mildewed and the fascia was rotting; the roof was in disrepair and the pool was filled with stagnant water; Section 18-27(a) was now complied. He recommended 30 days to comply Sections 9-306 and 9-308 or a fine of \$25.00 per day and 7 days to comply Section 18-1 or a fine of \$50.00 per day.

Mr. Wright found in favor of the City and ordered compliance with Sections 9-306 and 9-308 within 30 days or a fine of \$25.00 per day, per violation, would be imposed and with Section 18-1 within 7 days or a fine of \$50.00 per day would be imposed.

**Reference CE04070603**

Chul Chung  
201 East Sunrise Boulevard

Sec. 18-27(a): Trash on property;  
Sec. 24-28(a): Garbage accumulated around  
dumpster; Sec. 47-19.4 D.8: Dumpster  
enclosure gates in disrepair; Sec. 47-20.20 H:  
Parking area in disrepair

Mr. Bradley announced that certified mail had been accepted on August 19, 2004.

Mr. Skip Margerum, Community Inspections Officer, testified that there was trash and debris scattered about the property; there was garbage accumulated in the dumpster enclosure; the dumpster enclosure gates were in disrepair and the parking lot was in disrepair with faded striping and broken wheel stops and curbing. He recommended 14

days to comply Sections 18-27(a), 24-28(a), and 47-19.4 D.8, and 30 days to comply Section 47-20.20 H or a fine of \$50.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance with Sections 18-27(a), 24-28(a), and 47-19.4 D.8 within 14 days and with Section 47-20.20 H within 30 days or a fine of \$50.00 per day, per violation would be imposed. .

**Reference CE04041437**

Kenneth Boase  
3461 Riverland Road

Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail had been accepted on September 1, 2004.

Mr. Andre Cross Inspections Officer, testified that there were areas of missing ground cover on the property. He presented photographs of the property and recommended 30 days to comply or a fine of \$25.00 per day.

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

**Reference 04081057**

Barbara Crowley  
1204 Northeast 15<sup>th</sup> Avenue

Sec. 24-27(b): Garbage carts left in right-of-way

Ms. Batchelder announced that certified mail had been accepted on August 31, 2004 and personal service had been made by Inspector Margerum on August 28, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the trash containers were left out in front of the building after pickup. He presented photographs of the property and recommended 10 days to comply or a fine of \$50.00 per day.

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

**Reference 04081374**

Barbara Crowley  
1235 Northeast 15<sup>th</sup> Avenue

Sec. 24-27(b): Garbage carts left in right-of-way

Ms. Batchelder announced that certified mail had been accepted on August 31, 2004 and personal service had been made by Inspector Margerum on August 28, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the trash containers were left out in front of the building after pickup. He recommended 10 days to comply or a fine of \$50.00 per day.

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

**Reference CE04071003**

Kazi Foods of Florida, Inc.  
808 Southeast 17<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on August 20 and 23, 2004; certified mail addressed to the registered agent had been accepted on August 18, 2004 and certified mail addressed to an officer of the company had been accepted on August 19, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the property was not connected to City sewer service. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071007**

Robert Williamson  
1720 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071008**

Robert Williamson  
1706 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071009**

Robert Williamson  
700 Southeast 17<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071013**

Milton & Barbara Jones  
1880 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail was accepted (no date on card).

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071014**

Fiesta Hospitality LLC  
1830 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071015**

Discount Auto Parts, Inc.  
605 Southeast 20<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner and registered agent had both been accepted on August 18, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071020**

Stonehenge Properties, Inc.  
2005 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071021**

Waterplay II Inc.  
2000 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071024**

2110 Trust  
2110 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the Trustee had been accepted on August 17, 2004 and certified mail addressed to the owner had been accepted (no date on card).

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071026**

Sultan Family Limited Partnership  
2214 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on August 17, 2004 and certified mail addressed to the registered agent had been accepted on August 18, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071028**

17<sup>th</sup> Street Causeway LLC  
1851 Southeast 10<sup>th</sup> Avenue

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on August 17 and 18, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071029**

Great Texas Foods, Inc.  
1821 Southeast 10<sup>th</sup> Avenue

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner, officer of the company and registered agent had all been accepted on August 17, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071034**

West Marine Products, Inc.  
2300 South Federal Highway

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071036**

Wild Acres Group, Inc.  
701 Southeast 24<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071038**

801-18 Corp.  
801 Southeast 18<sup>th</sup> Court

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071043**

Sealords Lodge LLC  
800 Southeast 18<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071045**

Sealords Lodge LLC  
810 Southeast 18<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071046**

Urban South LLC  
1800 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071047**



Paul Allen  
1808 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City had service as reflected on the agenda.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071048**

Carlo Santoro  
801 Southeast 19<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail addressed to the owner had been returned unclaimed on August 17 and 24 and September 1, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071053**

Michael McMenamin  
1910 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that the City was requesting a 90-day continuance on this case.

Mr. Wright granted a 90-day continuance.

**Reference CE04071084**

Eighteenth Court, Inc.  
713 Southeast 18<sup>th</sup> Court

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been refused on August 17 and 18, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071098**

Helen Vittur  
1812 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been accepted on August 23, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071126**

Jack Braunstein  
1909 South Miami Road

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been accepted on August 17, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071142**

Paul Allen  
705 Southeast 21<sup>st</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been accepted on August 19, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071151**

Paul Allen  
701 Southeast 21<sup>st</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been accepted on August 19, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071154**

Paul Allen  
704 Southeast 20<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04071161**

Paul Allen  
708 Southeast 20<sup>th</sup> Street

Sec. 28-32(a): Not connected to City sewer system; Sec. 28-33(a): Not connected to City sewer system

Ms. Batchelder announced that certified mail had been accepted on August 19, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to the City sewer system. He recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

Mr. Wright then invited Ms. Sandra Stengle to speak.

Ms. Sandra Stengle, resident, was upset with the non-compliance of her neighbor regarding the new sewer system hookups. She was angry that the City was allowing him another 30 days while his septic tank was overflowing and his washer was discharging onto the ground.

### **Cases Complied**

Mr. Bradley 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:

CE04080761	CE04071874	CE04080309	CE04080870
CE04081001	CE04082080	CE04080610	CE04070807
CE04060274	CE04070130	CE04070153	CE04071278
CE04060830	CE04061262	CE04081051	CE04072100
CE04071011	CE04071025	CE04071027	CE04071051
CE04080479	CE04080615	CE04080616	CE04080617
CE04080866			

### **Cases Pending Service**

Mr. Bradley 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:

CE04081092	CE04081024	CE04061294	CE04080194
CE04081831	CE04030518	CE03042269	CE02030696
CE04082001	CE04060277	CE04070599	CE04080376
CE04080450	CE04081004	CE04081012	CE04051853
CE04071039	CE04071049	CE04071082	CE04071095
CE04071166	CE04071100		

### **Cases Rescheduled**

Mr. Bradley 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:

CE04080558	CE04081111	CE04051057	CE04080634
CE04061223	CE04040474	CE04071271	CE04070129
CE04071269			

**Cases Withdrawn**

Mr. Bradley 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:

CE04081833	CE04082002	CE04071120	CE04080780
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There being no further business, the hearing was adjourned at 11:00 A.M.

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Special Master

ATTEST:

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Clerk, Special Master