

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Judge John Gaudiosi, Presiding**  
**January 19, 2006**  
**9:00 A.M. – 12:15 P.M.**

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Staff Present:

Assistant City Attorney  
Diana Cahill, Service Clerk  
Lynda Crase, Secretary, Code Enforcement Board  
Dick Eaton, Secretary, Special Magistrate  
Farida Mohammed, Clerk, Code Enforcement Board  
Leonard Ackley, Community Inspections Officer  
Tuchette Bryant-Torres, Community Inspections Officer  
Michael Champion, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
John Gossman, Community Inspections Officer  
Robert Guilford, Community Inspections Officer  
Deborah Haskins, Community Inspections Supervisor  
Gilbert Lopez, Community Inspections Officer  
Al Lovingshimer, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Ursula Thime, Community Inspections Officer  
Robert Urow, Community Inspections Officer  
Irma Westbrook, Community Inspections Officer

Also Present:

CE05071679: Richard Coker, owner's attorney  
\*CE05040295: Nesley Laird, owner  
CE05090528: Calvin Sapp, owner  
\*CE05030166: Glenn Powell, owner  
CE04071728: Nakia McIntosh, owner; Elton McIntosh, owner's father  
\*CE05060968: Mervyn Berger, owner  
CE05100622: Daniel Taylor, owner's attorney  
CE05090734: Erma Ferguson, owner  
CE05030779: Hyrshellene Beamer, owner; William Beamer, owner  
CE05080989: Abraham Narkes, owner; Jharred Strangefellow, property manager  
\*CE05050349: Robert Bradley, owner  
CE05070540: Vincent Fazio, owner  
CE05081864: Mayralda Martin, owner; Wade Smart, owner  
\*CE05060656: Glenn Adderley, owner; Shanda Shingles, secretary  
CE05101245: Richard Coker, owner's attorney  
CE05101246: Richard Coker, owner's attorney

CE05121073: Parasram Bitna, owner  
CE05071075: Jack Lewers, owner  
CE05091153: Glenda Sorto, owner's daughter  
CE05070794: Lois Stingi, owner  
\*CE05011040: Gary Glusman, property manager; James Lilley, contractor

\*Massey Hearing

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 9:15 A.M. Judge Gaudiosi 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 CE05030779**

William Beamer  
700 Northeast 20<sup>th</sup> Avenue

Request for Extension of Time

Ms. Mohammed announced that this case was originally heard on October 20, 2005 with compliance ordered by January 18, 2006. The property was not complied and fines had accrued to \$25.

Mr. William Beamer, owner, explained that repairs would be much more costly than he originally imagined. He presented photos of the damage to his driveway caused by the City's removal of some trees. The driveway would require complete re-grading and Mr. Beamer was not in a financial position to write the check for the work. He requested an additional 90 days to get permits and have the work done. Mr. Beamer confirmed for Judge Gaudiosi that he had obtained an estimate from a contractor and had clear plans.

Ms. Ursula Thime, Community Inspections Officer, said she was not opposed to an extension. She said she had researched the situation, and she could find no evidence that Mr. Beamer had filed a formal complaint. Mr. Beamer said he originally complained to Parks and Recreation.

Judge Gaudiosi asked Mr. Beamer for a timetable for the project. Mr. Beamer felt he could get the project completed in 90 days.

Judge Gaudiosi granted a 90 day extension for compliance.

**The following three cases were heard together:**

**Reference CE05071679**

Judd Chapman & Philip Quattrone  
315 Northeast 16<sup>th</sup> Terrace

Sec. 47-34.1 A.1: Permitted uses: building  
used as guest house

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 19, 2005 and January 7, 2006.

Ms. Ursula Thime, Community Inspections Officer, testified that the building was being used as a guest house, a non-permitted use in the RC-15 zone.

Mr. Dick Coker, the owner's attorney, requested a 60-day continuance. He had met with code inspectors and zoning administrators to research the building records for the properties. The owner and Mr. Coker believed that these were grandfathered-in non-conforming uses.

Judge Gaudiosi continued the case to March 16, 2006.

**Reference CE05101245**

Judd Chapman & Philip Quattrone  
1616 Northeast 3<sup>rd</sup> Court

Sec. 47-34.1 A.1: Permitted uses: building  
used as guest house

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 17, 2005.

Ms. Ursula Thime, Community Inspections Officer, testified that the building was being used as a guest house, a non-permitted use in the RC-15 zone.

Judge Gaudiosi continued the case to March 16, 2006.

**Reference CE05101246**

Judd Chapman & Philip Quattrone  
1620 Northeast 3<sup>rd</sup> Court

Sec. 47-34.1 A.1: Permitted uses: building  
used as guest house

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 19, 2005 and January 7, 2006.

Ms. Ursula Thime, Community Inspections Officer, testified that the building was being used as a guest house, a non-permitted use in the RC-15 zone.

Judge Gaudiosi continued the case to March 16, 2006.

**Reference CE05081864**

Mayralda Martin  
1415 Northwest 7<sup>th</sup> Terrace

Sec. 18-1: Derelict vehicle on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 7, 2005.

Mr. Al Lovingshimer, Community Inspections Officer, testified that there were three derelict boats and trailers on the property; the boats were currently not on the trailers, but lying on the ground. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 30 days or a fine of \$25 per day.

Mr. Mayralda Martin, owner, said the boats had fallen off of the trailers during the hurricane. He had tried to get them back on their trailers but was unable to do so. He requested an additional 60 days for the owner to come to town and help him remove the boats.

Judge Gaudiosi found in favor of the City and ordered compliance within 30 days or a fine of \$25 per day would be imposed.

**Reference CE05060968**

Mervyn Berger  
501 Northeast 16<sup>th</sup> Street

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on September 15, 2005 with compliance ordered by October 15, 2005. The property was complied and fines had accrued in the amount of \$250.

Mr. Mervyn Berger, owner, stated the work was begun on August 30 and completed on September 12, 2005. He produced cancelled checks written to the contractor for the work. Inspector Thime read from Inspector Burks's notes that as of October 19, 2005 Mr. Berger had not dropped off the receipt and she had notified him that the fine would run until he provided proof the work was done. Mr. Berger explained that he had a heart attack and was handling the matter by phone. He was unaware he was supposed to call to schedule a reinspection. It had taken him some time to get the invoice copy from the contractor to Inspector Burks.

Judge Gaudiosi reduced the fine to \$100.

**Reference CE05050349**

Robert & Mary Bradley  
1090 Atkinson Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on October 6, 2005 with compliance ordered by October 27, 2005. The property was complied and fines had accrued in the amount of \$7,000.

Mr. Robert Bradley, owner, explained that several serious events had occurred since he last appeared regarding this case; there had been several deaths in the family and he had been divorced.

Mr. Andre Cross, Community Inspections Officer, said the property was complied on January 6. He was aware of Mr. Bradley's problems and had been in constant contact with Mr. Bradley and asked Judge Gaudiosi to be lenient.

Judge Gaudiosi reduced the fine to \$300.

**Reference CE05040295**

Nesley Laird  
505 Southeast 20<sup>th</sup> Street

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on June 2, 2005 with compliance ordered by July 2, 2005. On July 7, 2005 the date was extended to September 6, 2005; on September 6, 2005 the date was extended to December 1, 2005. The property was complied and fines had accrued in the amount of \$200.

Mr. Nesley Laird, owner, explained that he had waited for a permit to be issued and could therefore not do the work on time and asked for abatement of the fine.

Mr. John Gossman, Community Inspections Officer, testified that the violations started prior to the hurricane. Mr. Laird had called for reinspection after the hurricane, but Inspector Gossman could not reinspect right away. Inspector Gossman confirmed that Mr. Laird was awaiting a permit in July and that was when the fines had accrued.

The Assistant City Attorney explained that Mr. Laird had returned and received an extension, but fines had already accrued in July.

Judge Gaudiosi abated the fine.

**Reference CE05100622**

Cullan Meathe  
505 Middle River Drive

Sec. 47-19.1 C: Boat docked for accessory use  
with no principal structure

Mr. Leonard Ackley, Community Inspections Officer, testified that the property was in the process of redevelopment; the house was torn down but a boat was docked at the property. He recommended allowing 10 days to remove the boat or a fine of \$ 200 per day.

Mr. Dan Taylor, attorney for the owner, explained that Mr. Meathe had rebuilt the dock on the property first, per the City's request. The boat was docked there, but was not a live-aboard. Mr. Taylor described the progress of the building of the new house and noted it would take the remainder of the year to finish. Mr. Taylor pointed out that Section 47-19.1 A stated that one could not begin the accessory use until the primary use was "under construction." Section 47-19.C then stated that no accessory use would be permitted if the principal structure was "no longer in use." There was obvious conflict between the sections in cases where the property was being redeveloped.

Inspector Ackley stated the structure of the dock was allowed, but the accessory use of the boat's dockage was not. Until there was a CO on the property, there was no allowed accessory use. Judge Gaudiosi felt there was ambiguity in the code and found that no violation existed.

Judge Gaudiosi dismissed the case.

**Reference CE04071728**

Nakia McIntosh  
241 Florida Avenue

Request to Vacate Order Imposing Fine  
of January 6, 2005/Request for Re-imposition  
of Fine

At the request of the city, Judge Gaudiosi vacated the previous order to impose fine of January 6, 2005

Ms. Mohammed announced that this case was first heard on November 4, 2004 with compliance ordered by December 4, 2004. The property was complied and fines had accrued in the amount of \$9,875.

Mr. Elton McIntosh, the owner's father, explained that there had been a foreclosure on the property. He had been unable to afford to complete the new sod portion of the violations. He asked Judge Gaudiosi to abate the fine,

Mr. Andre Cross, Community Inspections Officer, informed Judge Gaudiosi that Mr. McIntosh had been in constant contact with him, and Inspector Cross was aware of Mr. McIntosh's financial problems. Inspector Cross asked Judge Gaudiosi to be lenient.

Judge Gaudiosi reduced the fine to \$1,500 and signed the order to re-impose that fine.

**Reference CE05030166**

Glenn Powell & Mara Mendez  
220 Southwest 20<sup>th</sup> Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on June 2, 2005 with compliance ordered by August 1, 2005. On September 1, 2005 the date was extended to November 1, 2005. The property was complied and fines had accrued in the amount of \$1,500.

Mr. Glenn Powell, owner, informed Judge Gaudiosi that the property was complied. Most of the repairs were complied almost immediately; the sidewalk repair had taken a bit longer. He asked for abatement of the fine.

Mr. Mike Champion, Community Inspections Officer, testified that Mr. Powell had tried to repair the parking area himself and he had not done a proper job. Inspector Champion had then clarified what must be done to comply and Mr. Powell had done so.

Judge Gaudiosi reduced the fine to \$150.

**Reference CE05011040**

6200 North Federal LLC and  
Liberty Promenade LLC et. al.  
6200 North Federal Highway

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on August 18, 2005 with compliance ordered by November 16, 2005. The property was not complied and fines had accrued in the amount of \$6,300.

Mr. Gary Glusman, property manager, explained that the contractor they hired in May to build the dumpster enclosure informed him they would need an architect and a permit. They applied for the permit in June and received it in September, after redesigning the enclosure. The construction had then been delayed by the hurricanes. Mr. Glusman was unaware that they could appear and ask for an extension. Mr. Glusman said the project was 90% complete. He presented photos of the project to Judge Gaudiosi and asked that the fine be abated.

Mr. Skip Margerum, Community Inspections Officer, agreed that they were diligent in trying to comply by the ordered date. He noted that the project was almost finished when he

visited yesterday. Inspector Margerum said he had no objection to abating the fine, subject to his reinspection.

Mr. James Lilley, contractor, said the project was complete, but wasn't sure when he would be able to obtain a final inspection.

Judge Gaudiosi abated the fine, subject to confirmation of compliance by Inspector Margerum's reinspection.

**Reference CE05070540**

Dominick Casale & Vincent Fazio  
1317 Northeast 7<sup>th</sup> Avenue

Sec. 18-27(a): Overgrowth on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 47-20.20 H: Parking area in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 7, 2005; service was also made by posting at the property on December 6, 2005 and at City Hall on January 6, 2006.

Ms. Ursula Thime, Community Inspections Officer, testified that there was overgrowth on the property and exterior walls were mildewed and had peeling paint; Section 47-20.20.H was complied. She presented photos of the property and a copy of the inspection history and recommended ordering compliance with Section 18-27(a) within 15 days or a fine of \$50 per day, and with Section 9-306 within 180 days or a fine of \$50 per day.

Mr. Vincent Fazio, owner, explained that they originally planned to demolish the property. After approval of their redevelopment plan was obtained, the City recalled their application and requested revisions. Mr. Fazio explained that they had repaired the parking lot and installed surveillance cameras. He requested 12 months to redevelop the property. Judge Gaudiosi asked him to return with his plans in six months.

Judge Gaudiosi found in favor of the City and ordered compliance with Section 18-27(a) within 15 days or a fine of \$50 per day, and with Section 9-306 within 180 days or a fine of \$50 per day would be imposed.

**Reference CE05121073**

Parasram Bitna & Kimmy Brereton  
2520 Northwest 19<sup>th</sup> Street

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 17, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the vacant lot was used to stored unlicensed and/or inoperable vehicles; per Special Magistrate order CE05090450

dated October 20, 2005, this was a constant, repetitive violation. Inspector Pingitore had visited the property on December 14, 2005 and photographed a car on the property. When she revisited the property on January 13, 2006, the vehicle was gone. She asked Judge Gaudiosi to impose a fine of \$50 per day from the period December 14, 2005 to January 13, 2006.

Mr. Parasram Bitna, owner, said the business next door kept using his land for additional parking space.

Judge Gaudiosi said he would only impose the fine for December 14, 2005, since Inspector Pingitore had waited one month to reinspect the property.

Judge Gaudiosi found in favor of the City and ordered a fine of \$50 per day for one (1) day: December 14, 2005.

**Reference CE05071075**

J.D. & Essie Lewers  
2760 Northwest 17<sup>th</sup> Street

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted [no date on card].

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property and there were commercial vehicles stored on the property, including a white Chevy panel truck and a derelict Chevy S-10. Inspector Pingitore said she had several conversations with Mr. Lewers but the problems were never resolved. She presented photos of the property and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

Mr. Jack Lewers, owner, explained that he had licensed, insured, and towed one of the vehicles; the other vehicle belonged to his son. Mr. Lewers described damage and work done at his property after the hurricanes. Inspector Pingitore clarified that she had visited the property twice.

Inspector Pingitore stated she wanted to amend the order to require compliance with Section 18-27(a) within 7 days because the derelict vehicles should fall under that Section. Ms. Deborah Haskins, Community Inspections Supervisor, explained that the derelict vehicles should be covered under Section 18-27(a); Section 47-34.1.A.1 concerned only commercial vehicles. Mr. Lewers felt he could have the vehicle removed within 7 days.

Judge Gaudiosi found in favor of the City and ordered compliance within 7 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05080989**

Abraham & Ruth Narkes  
701 Northwest 5<sup>th</sup> Avenue

Sec. 18-1: Derelict vehicle on property;  
Sec. 18-27(a): Trash on property;  
Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-313(a): Required display of address

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 11, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property; there was trash scattered on the property and the parking area was in disrepair; Sections 9-306 and 9-313(a) were complied. Inspector Lopez presented photos of the property and a copy of his inspection report and recommended ordering compliance with Sections 18-1 and 18-27(a) within 7 days or a fine of \$50 per day, and with Section 47-20.20.H within 90 days or a fine of \$50 per day.

Mr. Jharred Strangefellow, property manager, explained that the property was commercial and 95% of tenants were automotive mechanics. In September, he had hired someone to clean the property three times a week and was addressing the vehicle problem by towing vehicles from the property.

Mr. Abraham Narkes, owner, stated that his parking area did not require striping because it was not a public parking lot. The property had existed as is for approximately 40 years and the lot had never been striped. Mr. Narkes said he did not object to towing the unlicensed cars. Inspector Lopez stated that this was a parking area and therefore required striping.

Judge Gaudiosi found in favor of the City and ordered compliance Sections 18-1 and 18-27(a) within 7 days or a fine of \$50 per day, and with Section 47-20.20.H within 90 days or a fine of \$50 per day would be imposed.

**Reference CE05090528**

Calvin & Lucille Sapp  
131 Florida Avenue

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

Ms. Mohammed announced that service was via the appearance of the owner at this hearing.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable red Chevy pickup, an orange Cadillac, a green Cadillac, a blue Chevy pickup, a grey Chevy van and a grey Honda Civic on the property. He presented photos of the property and recommended ordering compliance within 7 days or a fine of \$100 per day or the vehicles would be towed.

Mr. Calvin Sapp, owner, explained that all the vehicles but one were properly registered; he did not keep the tags on the cars because they might be stolen. He agreed to present this information to Inspector Cross on his next visit. Mr. Sapp wondered how vehicles behind his gate could constitute a threat to the public health and safety. Judge Gaudiosi replied that a number of illegal activities could take place in the vehicles. He suggested that Mr. Sapp make copies of the licenses to post in the vehicles. Inspector Cross wanted Mr. Sapp to understand that upon his reinspection, the vehicles must be registered and operable. Judge Gaudiosi found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day or the vehicles would be towed.

**Reference CE05090734**

Erma Ferguson & Loretta White  
624 Northwest 4<sup>th</sup> Avenue

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

Ms. Mohammed announced service was via the appearance of the owner at this hearing.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the building was in need of paint; Section 18-27(a) was complied. He presented photos of the property and recommended ordering compliance with Section 9-306 within 90 days or a fine of \$25 per day.

Ms. Erma Ferguson, owner, explained that her father, the original owner, had passed away and Ms. Ferguson was in the process of trying to buy Ms. White out of the property. Ms. White was responsible for the property but had not performed routine maintenance. She requested 6 months to obtain a mortgage on the home to fund repairs. Judge Gaudiosi wanted to order compliance within 2 months, but Inspector Lopez reminded him that Ms. Ferguson intended to do some remodeling as well and would require some permits; that was why he had suggested 3 months.

Judge Gaudiosi found in favor of the City and ordered compliance with Section 9-306 within 90 days or a fine of \$25 per day would be imposed.

**Reference CE05070794**

Lois Stringi  
3334 Southwest 15<sup>th</sup> Avenue

Sec. 18-27(a): Overgrowth on property;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property; Sec. 9-307(b): Covered windows

Ms. Mohammed announced that service was by the appearance of the owner at this hearing.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable red pick up truck, blue tow truck, 2 trailers and trash on the property; Sections

18-27(a) and 9-307(b) were complied. He presented photos of the property and a copy of the property history and inspection report and recommended ordering compliance with Section 9-281(b) within 14 days or a fine of \$100 per day, or the vehicles would be towed.

Ms. Lois Stringi, owner, said she had a nuisance tenant on the property who was in the automotive business and would bring cars home. She asked Inspector Cross to speak to the tenant personally to explain the severity of the situation.

Judge Gaudiosi found in favor of the City and ordered compliance with Section 9-281(b) within 14 days or a fine of \$100 per day, or the vehicles would be towed.

**Reference CE05091153**

Elizabeth Sorto  
3100 Southwest 21<sup>st</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 39-275(6)(b): Outdoor storage of household goods; Sec. 9-281(b): Unlicensed, inoperable vehicle on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 8, 2005

Mr. Robert Urow, Community Inspections Officer, testified that there was trash on the property and outdoor storage of household goods: Section 9-281(b) was complied. He presented photos of the property and recommended ordering compliance with Sections 18-27(a) and 39-275(6)(b) within 7 days or a fine of \$25 per day, per violation.

Ms. Glenda Sorto, the owner's daughter, informed Judge Gaudiosi that the cars had been removed and the property cleaned up as of yesterday. Inspector Lopez agreed to visit the property tomorrow and reinspect.

Judge Gaudiosi found in favor of the City and ordered compliance with Sections 18-27(a) and 39-275(6)(b) within 7 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05060656**

Glen Adderley  
1600 Northwest 2<sup>nd</sup> Avenue

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was first heard on October 6, 2005 with compliance ordered by November 5, 2005. The property was not complied and fines had accrued to \$7,400.

Ms. Shanda Shingles, the owner's secretary, said the tenants had promised to remove the vehicles and the owner had cleaned up the property, but the tenants had since strewn more rubbish on the property. The property was in the process of sale and would close in February. The new owner planned to renovate the property.

Mr. Glen Adderley, owner, explained that they had cleaned the property in September and put the property on the market. After the hurricane, it had become difficult to obtain supplies.

Ms. Deborah Haskins, Community Inspections Supervisor, asked Judge Gaudiosi to impose the existing fine and grant a 30-day extension, as any number of problems could arise and prevent the sale from occurring. She also asked that he record the order with the county so it would go with the property if the sale went through.

Judge Gaudiosi signed the order to impose the existing fine and record the order, and granted a 30-day extension.

**Reference CE05101482**

William Wallace  
C/O Frost & Associates  
1540 Northeast 3<sup>rd</sup> Avenue

Sec. 9-280(g): Electrical components in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-307(a): Broken doors;  
Sec. 9-308 (b): Roof in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted [no date on card] and certified mail addressed to the registered agent was accepted on December 19, 2005.

Mr. Leonard Ackley, Community Inspections Officer, testified that outdoor and indoor electrical fixtures were broken; the house was dirty and the fascia needed paint; the exterior doors were not secure, and the roof was in disrepair. He presented photos of the property and a copy of his inspection report and a history of the property and recommended ordering compliance within 30 days or a fine of \$50 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance within 30 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE05080734**

Allen & Margaret Campbell  
1225 Northwest 19<sup>th</sup> Street

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 16, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed white Toyota on the property. She presented photos of the property and recommended ordering compliance within 7 days or a fine of \$100 per day, or the vehicle would be towed.

Judge Gaudiosi found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day, or the vehicle would be towed.

**Reference CE05090815**

Paul Schmitz  
1329 Northwest 6<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property; Sec. 9-280(h)(1): Fence in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted [no date on card].

Ms. Cheryl Pingitore, Community Inspections Officer, testified that Sections 18-27(a) and 9-280(h)(1) were complied. There was a maroon Buick parked on the property under a car cover, the registration status of which Inspector Pingitore could therefore not determine. Inspector Pingitore presented photos of the property and recommended ordering compliance within 7 days or a fine of \$100 per day, or the vehicle would be towed.

Judge Gaudiosi wondered if an unregistered vehicle with a cover were any more of a threat to safety than a licensed vehicle would be. Inspector Pingitore stated she had a "reasonable suspicion that the vehicle was inoperable" because the vehicle was covered.

Judge Gaudiosi continued the case to February 2, 2006.

**Reference CE05040367**

Downtown Flagler Village Ltd.  
413 North Federal Highway

Sec. 47-22.3 G: Signs without permits

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 29, 2005; certified mail addressed to the registered agent and a partner were both accepted on January 3, 2006.

Ms. Ursula Thime, Community Inspections Officer, testified that there were non-permitted wall signs on the property. Inspector Thime had determined that the sign permit would take 120 days to obtain and she had a stipulated agreement with the owner to comply within 120 days. She recommended ordering compliance within 120 days or a fine of \$50 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 120 days or a fine of \$50 per day would be imposed.

**Reference CE05050455**

Ken Drummond  
3431 Berkley Boulevard

Sec. 18-27(a): Trash on property  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-280(b): Structure or Fixtures in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on December 7, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of stained paint on the building; there were broken windows in the building and some windows were screwed shut; Sections 18-27(a) and 9-281(b) were complied. He presented photos, a copy of the inspection report and the rest of his file on the property and recommended ordering compliance with Sections 9-306 and 9-280(b) within 30 days or a fine of \$25 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance with Sections 9-306 and 9-280(b) within 30 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05090804**

Corbel & Hilda Cooper  
653 Northwest 15<sup>th</sup> Street

Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 9-308 (b): Roof in disrepair

Ms. Mohammed announced that service was via posting at the property on December 7, 2005 and at City Hall on December 30, 2005.

Ms. Irma Westbrook, Community Inspections Officer, testified that the parking area was in disrepair and the roof was dirty. She presented photos of the property and a copy of her inspection report and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

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

**Reference CE05081972**

Corbel & Hilda Cooper  
653 Northwest 15<sup>th</sup> Street

Sec. 9-280(f): Deteriorated plumbing;  
Sec. 9-280(g): Electrical components in disrepair  
Sec. 9-278(g): Missing/torn screens

Ms. Mohammed announced that service was via posting at the property on December 7, 2005 and at City Hall on December 30, 2005.

Ms. Irma Westbrook, Community Inspections Officer, testified that the air conditioning unit was not maintained in good working condition and screens were missing from the windows; Section 9-280(f) was complied. She presented photos of the property and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

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

**Cases Complied**

Ms. Mohammed 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:

CE05111304	CE05101253	CE05111670	CE05120383
CE05120890	CE05091324	CE05110575	CE05090803
CE05091748	CE05091842	CE05120086	CE05090899
CE05100108	CE05021691	CE05080849	CE05032121

**Cases Pending Service**

Ms. Mohammed 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:

CE05070052	CE01040420	CE05111680	CE05041195
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**Cases Withdrawn**

Ms. Mohammed announced that the below listed case had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference: CE04110317

**Approved for Claim of Lien**

Ms. Mohammed presented Judge Gaudiosi with the following cases to sign the order to impose the fine, which Judge Gaudiosi signed based on the affidavits of the inspectors  
CE05051549 - \$ 3,750      CE05051551 - \$ 3,750      CE05051554 - \$ 3,750  
CE04030393 - \$ 1,650

There being no further business, the hearing was adjourned at 12:15 p.m.

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate