

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Special Magistrate Meah Tell, Presiding**  
**May 18, 2006**  
**9:00 A.M. – 12:38 P.M.**

Staff Present:

Assistant City Attorney  
Dick Eaton, Secretary, Special Magistrate  
Eve Bazer, Administrative Assistant II  
Sue Holmes, Service Clerk  
Maurice Murray, Community Inspections Supervisor  
Leonard Ackley, Community Inspections Officer  
Lindwell Bradley, Community Inspections Supervisor  
Tuchette Bryant-Torres, Community Inspections Officer  
Peggy Burks, Community Inspections Officer  
Michael Champion, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Adam Feldman, Community Inspections Officer  
John Gossman, Community Inspections Officer  
Robert Guilford, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Al Lovingshimer, Community Inspections Officer  
Mike Maloney, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Robert Urow, Community Inspections Officer  
Salvatore Viscusi, Community Inspections Officer  
Irma Westbrook, Community Inspections Officer

Also Present:

CE06031989: Timothy Kellogg, owner  
CE05101289: Thomas Thomas, owner, Joseph Sharrow, neighbor  
CE05071679; CE05080294; CE05101245; CE05101246: Richard Coker, attorney  
CE05040975: Bon Ok Koo; Mee Hloa Bae, tenants  
CE05091615: Kimberly Martucci-Hay, owner  
CE06030867: Dennis Ficarra, property manager; Robert Brady, attorney's assistant  
CE05030746: Camey Davidson, owner  
9516444: Stephanie Goodwin, owner  
CE05081613: Rupert Ricketts, owner  
CE05091393: Kevin Fernander, attorney  
CE06010652: Jason Dokimos, owner's nephew  
CE04080588: Cheryl Nelson, owner

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CE06010920: Peter Aiello, owner  
CE06011464: Roschell Franklin, owner  
CE05081784: Steven Bader, owner  
CE06020737: Claus Greve, trust administrator  
CE06021312: Julia McElvy, owner; Panchita Ghishom, owner  
CE06010955: Ivory McCutcheon, owner; Robert Tanner, attorney  
CE05081518: Michael Brooks, owner, Beth VanHouten, roommate  
CE06020948: Nick Welsh, property manager  
CE06010147: Manuel Chamczo, manager  
CE06011938: Hope Calhoun, attorney  
CE06040344: Alan Fahrer, neighbor; William Trick, attorney

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 9:13 A.M. Ms. Tell introduced herself and explained her role in ensuring adherence with the City's codes. She also pointed out that the proceedings were being recorded.

The first three cases against the same owners were heard together:

**Reference CE05101245**

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

Continued from April 20, 2006

Mr. Dick Coker, attorney for the owners, explained that these cases hinged upon a "zoning interpretation from the zoning official." Mr. Coker had met with the zoning official, who was preparing a written opinion. Mr. Coker requested a 90-day continuance to obtain this letter and file an appeal to the Board of Adjustment.

Mr. Maurice Murray, Community Inspections Supervisor, stated he had no objection to the continuance.

Ms. Tell continued the case to August 17, 2006.

**Reference CE05101246**

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

Continued from April 20, 2006

Ms. Tell continued the case to August 17, 2006.

**Reference CE05071679**

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

Continued from April 20, 2006

Ms. Tell continued the case to August 17, 2006.

**Reference CE05080294**

William Regis  
1221 East Las Olas Boulevard

Continued from April 6, 2006

Ms. Bazer announced that this case was continued from 4/6/06.

Mr. Dick Coker, the owner's attorney, requested a 90-day continuance. He informed Ms. Tell that his client was engaged in litigation regarding this case, and requested time for the final judgment to be rendered.

Mr. Robert Guilford, Community Inspections Officer, testified that he had no objection to the continuance.

Ms. Tell continued the case to the August 17, 2006 hearing.

**Reference CE06010955**

Delta Asset Management  
2630 Northwest 21<sup>st</sup> Street

Sec. 9-307(a): Broken windows

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on April 18, 2006.

Mr. Robert Tanner, the owner's attorney, explained there was confusion regarding ownership of the property. After the sale to his client, the seller's sister requested an emergency order of guardianship from the probate court, which was granted. The new owner had never been allowed access or control of the property. Mr. Tanner requested 30 days to try to clear matters in probate court.

The Assistant City Attorney said that since the property was occupied and there were safety issues with the broken glass, they would have the guardian ad litem, Mr. Silverstone, attend the June hearing and work out interim management issues. Ms. Tell said she could issue an order, and Mr. Tanner's client could inform the probate court that his client could not enter the property to attend to the violations. Ms. Tell agreed to issue an order telephonically, if need be, to allow emergency remediation of the safety issues prior to the next hearing of the case.

Ms. Tell continued the case to the July 6, 2006 hearing.

**Reference CE06011938**

Shelton Dealerships Inc.  
5778/5780 North Federal Highway

Request for Extension

Ms. Bazer announced that this case was originally heard on 3/16/06 with compliance ordered by 4/15/06; on 4/20/06 the date was extended to 5/21/06. The property was not complied and fines had accrued to \$400.

Ms. Hope Calhoun, attorney for the owner, requested a 60-day extension for Section 9-329(a). She explained that the property was boarded and her client had begun the demolition process.

Mr. Skip Margerum, Community Inspections Officer, confirmed that the property was secured, and said he had no objection to the extension.

Ms. Tell granted a 60-day extension.

**Reference CE05030746**

John & Camey Davidson  
1200 Northwest 19<sup>th</sup> Street

Return Hearing

Ms. Bazer announced that this case was originally heard on 4/7/05 with compliance ordered by 4/21/05, 4/28/05 and 6/21/05; on 4/26/06 the owner was ordered to reappear at this hearing.

Ms. Camey Davidson, owner, explained that she had obtained the architectural drawing for the handicapped access ramp and she was in the process of obtaining a new contractor; her original contractor had taken her deposit and never performed the work. She was also having difficulty finding someone to repair the fences and paving. She asked Ms. Tell to abate the fines because she needed the money to pay for the repairs. Ms. Tell explained that she could not abate fines until the property was complied.

Ms. Cheryl Pingitore, Community Inspections Officer, stated that the fines now totaled \$15,625. Inspector Pingitore was concerned because the property was a gateway to the neighborhood. She reminded Ms. Tell that the case was begun in March 2005. Ms. Tell urged Ms. Davidson to "get going with this thing," and Ms. Davidson promised to do so. Ms. Tell asked her to create a list of the fencing companies she contacted for estimates. She also asked Ms. Davidson to send a copy of the contract to Inspector Pingitore.

Ms. Tell granted an extension to July 6, 2006 and ordered the owner to re-appear at the July 6, 2006 hearing.

**Reference CE04080558**

Lawrence & Cheryl Nelson  
1305 Chateau Park Drive

Request to vacate Order

Ms. Bazer announced that the City was requesting vacation of the order dated 6/2/05 due to improper service.

Ms. Tell vacated the order.

**Reference CE04080558**

Lawrence & Cheryl Nelson  
1305 Chateau Park Drive

Request for Abatement

Ms. Bazer announced that this case was first heard on 1/20/05 with compliance ordered by 1/27/05. The property was complied on 6/30/05 and fines had accrued to \$30,600.

Ms. Cheryl Nelson, owner, explained that the tenant on the property was supposed to be caring for it, and he had never informed her of any problems. She became aware of the problems when she tried to sell the property.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property had a "huge, huge history of non-compliance." She presented Ms. Tell with a history of the property, noting that the City had mowed it a couple of times. Inspector Pingitore presented a photo of the property taken on May 16 and declared the property a "disaster."

Ms. Tell remarked that the problems had been going on since 1997. Ms. Tell said it appeared that the City had dealt with the tenant, believing him to be the owner.

Ms. Tell reduced the fine to \$15,300.

**Reference CE06040344**

Goodson Investments Inc.  
6540 Northeast 18<sup>th</sup> Avenue

Continued from 4/20/06

Ms. Bazer announced that this case was first heard on 4/20/06 with compliance ordered for Section 18-27(a) by 4/30/06; the remaining eight violations were continued to today's date.

Mr. Skip Margerum, Community Inspections Officer, testified that a fine had run from May 1 to May 17 for Section 18-27(a), which was now complied. He then listed the violations that were continued at the previous hearing: there was trash in and around the dumpster enclosure and the enclosure gate was broken; due to the recurring nature of this violation, it would be presented even if it was complied by the hearing date; the parking area was in disrepair; there were electrical wires hanging from the building; the fences were in

disrepair; paint on the building was missing, chipped and stained; there were broken windows on the property and the elevator was broken; Section 9-281(b) was complied.

Mr. William Trick, attorney for the owners, stated his client, La Belle Villas LLC, purchased the property in February 2006 with the intention to renovate the property. He assured Ms. Tell that his client was in the process of cleaning out the property. Mr. Trick explained that the trash in the parking lot was a result of tenants' moving out. He requested abatement of the existing fine, and a continuance on the remaining violations. He explained that his client had entered into contracts to repair the elevator, fence, parking lot, windows, etc., prior to the April 20 hearing.

Inspector Margerum said he had no objection to abatement of the existing fine or a continuance for the remaining violations. Mr. Trick requested continuance to the August 3 hearing.

Mr. Alan Fahrer, next-door neighbor, stated that he had made the call to report the property to Code Enforcement. He informed Ms. Tell that garbage overflowing the dumpster often ended up on his property. He had spoken with the property owner, and noted that the property had improved.

Mr. Lindwell Bradley, Community Inspections Supervisor, said he had been working on this property for "a number of years." He noted that the dumpster had been relocated to accommodate parking requirements. He recognized that garbage in Mr. Fahrer's yard had been a continuing problem. Ms. Tell refused to continue the garbage/dumpster violation because of the health/safety issue. Mr. Fahrer said the garbage issue had recurred for years. He felt that the problem was the location of the dumpster and it must be moved to an area where to excess garbage would not endanger his children.

Mr. Trick said that now that the tenants were gone, the garbage problem should cease. Supervisor Bradley said that the owner must submit a new site plan, with the dumpster relocated, to allow him to move it. Mr. Trick agreed to speak to Mr. Fahrer to try to reach a resolution. Mr. Fahrer said he had spoken with the owner, who did not seem open to the idea of moving the dumpster.

The Assistant City Attorney said the dumpster was properly located and enclosed, and the City could "under no circumstances" require that the dumpster be moved. She suggested the owner arrange for more frequent garbage pickup. The Assistant City Attorney said Mr. Fahrer had "campaigned to have the City require that the dumpster be moved to another part of the property." She said the City could not and would not do this, and they had already told Mr. Fahrer this. Now that the owner had been cited for violations regarding the dumpster, the Assistant City Attorney asked Ms. Tell to find that the violations existed and require the problems be addressed within 10 days.

Mr. Trick reiterated that with the tenants no longer using the dumpster, there should not be a problem and there was nothing more the owner could do. Ms. Tell agreed to find that the violation existed and to order compliance within 10 days as the Assistant City Attorney had

suggested. Ms. Tell clarified that they were discussing the Waste Management dumpster, not the construction dumpster.

Ms. Tell found in favor of the City and ordered compliance with Section 47-19.4.D.8 within 10 days or a fine of \$100 per day. She continued the case for the remaining uncomplined violations: 47-20.20.H; 9-280(g); 9-280(h)(1); 9-306; 9-307(a) and 9-309 to the August 3, 2006 hearing.

**Reference CE05081784**

Steven Bader  
1608 Northwest 11<sup>th</sup> Street

Return Hearing

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 4/16/06. The property was not complied.

Mr. Steven Bader, owner, said permit applications were submitted for complete renovations. They had suffered several delays in the permit process. He requested an extension to obtain the permits and complete the work. He noted that since construction equipment would soon traverse the property, he felt that complying the landscape violations must wait.

Ms. Cheryl Pingitore, Community Inspections Officer, said Mr. Bader had discussed an extension with her. She suggested a 90-day extension.

Ms. Tell granted a 90-day extension.

**Reference CE05101289**

Thomas Thomas  
59 Northeast 16<sup>th</sup> Place

Continued from 4/20/06

Ms. Irma Westbrook, Community Inspections Officer, testified that there was outside storage of a Waverunner trailer and other items on the property and there were areas of dirty paint on the house. At the previous hearing, Mr. Thomas had stated that the violations were complied and agreed that Inspector Westbrook must confirm this, but when she had visited the property for reinspection, Mr. Thomas would not allow her onto the property. Inspector Westbrook had therefore been unable to verify compliance.

Mr. Thomas Thomas, owner, said he didn't understand what he was doing wrong. He stated Inspector Westbrook had trespassed in order to photograph his property for the violation. Mr. Thomas said the original notice did not mention the Waverunner, but the hearing notice did. He asked Ms. Tell to dismiss the case. Ms. Tell asked Mr. Thomas to confer with the inspector, the Assistant City Attorney and the supervisor.

Upon returning to the case, the Assistant City Attorney said the City had decided to dismiss the case.

**Reference CE06030667**

Brent Bowden  
1033 Northwest 3<sup>rd</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 47-21.8: Missing ground cover;  
Sec. 9-278(g): Missing/torn screens;  
Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 16, 2006.

Ms. Irma Westbrook, Community Inspections Officer, testified that there was trash and overgrowth on the property; some windows lacked screens and some windows were broken; Sections 47-21.8, 9-281(b) and 9-306 were complied. Inspector Westbrook had spoken with the owner, who informed her he would be out of town for the hearing, and agreed to recommend ordering compliance with Sections 18-27(a), 9-278(g) and 9-280(b) within 30 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 9-278(g) and 9-280(b) within 30 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05040975**

P.M. & Valentina Reynolds  
917 North Ft. Lauderdale Beach Boulevard

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was first heard on 5/19/05 with compliance ordered by 5/26/05. The property was complied on 7/21/05 and fines had accrued to \$13,750.

Ms. Mee Hloa Bae, tenant, explained that they had closed the store. She presented a letter from Ms. Mee's father, Bon Ok Koo.

Mr. Lee Kaplan, Community Inspections Officer, confirmed that the shop was closed. Inspector Kaplan recommended reducing the fine to 25%. Ms. Mee explained that they had lost everything with the store and they were all currently unemployed. This was explained in her father's letter.

Ms. Tell reduced the fine to \$500.



**Reference CE05081518**

Michael & Tami Brooks  
2631 Southwest 12<sup>th</sup> Terrace

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 4/13/06 and 5/6/06. The property was complied and fines had accrued to \$600.

Mr. Michael Brooks, owner, said he had problems with the neighbors next door, a drug house, and asked Ms. Tell to reduce the fine. Ms. Beth VanHouten, Mr. Brooks's roommate, confirmed problems at the neighboring property. Mr. Brooks said the violations were actually located on this neighboring property, and produced a site plan for Inspector Cross to examine.

Mr. Andre Cross, Community Inspections Officer, said he examined the site plan, and the overgrowth had indeed been on the neighbor's property.

Ms. Tell abated the fine.

**Reference CE06020948**

Sherwood Federal LLC  
2975 North Federal Highway

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 4/16/06. The property was not complied and fines had accrued to \$1,550.

Mr. Nick Welsh, property manager, requested an extension to obtain permits to demolish the property.

Mr. Len Ackley, Community Inspections Officer, confirmed that most of the trash was caused by emptying the building. He was aware that the sewer had been capped and felt the property should be demolished by the end of the month. He felt a 60-day extension should be sufficient.

Ms. Tell granted an extension for 60 days.

**Reference CE05091393**

Gada Management LC  
1250 Northwest 23<sup>rd</sup> Avenue

Status Report

Ms. Bazer announced that this case was first heard on 3/16/06 with compliance ordered by 6/20/06; on April 20, Ms. Tell had ordered the owner's representative to appear today for a progress report.

Mr. Kevin Fernander, the owner's attorney, reminded Ms. Tell that the first issue concerned trucks backing onto the property. He cited Florida statute that stipulated backing onto property was permissible if done in a safe manner. Mr. Fernander said the owner was willing to open up a second curb cut to facilitate the internal traffic and reduce backing up onto the property. Mr. Fernander presented photos of the property showing how the owner had draped the fence.

Mr. Fernander referred to one photo and the site plan showing the site's only loading area, which must be accessed by backing in. Ms. Tell asked Mr. Fernander to confer with the Assistant City Attorney regarding the statute. The Assistant City Attorney reminded Ms. Tell that she had already found the violations existed.

Upon returning to the case, the Assistant City Attorney said the trucks were impeding the flow of traffic on the adjacent streets and the inspector had suggested the owner open another entrance. Mr. Fernander requested an extension to August for some of the other violations. He agreed that the middle gate would be open to accommodate traffic.

Ms. Cheryl Pingitore, Community Inspections Officer, said she had no objection to an extension to the August 3 hearing date.

Mr. Fernander said he "had issues with the findings of fact," specifically, the order's characterization of the outdoor "storage area." Mr. Fernander stated that there were items "gathered and stacked" awaiting pickup by the trucks, and he felt there was a "significant legal difference" between this situation and "stored and storage." He noted that zoning prohibited "storage" in that area, but allowed them to "stage" product to go out. Ms. Tell stated that the order reflected the verbiage in the notice. Mr. Fernander said his "whole initial presentation" at the previous meeting had been intended to prove that this was not storage but staging. Ms. Tell requested a copy of the ordinance section and stated she did not know if she could alter an existing order.

The Assistant City Attorney stated that unless there was "an error or new evidence or a mistake" the order could not be changed 30 days after it was entered. She noted that the process for appeal had not occurred yet. Mr. Fernander said he had just received the order Ms. Tell signed on April 26. She advised Mr. Fernander to file a motion to correct.

Ms. Tell granted an extension to August 3, 2006.

**Reference CE06031989**

Casa Bella Builders LLC  
519 Southwest 10<sup>th</sup> Street

Sec. 18-27(a): Tree debris on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-307(a): Broken windows;  
Sec. 9-308 (b): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the registered agent was accepted [no date].

Mr. Mike Maloney, Community Inspections Officer, testified that there was tree debris on the property; the building was not maintained, soffits and fascia were rotted and paint was peeling and/or missing; there were broken windows in the building and there was tree debris on the roof. Inspector Maloney recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

Mr. Timothy Kellogg, owner, explained that he and his partners purchased the property on March 13. They had a permit for a temporary fence, and were applying for a demo permit. He requested 60 days to clean up the property.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06010652**

John Dokimos  
1401 Northeast 60<sup>th</sup> Street

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-281(b): Rubbish and trash on property;  
Sec. 9-304(a): Maintenance of parking area

Ms. Bazer announced that service was via posting at the property on April 14, 2006 and at City Hall on May 4, 2006.

Mr. Skip Margerum, Community Inspections Officer, testified that the cinderblock wall was broken; there was trash and rubbish on the property and the parking area was in disrepair. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$25 per day, per violation.

Mr. Jason Dokimos, the owner's nephew, said the first two contractors they hired had taken their deposit money and run. He requested 60 days to get the materials and perform the work.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05081613**

Rupert Ricketts  
1210 Northwest 13<sup>th</sup> Lane

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was first heard on 3/16/06 with compliance ordered by 4/15/06; the property was not complied.

Mr. Rupert Ricketts, owner, said he had demolished the shed and was still in the process of disposing of the debris.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had visited the property the shed was removed and replaced with a smaller one. There was still a lot of construction debris on the property as well. Mr. Ricketts said the debris was now gone. Inspector Pingitore agreed to reinspect the property.

Ms. Tell granted an extension to the July 6, 2006 hearing and ordered Mr. Ricketts to re-appear at that hearing.

**Reference CE03012378**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that this case was first heard on 4/3/03 with compliance ordered by 4/11/03; the property was not complied.

Ms. Cheryl Pingitore, Community Inspections Officer, clarified that the property was not complied and there were two cases against the property. The 1996 case was complied in 1996, but this case was not complied. Inspector Pingitore presented photographs taken on May 15, 2006 and said she had visited the property several times with the Police department, she had several complaints from the neighbors and the property had never been cleaned up since the 2003 case began. Along with the derelict vehicles on the property, vehicles were being repaired on the property. Inspector Pingitore had also requested an NTA through the Code Team.

Ms. Tell asked Inspector Pingitore to confer with Ms. Goodwin and explain exactly what the issues were and what must be done to comply. Upon returning to the case, Inspector Pingitore said Ms. Goodwin had informed her that she and her husband had just taken over the property; they had acquired it by quitclaim deed and the title company had not caught the violations. Inspector Pingitore said she must reinspect the property to confirm Ms. Goodwin's assertion that the property was cleaned up.

The Assistant City Attorney said it did not appear that the property was actually conveyed. Ms. Tell stated she would continue the case for Inspector Pingitore to reinspect the property.

Ms. Tell continued the case to the July 6, 2006 hearing.

**Reference 9516444**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Massey Hearing

Ms. Cheryl Pingitore, Community Inspections Officer, said she could not verify compliance on this case either, and must reinspect.

Ms. Tell continued the case to the July 6, 2006 hearing.

**Reference 9516444**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Request to vacate Order

Ms. Bazer announced that the City was requesting vacation of the order dated 12/16/04 due to improper service.

Ms. Tell vacated the order.

**Reference CE03012378**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Request to vacate Order

Ms. Bazer announced that the City was requesting vacation of the order dated 12/16/04 due to improper service.

Ms. Tell vacated the order.

**Reference CE05091615**

917 Land Trust  
Charles Alexander, Trustee  
917 Northwest 3<sup>rd</sup> Avenue

Sec. 47-20.13 A: Driveway in disrepair

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that the parking area was not a hard, dust-free surface. He presented photos of the property and recommended ordering compliance within 60 days or a fine of \$25 per day.

Ms. Kimberly Martucci-Hay, owner, confirmed with Inspector Lopez that she could apply new gravel, she did not need to apply for a permit or put down asphalt.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day would be imposed.

**Reference CE06020737**

Claus Greve & Dixie Lee Mason Trust  
1801 Northeast 56<sup>th</sup> Street

Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 47-21.10: Required ground cover;  
Sec. 9-281(b): Rubbish and trash on property;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 20, 2006.

Mr. Skip Margerum, Community Inspections Officer, testified that the parking area was in disrepair, with potholes and missing striping; there were areas of dead or missing ground cover; there was trash and rubbish on the property and paint on the building was missing and stained. He presented photos of the property and a copy of the inspection report to Ms. Tell.

Mr. Claus Greve, trust administrator, explained that the hurricane had caused a lot of damage to this property. He had explained this in a letter to Inspector Margerum, a copy of which he presented to Ms. Tell. Mr. Greve said he had owned the property since 1976 and used to deal with Inspector Frank Stockinger. Mr. Greve requested 90 days to have the work done. Inspector Margerum confirmed that the roofers had already obtained a permit. He had no objection to a 90-day extension except for the debris removal, which he wanted complied within 10 days.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-29.20.H, 47-21.10 and 9-306 within 90 days or a fine of \$50 per day, per violation would be imposed, and with Section 9-281(b) within 10 days or a fine of \$50 per day would be imposed.

**Reference CE06010147**

3901 Davie Associates LLC  
3901 Southwest 16<sup>th</sup> Street

Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 47-22.3 C: Signs without permits;  
Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 9-280(g): Electrical components in disrepair;  
Sec. 9-281(b): Rubbish and trash on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-307(b): Covered windows;  
Sec. 9-308 (c): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 25, 2006, and certified mail addressed to the registered agent was accepted on April 24, 2006.

Mr. Robert Urow, Community Inspections Officer, testified that there were non-permitted banner signs on the property; the walls were not maintained and were not weatherproof or watertight; there was exposed wiring and broken lights; there was trash and debris scattered about the property; there were areas of missing paint and graffiti and decorative elements of the building were in disrepair; there were numerous broken and boarded windows and the roof was in disrepair, sections were rotted and bent; Section 47-20.20.H was complied. Inspector Urow presented photos of the property and a copy of the inspection report and recommended ordering compliance with all 7 open sections within 60 days or a fine of \$50 per day, per violation.

Mr. Manuel Chamczo, manager, explained that the property was vacant for years before they bought it and they had "slowly but surely" been bringing it up to code. The property had been damaged by the hurricane and Mr. Chamczo had been defrauded by a paver

contractor. Mr. Chamczo explained that they were in the process of repairing the violations and requested time to comply.

Ms. Tell found in favor of the City and ordered compliance with sections 47-22.3 C, 9-280(b), 9-280(g), 9-281(b), 9-306, 9-307(b) and -308 (c) within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06021312**

Northwest Federated Women's Club  
Of Broward County Inc  
2161 Northwest 19<sup>th</sup> Street

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-305(b): Required ground cover

The Assistant City Attorney announced that certified mail addressed to the owner was accepted on April 24, 2006, and certified mail addressed to the registered agent was accepted on April 14, 2006.

Ms. Tuchette Torres, Community Inspections Officer, testified that the fence was in disrepair and there was a dead tree on the fence and in the swale. She presented photos of the property to Ms. Tell.

Ms. Julia McElvy, owner, said they had a problem getting the insurance company to cover their hurricane losses. Ms. McElvy presented correspondence with her insurance company that was admitted into evidence as respondent's exhibit 1. Ms. Tell advised her to get into the mediation program. Ms. McElvy requested 180 days to comply. She noted that they were a non-profit organization.

Ms. Tell found in favor of the City and ordered compliance within 180 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE06030867**

Bradco Supply Corp.  
1150 Northwest 23<sup>rd</sup> Avenue

Sec. 25-4: Blocking public sidewalk;  
Sec. 47-19.9 A.2.c: Storage exceeds wall height;  
Sec. 47-20.20 D: Parking area used for storage

Code Supervisor Bradley announced that certified mail addressed to the owner was accepted on April 14, 2006.

Ms. Tuchette Torres, Community Inspections Officer, testified that inventory was stored outside exceeding the height of the wall of the property; Sections 25-4 and 47-20.20.D were complied.

Mr. Dennis Ficarra, property manager, explained that the company's attorney was in the hospital and had requested a continuance. Inspector Torres said they could remove the stored items in the meantime. Mr. Ficarra said there was a problem with the term "storage", remarking that items were "staged" on the property.

The Assistant City Attorney said the property was cited for stacking items higher than the wall height, not for "storage" versus "staging."

Ms. Tell continued the case to the July 6, 2006 hearing.

**Reference CE06010920**

Tena Aiello  
1458 Southwest 19<sup>th</sup> Avenue

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

Ms. Bazer announced that service was via posting at the property and at City Hall on May 4, 2006.

Mr. Mike Champion, Community Inspections Officer, testified that there was trash and overgrowth on the property.

Mr. Peter Aiello, owner, said his parents, who had lived in the home, had both passed away earlier in the year. Since then, Mr. Aiello had gradually been disposing of the trash. Ms. Tell advised Mr. Aiello to confer with Inspector Champion regarding what must be done to comply the property. Inspector Champion recommended ordering compliance within 60 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day would be imposed.

**Reference CE06011464**

R.J. & Dorothy Franklin  
1500 Northwest 5<sup>th</sup> Street

Sec. 47-21.8: Missing ground cover;  
Sec. 9-304(b): Maintenance of parking area;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 8, 2006

Mr. John Gossman, Community Inspections Officer, testified that the yards had no ground cover; there was no defined parking area, and the walls and fascia were discolored and needed paint. He presented photos of the property and recommended ordering compliance within 60 days or a fine of \$50 per day, per violation.

Mr. Roschell Franklin, owner, agreed to comply the property in 60 days.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day, per violation would be imposed.



**Reference CE06040246**

Fernando Wytrykusz  
1301 Northeast 13<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 24-4: No building maintenance person;  
Sec. 9-278(g): Missing/torn screens;  
Sec. 9-280(f): Deteriorated plumbing;  
Sec. 9-280(g): Electrical components in disrepair;  
Sec. 9-308 (a): Roof shingles in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 1, 2006.

Mr. Len Ackley, Community Inspections Officer, testified that plumbing fixtures were in disrepair; electrical outlets and fixtures were in disrepair and the roof was in disrepair and not water-tight; Sections 18-27(a), 24-4 and 9-278(g) were complied. Inspector Ackley presented photos of the property and other documentation and recommended ordering compliance with Sections 9-289(f), 9-280(g) and 9-308(a) within 60 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(f), 9-280(g) and 9-308(a) within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06020035**

Layton Durrence & Jack Loving  
1410 Southwest 4<sup>th</sup> Avenue

Continued from April 20, 2006

Ms. Bazer requested a continuance due to Inspector Burks's absence

Ms. Tell continued the case to June 1, 2006.

**Reference CE06031402**

Jose Rubio  
830 Southwest 28<sup>th</sup> Street

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

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

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable burgundy Ford F-150 on the property. He presented photos of the property and a copy of the property history and notice of violation and recommended ordering compliance within 10 days or a fine of \$100 per day or the vehicle would be towed.

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

**Reference CE05121282**

Jorge Molina  
743 Northeast 17<sup>th</sup> Court

Sec. 18-27(a): Trash and overgrowth on property;  
Sec. 47-19.9: Roof tiles stored on property;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-281(b): Unlicensed, inoperable trailer on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 12 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that there was constant overgrowth and trash on the property, and due to the recurring nature of the violation, the case would be heard by the Special Magistrate even if the violation were complied by the hearing date.

Inspector Feldman continued that there were roof tiles stored on the property; the wood fence was in disrepair and there was an inoperable Haulmark trailer on the property. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Sections 18-27(a), 47-19.9 and 9-280(h)(1) within 30 days or a fine of \$50 per day, and with Section 9-281(b) within 10 days, by May 28, 2006, or a fine of \$100 per day or the trailer would be towed.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 47-19.9 and 9-280(h)(1) within 30 days or a fine of \$50 per day would be imposed, and with Section 9-281(b) within 10 days or a fine of \$100 per day or the trailer would be towed.

**Reference CE06040438**

Esa & David Natour  
2162 Northwest 6<sup>th</sup> Street

Sec. 47-22.9: Signs without permits

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 14, 2006.

Mr. John Gossman, Community Inspections Officer, testified that the store displayed banner signs intermittently. Upon notification, the signs were removed but would be put back up days later. Due to the recurring nature of the violation, the case would be heard by the Special Magistrate even if the violation were complied by the hearing date.

Inspector Gossman said he had notified the owner that he would present the case today, and had expected the owner to be present, but he was not. Inspector Gossman presented photos of the property and stated the property had been complied since his last notification. He asked Ms. Tell to find that there was a recurring violation at the property. Ms. Tell agreed to issue an order indicating that a violation had existed prior to the hearing, and ordering the owner to maintain compliance.

Ms. Tell found that the violation had existed and ordered the owner to maintain compliance with Section 47-22.9 or face possible fines of up to \$500 a day.

**Reference CE06011106**

Andrews Loftminium LLC  
924 Northwest 1<sup>st</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner and registered agent were both accepted on April 12, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash and brush scattered on the property. He presented photos of the property and other documentation and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would be imposed.

**Reference CE06011166**

Linda Goodman  
811 Northwest 1<sup>st</sup> Avenue

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-313(a): Required display of address

Ms. Bazer announced that service was via posting at the property on April 17, 2006 and at City Hall on May 4, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in disrepair and house numbers were not visible from the street. He presented photos of the property and other documentation and recommended ordering compliance within 14 days or a fine of \$25 per day per violation.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day per violation would be imposed.

**Reference CE06020604**

Antoinette Walker  
819 Northwest 1<sup>st</sup> Avenue

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

Ms. Bazer announced that service was via posting at the property on April 17, 2006 and at City Hall on May 4, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was an unlicensed, inoperable black Mercedes and blue Pontiac on the property. He presented photos of the property and other documentation and recommended ordering compliance within 10 days or a fine of \$100 per day, or the vehicles would be towed.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day or the vehicles would be towed.

**Reference CE06011422**

360 Northwest 8<sup>th</sup> Street Trust  
360 Northwest 8<sup>th</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner, registered agent and officer of the company were all accepted on April 12, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in disrepair; Sections 18-27(a), 47-21.8.A and 9-306 were complied. He presented photos of the property and other documentation to Ms. Tell. Inspector Lopez said he had spoken with the owner and agreed to recommend ordering compliance with Section 9-280(h)(1) within 90 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(h)(1) within 90 days or a fine of \$50 per day would be imposed.

**Reference CE06030684**

Andrews Loftminium LLC  
100 West Sunrise Boulevard

Sec. 18-27(a): Trash on property;  
Sec. 47-22.6 F: Signs in disrepair;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Canopy in disrepair

Ms. Bazer announced that certified mail addressed to the owner and registered agent were both accepted on April 12, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash on the property, including a dumpster in the swale; a sign on the property was in disrepair; the fence was in disrepair and the canvas canopy was in disrepair; Section 9-281(b) was complied. Inspector Lopez presented photos of the property and other documentation and recommended ordering compliance with Sections 18-27(a), 47-22.6.F, 9-280(h)(1) and 9-306 within 14 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 47-22.6.F, 9-280(h)(1) and 9-306 within 14 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE05120781**

Richard Reiff  
2012 Northeast 32<sup>nd</sup> Avenue

Sec. 18-1: Stagnant pool water;  
Sec. 9-280(h)(1): Fence in disrepair

Ms. Bazer announced that service was via posting at the property on April 26, 2006 and at City Hall on May 4, 2006.

Mr. Al Lovingshimer, Community Inspections Officer, testified that there was black, stagnant water in the pool, creating a breeding ground for mosquitoes, and the fence was in disrepair. Inspector Lovingshimer stated there was concern in the neighborhood about the property because the fence was not secure and Inspector Lovingshimer could not locate the homeowner. He presented photos of the property and a copy of the inspection report and recommend ordering compliance within 10 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$250 per day, per violation would be imposed.

**Reference CE05121030**

American Federated Title Corp.  
1909 Northwest 9<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 47-21.8: Missing ground cover;  
Sec. 47-22.3 X.1: Improper signage;  
Sec. 47-22.6 N.2: Non-permitted sign on property;  
Sec. 47-22.6 F: Signs in disrepair;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-308 (c): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the owner and registered agent were accepted on April 13, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property; the parking lot was in disrepair, with potholes and broken wheel stops; the landscaping was dead or missing; the windows were covered with advertisements exceeding 20% of the window surface; there were sandwich signs on the property; there were broken signs on the building; the concrete buffer wall [fence] was in general disrepair and the roof was in disrepair. Inspector Pingitore presented photos of the property and a copy of the property history, notice of violation and inspection report, and recommended ordering compliance within 30 days or a fine of \$100 per day, per violation.

Ms. Tell 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 CE06010827**

Girard & Robert DiRoberto  
1545 Northwest 15<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 12, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property, and there was an unlicensed, inoperable gold, 4-door car on the property; Section 9-306 was complied. Inspector Pingitore presented photos of the property and a copy of the inspection report, property history and notice of violation, and recommended ordering compliance with Section 18-27(a) within 10 days or a fine of \$100 per day and with Section 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$100 per day and with Section 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

**Reference CE06020235**

Perma Knowles  
1131 Northwest 15<sup>th</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 47-21.8: Missing ground cover;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 20, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable green Chevy on the property; Sections 18-27(a) and 47-21.8 were complied. Inspector Pingitore said she had spoken with the owner, who stated the vehicle would be removed today. She presented a copy of the property history, notice of violation and inspection report, and recommended ordering compliance with Section 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

**Reference CE06030678**

D.M. & Rosemary Offen  
3111 Southwest 20<sup>th</sup> Court

Sec. 18-27(a): Trash on property;  
BCZ 39-275(6)(b): Outdoor storage of household  
goods;  
BCZ 39-79(e): Required ground cover

Ms. Bazer announced that certified mail addressed to the owner was accepted on April 24, 2006.

Mr. Robert Urow, Community Inspections Officer, testified that there was overgrowth on the property; there was outside storage of ladders, pavers, etc., and there were areas of dead or missing ground cover. He presented photos of the property and other documentation and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

Ms. Tell 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 CE05050178**

Pacific Financial Corp.  
1032 Northwest 1<sup>st</sup> Avenue

Request to vacate Order

Ms. Bazer announced that the City was requesting vacation of the order dated 9/1/05 due to a property ownership change.

Ms. Tell vacated the order.

**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:

CE06010620	CE06010613	CE06032020	CE06040228
CE05101488	CE06030255	CE06030869	CE06031002
CE06031010	CE06031596	CE06010670	CE06020698
CE06020700	CE06031981	CE06021711	CE06031208
CE06031203	CE06030907	CE06011134	CE06030236
CE06030457	CE06031331	CE05090753	CE06020025
CE06020639	CE06010009	CE06030614	CE06031188
CE06031463			

**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:

CE05100249	CE06031298	CE06031478	CE06031479
CE06021300	CE06010374	CE06021432	CE05120872
CE05090734	CE05121174		

**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:

CE05111814

**Approved for Claim of Lien**


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

CE06011578 - \$ 3,200	CE05111307- \$12,000	CE04122115 - \$ 4,600
CE05111597 - \$ 3,200	CE06020065 - \$ 7,750	

There being no further business, the hearing was adjourned at 12:38 p.m.

  
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SPECIAL MAGISTRATE

ATTEST:

  
\_\_\_\_\_  
Clerk, Special Magistrate