

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Special Magistrate Richard Conner, Presiding**  
**December 16, 2004**  
**9:00 A.M. – 12 Noon**

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Staff Present:

Eve Bazer, Administrative Assistant  
Assistant City Attorney  
Dick Eaton, Secretary  
Alberto Benavides, Community Inspections Officer  
Lin Bradley, Community Code Supervisor  
Peggy Burks, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Burt Fletcher, Community Inspections Officer  
Deborah Haskins, Community Inspections Officer  
John Hudak, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Mike Maloney, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Todd Nobles, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Rose Reed, Community Code Supervisor  
Frank Stockinger, Community Inspections Officer  
Wayne Strawn, Building Inspector

Also Present:

Jack Porter, CE04082395  
Sera Grossfeld, CE00070960  
Rodney Dorsett, CE04101451  
Maura & Clive Evanson, CE04090236  
Charles Crawson, CE04071014  
Elizabeth Giles, CE04082236  
Kermit McCoy, CE04082236  
Leonard Oshinsky, CE02101734  
Abe Borugherdi, CE00081489  
Dexter Banton, CE00041908  
Robert Clemints, CE04082282  
Charles Bowman, CE00081489  
Nader Soliman, CE00081489  
David Coven, CE00081489  
Joseph Priest, CE04101919  
Stuart MacIver, CE04101919

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

The meeting was called to order at 9:00 A.M. Mr. Conner 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 CE04110565**

School Board of Broward County  
1201 Middle River Drive

Sec. 47-34.1 A.1: Parking lot lacks  
buffer yard requirements; Sec. 47-25.3 A.3.d:  
Required landscaped buffer

Ms. Bazer announced that the School board had requested a continuance.

Mr. Lin Bradley, Community Code Supervisor, testified that the School Board's attorney was unable to attend and he had no objection to a continuance.

Mr. Conner granted a continuance to January 6, 2005.

**Reference CE00081489**

Nader Soliman  
3071 Northeast 49<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that the case was originally heard on September 21, 2000 with compliance ordered by October 5 and November 20, 2000. One of the Sections was complied on time; the other two were not complied until 2004 and fines had accrued in the amount of \$145,100.

Mr. Dave Coven, attorney for the property owner, explained that as soon as his client had been cited for the violations in August 2000, he had removed the derelict vehicles and hired a licensed contractor to make repairs. Mr. Coven produced paperwork proving that the work was completed and paid for on September 14, 2000 that was admitted into evidence as respondent's exhibit 1. Since his client believed the property was in compliance, he had not thought he must attend the Special Magistrate hearing in September 2000. Notices of the fines had then been mailed to the wrong address: the actual address is 3061 Northeast 49<sup>th</sup> Street, not 3071.

It was not until the owner tried to sell the property in September 2004 that he discovered the existing fines. During the amnesty program in early 2004, the owner had not been contacted since the City was still unaware that the property was complied. Inspector Stockinger had been contacted and complied the property in October 2004. Mr. Coven

argued that since his client could prove the property was complied by the ordered date, fines should never have been imposed.

Mr. Frank Stockinger, Community Inspections Officer, testified that he had complied the property in October. He admitted he had not accessed the upper apartments previously to confirm compliance and added that the cars were removed by the ordered date.

Mr. Lin Bradley, Community Code Supervisor, stated that an earlier Special Magistrate had requested cancelled checks to prove the work was paid for in September 2000. Mr. Coven stated that the invoice was paid in cash and was marked "Paid in Full". The Contractor would confirm that payment was received.

Mr. Abe Borugherdi, general contractor, confirmed that he had repaired the air conditioner lines at the property that had been causing the leaks. He also confirmed that he had been paid on September 14, 2000.

Inspector Stockinger produced a history of the property from 2002 to 2004 that included new violations that was admitted into evidence as City exhibit 1. Ms. Bazer confirmed that notice had been mailed to the address the property appraiser's office used: 3764 Northeast 12<sup>th</sup> Avenue. Mr. Conner admitted the sign-in sheet from the November 15, 2004 Special Magistrate hearing as City exhibit 2 and the green card signed by Mr. Soliman on March 2004 as City exhibit 3. Inspector Stockinger did not know what Mr. Soliman had signed for in March 2004. Supervisor Bradley confirmed with Mr. Soliman that 3764 Northeast 12<sup>th</sup> Avenue was his personal mailing address and that the address 3071 Northeast 49<sup>th</sup> Street was invalid. Mr. Conner felt that Mr. Soliman had never received proper notice.

Mr. Conner abated the fine and dismissed the lien.

**Reference CE00070960**

Munaz Enterprises  
223 Northwest 6<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that this case was originally heard on August 17, 2000 with compliance ordered by August 31, 2000. The property was complied in September 2004 and fines had accrued in the amount of \$299,200.

Ms. Sera Grossfeld, attorney for the owner, told Mr. Conner that a family jointly owned several convenience stores and the brother who was responsible for this one experienced legal problems and was eventually deported, leaving his other brothers to deal with problems at the property. The brothers were trying to rehabilitate the property and needed to refinance the property to provide the finances. The existing liens far exceeded the value of the property and the City would not issue occupational licenses so the business could operate.

Mr. John Hudak, Community Inspections Officer, confirmed violations, service and compliance dates for the various violations. Ms. Bazer confirmed service dates. Mr. Conner stated that he could not re-litigate the case as that was handled administratively.

Mr. Conner signed the order to impose the fine.

**Reference CE02101734**

Garden Investments Inc. Massey Hearing  
2910 East Commercial Boulevard

Ms. Bazer announced that the case was originally heard on December 5, 2002 with compliance ordered by January 4, 2003. The property was complied on April 12, 2003 and fines had accrued in the amount of \$9,700.

Mr. Leonard Oshinsky, attorney for the owner, stated that the property owner would not be available until early 2005. Mr. Frank Stockinger, Community Inspections Officer, stated that he had no objection to a continuance.

Mr. Conner continued the case until January 6, 2005.

**Reference CE00041908**

Dexter Banton Massey Hearing  
610 Northwest 9<sup>th</sup> Avenue

Ms. Bazer announced that this case was originally heard on May 18, 2000 with compliance ordered by June 17, 2000. The property was complied on December 19, 2000 and fines had accrued in the amount of \$4,600.

Mr. Dexter Banton, respondent, requested a continuance to obtain an attorney.

Mr. John Hudak, Community Inspections Officer, stated that the violation concerned a board-up certificate. After the case was given to the Code Team, the owner had obtained a permit to rehabilitate the building and fines had stopped but Mr. Banton had still not rehabilitated the building.

Mr. Conner signed the order to impose the fine.

**Reference CE04082395**

Jack Porter Sec. BCZ 39-79(e): Required ground cover  
540 East Evanston Circle

Ms. Bazer announced that certified mail had been accepted on December 4, 2004 and personal service had been made by Inspector Margerum on December 4, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover and bare sand on the property and swale. He submitted photographs of the property and an inspection report that were admitted into evidence as City exhibits 1 and 2 respectively and recommended 90 days to comply or a fine of \$25 per day.

Mr. Jack Porter, respondent, requested 90 days to put down sod and repair the sprinkler system.

Mr. Conner found in favor of the City, ordered compliance within 90 days or a fine of \$25 per day would be imposed.

**Reference CE CE04101451**

Rodney Dorsett  
3501 Riverland Road

Sec. 9-281(b): Numerous unlicensed, inoperable vehicles on property; Sec. 18-1: Pool filled with stagnant water

Ms. Bazer announced that certified mail had been accepted on December 4, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was a derelict black Ford pickup on the property, the other vehicle had been removed; there was also a pool on the property filled with stagnant water. He presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicle would be towed and 7 days to confirm compliance of Section 18-1 or a fine of \$25 per day.

Mr. Rodney Dorsett, respondent, stated that he had emptied the pool and the pickup truck was, in fact, drivable but he would be selling it, not licensing it. The pool was now equipped with an automatic emptying device and should not pose any future problems.

Mr. Conner found in favor of the City and ordered compliance with Section 9-281(b) within 7 days, or a fine of \$100 per day or the vehicle would be towed and with Section 18-1 within 7 days or a fine of \$25 per day would be imposed.

**Reference CE04090236**

Maura Evanson  
1125 Northwest 18<sup>th</sup> Street

Sec. 9-281(b): Unlicensed, inoperable vehicles on property

Ms. Bazer announced that personal service had been made by Inspector Margerum on December 4, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable white pickup truck on the property. She presented photographs of the property that were admitted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$100 per day or the vehicle would be towed.

Mr. Clive Evanson, son of the owner, started that the car belonged to him and he would license and insure the vehicle on December 24, when he received his next unemployment check.

Mr. Conner found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would be imposed or the vehicle would be towed.

**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. Bazer announced that this case was continued from September 16, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service. He recommended 30 days to comply or a fine of \$100 per day, per violation.

Mr. Charles Cross, attorney for Fiesta Hospitality, stated that a contractor had already been hired and the work should be completed by the end of the year.

Mr. Conner found in favor of the City and ordered compliance within 30 days, or a fine of \$100 per day, per violation would be imposed.

**Reference CE04101919**

J.A. & Laverne Priest  
1670 Southwest 38<sup>th</sup> Avenue

Sec. 47-34.1 A.1: Permitted uses: outside storage

Ms. Bazer announced that service was via the respondent's presence at this hearing.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was outside storage of household items on the property. He presented photographs of the property that were accepted into evidence as City exhibit 1.

Mr. Stuart MacIver, attorney for the owner, stated that the violation cited did not match the specific violation of outside storage and the "to wit" was not specific enough about the problem.

Mr. Lin Bradley, Community Code Supervisor, examined the photographs taken by Inspector Lopez. Inspector Lopez confirmed that the code concerned permitted use of property.

The Assistant City Attorney explained the inspector's rationale for the citation. Mr. Conner stated that in his opinion a violation may exist on the property but Section 47-34.1 A.1 referred only to building use, not to outside storage. He would therefore dismiss this case without prejudice and permit the City to re-file.

Mr. Conner dismissed the case.

**Reference CE04082236**

Elizabeth Giles  
801 Southwest 31<sup>st</sup> Avenue

Sec. 39-79(e): Required ground cover

Ms. Bazer announced that certified mail had been accepted on December 3, 2004 and personal service had been made by Inspector Margerum on December 4, 2004 and by Inspector Thime on December 11, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover and bare sand on the property and swale. He submitted photographs of the property and his inspection report that were admitted into evidence as City exhibit 1.

Mr. Kermit McCoy, representative of the owner, explained that the school crossing area and Bell South service box area in front of the yard was where the problems were. He had spoken to the Bell South supervisor, who had assured him the grass would be replaced. He requested 90 days to get the problem worked out with Bell South. Mr. Cross had no objection to allowing 90 days.

Mr. Conner found in favor of the City, ordered compliance within 90 days or a fine of \$25 per day would be imposed.

**Reference CE04110617**

Liston England  
1030 Southwest 31<sup>st</sup> Avenue

Sec. 18-27(a): Overgrowth on property

Ms. Bazer announced that personal service had been made by Inspector Thime on December 11, 2004.

Mr. John Hudak, Community Inspections Officer, testified that the ground cover on the property and swale was overgrown and not maintained. He presented photographs of the property and his inspection report that were admitted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$50.00 per day.

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

**Reference CE04100658**

Richard Hatcher  
1843 Southwest 4<sup>th</sup> Avenue

Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 9-281(b): Unlicensed, inoperable vehicles on  
property; Sec. 18-27(a): Trash on property;  
Sec. 9-280(d): Deteriorated structure/fixtures

Ms. Bazer announced that personal service had been made by Inspector Benavides on December 9, 2004.

Mr. Alberto Benavides, Community Inspections Officer, testified there were several broken windows and holes in the walls of the building; there were several unlicensed vehicles on the property and there was trash and debris on the property; Section 9-280(d) was now complied. Inspector Benavides presented photographs of the property and an inspection report that were admitted into evidence as City exhibit 1 and recommended 30 days to comply Sections 9-280(b) and 18-27(a) or a fine of \$50.00 per day and 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicles would be towed.

Mr. Conner found in favor of the City and ordered compliance with Sections 9-280(b) and 18-27(a) within 30 days or a fine of \$50.00 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicles would be towed.

**Reference CE04091524**

Jimmy Llaque & Gisella Giovanna  
6732 Northwest 29<sup>th</sup> Way

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

Ms. Bazer announced that certified mail had been accepted on December 1, 2004.

Mr. Skip Margerum, Community Inspections Officer, testified that the building paint was chipped, peeling and stained; Section 47-21.8 A was now complied. He presented photographs of the property that were accepted into evidence as City exhibit 1. Inspector Margerum had spoken with the owner and agreed to recommend 30 days to comply Section 9-306 or a fine of \$50.00 per day.

Mr. Conner found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$50.00 per day would be imposed.

**Reference CE04100837**

Lisa Newbold  
900 Northwest 4<sup>th</sup> Avenue

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



Ms. Bazer announced that certified mail had been accepted (no date on card).

Mr. Skip Margerum, Community Inspections Officer, testified that there was trash and overgrowth on the property. He presented photographs of the property and his inspection report that were accepted into evidence as City exhibit 1 and recommended 14 days to comply or a fine of \$100.00 per day.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$100.00 per day would be imposed.

**Reference CE04100843**

Nancy Diane Hickman  
800 Northwest 4<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-280(h)(1): Fence in disrepair

Ms. Bazer announced that certified mail had been accepted on December 1, 2004.

Mr. Skip Margerum, Community Inspections Officer, testified that paint on the building was chipped and stained and the fence was in disrepair. He submitted photographs of the property and his inspection report that were admitted into evidence as City exhibit 1. Inspector Margerum had spoken with the owner and agreed to recommend 90 days to comply or a fine of \$50.00 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance within 90 days, or a fine of \$50.00 per day, per violation.

**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

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service and the permit had not yet been obtained. He recommended 30 days to comply or a fine of \$100 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance within 30 days, or a fine of \$100 per day, per violation would be imposed.

**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

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service and the permit had not yet been obtained. He recommended 30 days to comply or a fine of \$100 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance within 30 days, or a fine of \$100 per day, per violation would be imposed.

**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

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service and the permit had not yet been obtained. He recommended 30 days to comply or a fine of \$100 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance within 30 days, or a fine of \$100 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

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service. The permits had been issued but the property had not yet passed final inspection due to City error. He recommended a 90-day continuance.

Mr. Conner 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

Mr. Todd Nobles, Community Inspections Officer, testified that the building was not connected to City sewer service. The permits had been issued but the property had not yet passed final inspection due to City error. He recommended a 90-day continuance.

Mr. Conner granted a 90 day continuance.

**Reference CE04071053**

Michael Ilene Menamin  
1910 South Miami Road

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 City sewer service. The permits had been issued but the property had not yet passed final inspection due to City error. He recommended a 90-day continuance.

Mr. Conner granted a 90 day continuance.

**Reference CE04031303**

David Kimbrough  
1537 Northwest 6<sup>th</sup> Avenue

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-281(b): Overgrowth on property

Ms. Bazer announced that service was via posting on the property on November 9, 2004 and at City Hall on December 5, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the fence was in disrepair and the property was overgrown. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 14 days to comply or a fine of \$50.00 per day, per violation.

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

**Reference CE04032515**

Craig & Mary Shiple  
1525 Northwest 7<sup>th</sup> Avenue

Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that certified mail had been accepted on December 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the parking area was in disrepair. She presented photographs of the property and her inspection report that were accepted into evidence as City composite exhibit 1 and recommended 90 days to comply or a fine of \$50 per day.

Mr. Conner found in favor of the City and ordered compliance within 90 days, or a fine of \$50 per day would be imposed.

**Reference CE04061876**

Virgile Luckner  
1006 Northwest 6<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 9-306: Peeling paint/stained surfaces

Supervisor Bradley announced that certified mail had been accepted on December 4, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and overgrowth on the property and soffits and window trim were rotting. She explained that the owner had made an agreement with the City Commission in July that the property would be sold within 60 days and the code violations case would not be pursued. The property had not been sold and the property was still in deplorable condition. Inspector Haskins recommended 30 days to comply or a fine of \$250 per day, per violation; she also asked that the order be recorded.

Mr. Conner found in favor of the City and ordered compliance within 30 days or a fine of \$250 per day, per violation would be imposed and the order would be recorded.

**Reference CE04070956**

Michael & Lyn Bitz  
1524 Northwest 2<sup>nd</sup> Avenue

Sec. 9-281(b): Trash and overgrowth  
on property; Sec. 47-20.13 A: Driveway in  
disrepair; Sec. 47-21.10 B.1: Required ground  
cover

Ms. Bazer announced that certified mail had been accepted on December 3, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the driveway was in disrepair and the lawn was dead; Section 9-281(b) was now complied. She had visited the property the previous day and noted that the sod and gravel for the driveway were at the property and just needed to be put down. Inspector Haskins submitted photographs of the property and her inspection report that were admitted into evidence as City exhibit 1 and recommended 14 days to comply Sections 47-20.13 A and 47-21.10 B.1 or a fine of \$25 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance with Sections 47-20.13 A and 47-21.10 B.1. within 14 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE04071269**

Norman Picard  
1344 Northwest 6<sup>th</sup> Avenue

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

Ms. Bazer announced that service was via posting on the property on November 18, 2004 and at City Hall on December 5, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property; some had been removed since her initial inspection, but 2 campers and one or two vans remained in the back yard. The vehicles were kept in a locked area and could therefore not be towed. She presented photographs of the property and her inspection report that were accepted into evidence as City exhibit 1 and recommend 7 days to comply or a fine of \$100 per day.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day would be imposed.

**Reference CE04071296**

Mark Francois  
1305 Northwest 7<sup>th</sup> Terrace

Sec. 9-281(b): Unlicensed, inoperable vehicles  
on property

Ms. Bazer announced that service was via posting on the property on November 18, 2004 and posting at City Hall on December 5, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there were 2 unlicensed, inoperable vehicles on the property: a red Chevy Blazer and a blue Chevy Caprice. She presented photographs of the property and her inspection report that were accepted into evidence as City exhibit 1 and recommend 7 days to comply or a fine of \$100 per day or the vehicles would be towed.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day would be imposed or the vehicles would be towed.

**Reference CE04070937**

Option Point, Inc.  
4870 Northeast 18<sup>th</sup> Terrace

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-276(c)(2): Stagnant water in backyard pond

Ms. Bazer announced that certified mail addressed to the owner and the registered agent were both accepted on December 2, 2004.

Mr. Frank Stockinger, Community Inspections Officer, testified that the lawn had large areas of dead grass and weeds and the backyard pond was full of stagnant water. He submitted photographs and a history of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Section 47-21.8 A or a fine of \$50 per day and 7 days to comply Section 9-276 (c)(2) or a fine of \$200 per day.

Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 A within 30 days or a fine of \$50 per day and with Section 9-276 (c)(2) within 7 days or a fine of \$200 per day.

**Reference CE04101748**

Medicea Inc.  
1410 Northeast 53<sup>rd</sup> Street

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 24-28(a): Dumpster lids continually open; Sec. 8-152: Navigation hazard

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on December 2, 2004 and certified mail addressed to the owner, an officer of the company, the and the Director of the company were all accepted on December 4, 2004.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was an inoperable, unlicensed white Honda in the parking lot; Sections Sec. 24-28(a) and 8-152 were complied. He presented photographs and a history of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicle would be towed.

Mr. Conner found in favor of the City and ordered compliance with Section 9-281(b) within 7 days or a fine of \$100 per day would be imposed or the vehicle would be towed.

**Reference CE04101988**

T.N. Properties Inc  
2425 East Commercial Boulevard

Sec. 24-28(a): Garbage accumulated around dumpster

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on December 2, 2004; certified mail addressed to the owner and an officer of the company had both been accepted on December 6, 2004 and certified mail addressed to the owner had been refused.

Mr. Frank Stockinger, Community Inspections Officer, testified that the dumpster was continuously overflowing. He recited a case history of the property: October 27, 2003, lids were left open; January 15, 2004, dumpster overflowing; February 6, 2004, dumpster overflowing; December 14, 2004, numerous violations. There was a new property owner who claimed he would take care of the problems. Inspector Stockinger presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$100 per day.

Mr. Conner found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day would be imposed.

**Reference CE04060063**

Ronald & Beverly Parsons  
1124 Northwest 17<sup>th</sup> Avenue

Sec. 47-21.8: Missing ground cover;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property

Ms. Bazer announced that personal service had been made by Inspector Thime on  
December 11, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead or  
missing ground cover and overgrowth on the lawn and there was an inoperable, unlicensed  
white Cadillac, brown van and camper on the property. He submitted photographs of the  
property and his inspection report that were admitted into evidence as City exhibit 1 and  
recommended compliance with Section 47-21.8 within 30 days or a fine of \$25 per day and  
with Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicles would be  
towed.

Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 within  
30 days or a fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100  
per day or the vehicles would be towed.

**Reference CE04071862**

Stephanie Wallace  
1191 Indiana Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property

Ms. Bazer announced that certified mail had been accepted (no date on card).

Mr. Andre Cross, Community Inspections Officer, testified that the building was unpainted  
concrete and there was an unlicensed, inoperable Honda Accord on the property. He  
presented photographs and his inspection report that were admitted into evidence as City  
composite exhibit 1 and recommended compliance with Section 9-306 within 30 days or a  
fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day or the  
vehicles would be towed.

Mr. Conner found in favor of the City and ordered compliance with Section 9-306 within 30  
days or a fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100 per  
day or the vehicles would be towed.

**Reference CE04071956**

Nancy Figueroa & Marcos Mercado  
1840 Southwest 34<sup>th</sup> Avenue

Sec. 18-27(a): Overgrowth on property;  
Sec. 47-21.8: Missing ground cover

Ms. Bazer announced that certified mail addressed to the owner had been accepted on December 2, 2004 and personal service had been made by Inspector Margerum on December 4, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead or missing ground cover on the property; Section 18-27(a) was now complied. He submitted photographs of the property and his inspection report that were admitted into evidence as City exhibit 1 and recommended 30 days to comply Section 47-21.8 or a fine of \$25 per day.

Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or fine of \$25 per day would be imposed.

**Reference CE04081162**

Gerald Gayle  
150 Kentucky Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. BCZ39-79(e): Required ground cover

Ms. Bazer announced that certified mail had been accepted on December 2, 2004 and personal service had been made by Inspector Margerum on December 4, 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 submitted photographs of the property and his inspection report that were admitted into evidence as City exhibit 1 and recommended compliance with Section BCZ 39-79(e) within 30 days or a fine of \$25 per day.

Mr. Conner found in favor of the City and ordered compliance with Section BCZ 39-79(e) within 30 days or a fine of \$25 per day would be imposed.

**Reference CE04081243**

Ernest Gayle  
611 Southwest 31<sup>st</sup> Avenue

Sec. 47-21.8: Missing ground cover;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property

Ms. Bazer announced that personal service had been made by Inspector Thime on December 11, 2004 and the owner had refused the service; property is homesteaded.

Mr. Andre Cross, Community Inspections Officer, testified that the lawn was bare sand; Section 9-281(b) was now complied. He presented photographs of the property and his inspection report that were accepted into evidence as City exhibit 1 and recommended 30 days to comply Section 47-21.8 or a fine of \$25 per day.



Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or a fine of \$25 per day would be imposed.

**Reference CE04081540**

Avill & Sylvia James  
873 Pennsylvania Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec BCZ39-79(e) Required ground cover

Ms. Bazer announced that certified mail had been accepted on December 2, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable white Chevy pickup truck on the property and there were areas of dead or missing ground cover. He presented photographs of the property and his inspection report that were accepted into evidence as City exhibit 1 and recommended 30 days to comply Section BCZ 39-79(e) or a fine of \$25 per day and 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicle would be towed.

Mr. Conner found in favor of the City and ordered compliance with Section BCZ 39-79(e) within 30 days or a fine of \$25 per day would be imposed and with Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicle would be towed.

**Reference CE04090694**

Thelma Baker  
1121 Arizona Avenue

Sec. BCZ 39-79(e): Required ground cover

Ms. Bazer announced that certified mail had been accepted on December 2, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover and bare sand on the property and swale. He submitted photographs of the property and his inspection report that were admitted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$25 per day.

Mr. Conner found in favor of the City, ordered compliance within 30 days or a fine of \$25 per day would be imposed.

**Reference CE04101861**

Eglise Baptiste Bethanie  
De Fort Lauderdale  
2200 Northwest 12<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 47-34.1 A.1: Permitted uses: inoperable vehicles stored on property

Ms. Bazer announced that personal service had been made by Inspector Pingitore on December 9, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was overgrown and there was an unlicensed, inoperable beige Jeep on the property. She had originally cited the property in October 2004 and had had several conversations with the pastor. He had promised to take care of the problem but it had recurred. Inspector Pingitore submitted photographs of the property and her inspection report that were admitted into evidence as City composite exhibit 1 and recommended 7 days to comply both violations or a fine of \$100 per day, per violation or the vehicle would be towed.

Mr. Conner found in favor of the City, ordered compliance of 18-27(a) within 7 days or a fine of \$100 per day and ordered compliance of Sec. 47-34.1 A.1 7 within 7 days or a fine of \$100 per day or the vehicle would be towed.

### **Cases Complied**

Ms. Bazer 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:

CE04101313	CE04091153	CE04101695	CE04110207
CE04100322	CE04080765	CE04110486	CE04100324
CE04100965	CE04100838	CE04100052	CE04101923
CE04102039	CE04102169	CE04071818	CE04090892
CE04070925	CE04071870	CE04071949	CE04082232
CE04090839	CE04091042		

### **Cases Pending Service**

Ms. Bazer 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:

CE04091223	CE04101314	CE04100586	CE04082353
CE04091703	CE04070696	CE04110952	CE04100746
CE04111528	CE04071260	CE04081806	CE04101289
CE04101754	CE04110391	CE04100294	CE04110408
CE04081080	CE04110803	CE04090435	

### **Cases Rescheduled**

Ms. Bazer 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:

CE04100239	CE04101283	CE04101284	CE04101291
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**Cases Withdrawn**

Ms. Bazer 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:

CE04102040                      CE04082282                      CE01111465

**Approved for Claim of Lien**

Ms. Bazer presented Mr. Conner with the following cases to sign the order to impose the fine, which Mr. Conner signed, based on the affidavits of the inspectors.

9516444                      CE00081264                      CE03012378                      CE04070129  
CE04071329                      CE04081954                      CE04090676                      CE04101732

There being no further business, the hearing was adjourned at 12 noon.

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Special Magistrate

ATTEST:

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Clerk, Special Magistrate