

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Meah Tell Presiding
October 19, 2006
9:00 A.M. –12:45 P.M.

Staff Present:

Assistant City Attorney
Farida Mohammed, Clerk of Special Magistrate Supervisor
Maurice Murray, Community Inspections Supervisor
Tuchette Torres, Community Inspections Officer
Andre Cross, Community Inspections Officer
Dick Eaton, Community Inspections Officer
Adam Feldman, Community Inspections Officer
Ingrid Gottlieb, Community Inspections Officer
Robert Guilford, Engineering Inspector
Sue Holmes, Secretary to Special Magistrate
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Mike Maloney, Community Inspections Officer
Sue Manning, Secretary to Special Magistrate
Cheryl Pingitore, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Salvatore Viscusi, Community Inspections Officer
Irma Westbrook, Community Inspections Officer

Also Present:

CE05100057: Paul Athanasios, owner
CE06031253: Ronald Malec, owner
CE04120247: Cynthia Brewer-Bulk, owner
CE02031199: Samuel Horodov, potential buyer; Darren Snyder, attorney
CE06082042: Jacqueline Fleurimond, owner; Charlene Fleurimond, owner's daughter
CE06090012: Carlos Sigala, project manager
CE06081845: Macule Ariste, owner
CE06021432: Moses Spencer, owner
CE06041452: Elizabeth Raysor, owner
CE06070119; 06070118: Eduard Zinkil Jr, owner
CE06060951: John Vetter, contractor; Judy Poling, property manager
CE06061892: Richard Jenkins, owner
CE06072121: Meredith Oliver, owner
CE06082212: Olga Ponce, owner
CE 06041725: Deborah Byles, owner; Courtney Crush, attorney
CE06090224: Bruce Hendershaw, owner
CE05081345: William Meyers, joint-owner
CE06061582: Eric Magoon, attorney

CE06081509; 05081855: Richard Patterson, property manager
CE06082120: Sedrick Wright, owner
CE06050516: Chrismonne Francois, owner's representative
CE06071576: Edward Williams, owner's son
CE05081229: Tony Ferrari, owner
CE06021265: Wesley Greaves, owner
CE06040450: Donald Gawne, general manager
CE06050525: Terrence Craig, owner

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. Ms. Tell introduced herself and explained her role in ensuring adherence with the City's codes.

Case: CE06050525

Terrence & Susan Craig
6401 Northwest 34th Avenue

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

Mr. Salvatore Viscusi, Community Inspections Officer, testified to the following violation:

- 9-307 (a): There are broken windows on this property.

The following violation was now complied:

- 18-27 (a): There is grass/plant overgrowth on this property and there is trash, rubbish and debris on the property.

Inspector Viscusi presented photos and a copy of his case file which were admitted into evidence, and recommended ordering compliance with 9-307 (a) within 30 days or a fine of \$25 per day.

Mr. Terrence Craig, owner, explained that they intended to replace all of the glass in the house and were in the process of obtaining estimates.

Ms. Tell found in favor of the City and ordered compliance with 9-307 (a) by November 16, 2006 or a fine of \$25 per day would be imposed.

Case: CE06040450

B I C Corp.
5108 Northwest 10th Terrace

Continued from 9/21/06

18-27 (a) There is grass, plant and tree overgrowth on the swale area of this property.

9-280 (h) (1) There is a chain link fence on this property that is in disrepair.

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

Mr. Donald Gawne, general manager, explained that they needed new surveys in order to pull permits. He requested 8 weeks to comply.

Mr. Salvatore Viscusi, Community Inspections Officer, was aware of Mr. Gawne's difficulties in obtaining a survey and stated he had no objection to another 8 weeks.

Ms. Tell continued the case to December 21, 2006.

Case: CE06071576

Louise Williams
2311 Northwest 12th Court

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

Ms. Tchette Torres, Community Inspections Officer, testified to the following violations:

- 9-280 (b): There is a missing door on the property, leaving an opening to the structure which is not weather and watertight.
- 9-281 (b): There is an inoperable vehicle on the property .
- 9-304 (b): Gravel drive is not well-graded and/or dust free.

Inspector Torres stated that the door cited in 9-280(b) had been replaced but was still in disrepair and that the vehicle is a dark green Toyota Camry. She presented photos of the property and a copy of the case history to Ms. Tell.

Mr. Edward Williams, son of the owner, said he was making repairs and requested 90 days. Inspector Torres said she did not object, and reminded Mr. Williams that he needed a permit for the door. Mr. Williams wanted to register the car, but said this would take more than 10 days.

Ms. Tell found in favor of the City and ordered compliance with 9-280 (b) and 9-304 (b) by January 18, 2007 or a fine of \$25 per day, per violation, and with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow.

Case: CE06082042

Jacqueline Fleurimond
1123 Northwest 3rd Avenue

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

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violation:

- 9-281 (b): There is a green, inoperable Pontiac van on the property.

Inspector Westbrook presented photos of the property and a copy of the property history that were admitted into evidence and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to tow.

Ms. Cherlun Fleurimond, owner's daughter, said the insurance company would tow the car. She said the car was registered but did start. Inspector Westbrook stated that when she had visited the property, one tire was flat and there was no registration tag on the vehicle.

Inspector Westbrook examined the registration Ms. Fleurimond presented and found that it had expired on October 1, 2006.

Ms. Tell found in favor of the City and ordered compliance by November 16, 2006 or a fine of \$100 per day with the right to tow.

Case: CE05100057

Paul Pratt
201 Northeast 16th Street

Continued from 9/21/06

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

Mr. Robert Guilford, Engineering Inspector, testified to the following violation:

- 25-56 (b): The sidewalk is in disrepair.

The following violations were now complied:

- 47-21.8. C.: The hedges are overgrown.
- 9-306: The doorframe is in disrepair. The fascia and soffit is in disrepair. The building needs to be painted.

Inspector Guilford presented photos of the property that were admitted into evidence. He explained that the sidewalk was still in disrepair and the owner had not applied for a permit. Inspector Guilford recommended ordering compliance with 25-56 (b) within 30 days or a fine of \$50 per day.

Mr. Paul Pratt, owner said he had spoken with the Mayor about this, and Mayor Naugle advised him to request a continuance while he spoke to the City Manager and had Mr. Pratt's property examined by "some civil engineers" to check on the damage that Mr. Pratt alleged had been committed by the City.

Mr. Pratt said, "I would like the nonsense to stop; I want my name to be removed from this." Ms. Tell advised Mr. Pratt to do as the Mayor had suggested and request a continuance. Ms. Tell explained to Mr. Pratt that he was responsible for sidewalks and swales on his property.

Mr. Pratt asked Ms. Tell what must be done to comply the property and she said she was not sure from the photos, but replacement might be required. Mr. Pratt stated, "Show me in your grey statutes where I have to replace a sidewalk. I'll go out and I'll fill the cracks with some mortar, or I'll trim the hedges, but I have to replace the City's sidewalk?" Ms. Tell cited Section 20-56, "Performance of work by abutting property owners. Duty of owner of abutting property: It shall be the duty of each owner of abutting property to construct or reconstruct, maintain and keep in good repair, uniform and substantial sidewalks in front of or abutting upon each parcel of this property within the City..." Ms. Tell acknowledged that Mr. Platt must be angry for the damage he said was caused by the City, and agreed he should try to get the City to do the repair work. Ms. Tell and Mr. Platt discussed how much time he needed.

Inspector Guilford showed Mr. Platt and Ms. Tell a copy of a permit application to replace the sidewalk on a neighboring property to show that Mr. Platt was not the victim of selective enforcement. Mr. Platt said he would "march down to 6th Street, 201, file suit for City harassment."

Ms. Tell continued the case to December 7, 2006.

Case: CE06090012

PHD Development LLC
1430 Southwest 4th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/27/06 and certified mail addressed to the registered agent was accepted on 9/27/06.

Mr. Dick Eaton, Community Inspections Officer, testified to the following violations:

- 9-280 (f): Plumbing in pool pump house is not being maintained in a good, safe, sanitary condition.
- 9-280 (g): Electrical wires in pool pump house are not being maintained in a safe manner.
- 9-280 (h) (1): The fence around the pool is in disrepair.

The following violations were now complied:

- 18-27 (a): Property and Swale are overgrown and are not being maintained. Trash and debris is scattered about the property.
- 47-19.9: There is outdoor storage throughout the property, including, but not limited to furniture, motorcycle parts, building material, etc.

Inspector Eaton said he had received a complaint from the Fire Department regarding this property. He said he had received a phone call from the owner on 9/25 to inform him that he intended to demolish the building. Inspector Eaton presented photos of the property that were admitted into evidence.

Mr. Carlos Sigala, owner, said there were two tenants remaining and he must allow another month for them to leave. Mr. Sigala said the fence in disrepair actually belonged to a neighboring property, and he had cleaned up the property. He had also turned off the power to the pump and encircled it with orange fencing.

Mr. Maurice Murray, Community Inspections Supervisor, advised Mr. Sigala to fill in the pool with dirt since he did not intend to maintain it. He agreed to help rush a permit to fill in the pool. Inspector Eaton said he wanted to meet with Mr. Sigala to confirm that the electrical issue was resolved.

Ms. Tell found in favor of the City and ordered compliance with 9-289 (f), 9-280 (g) and 9-280 (h) (1) within 7 days or a fine of \$250 per day, per violation would be imposed.

Case: CE06081845

Macule Ariste
1500 Northwest 6th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/19/06

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violation:

- 9-304 (b): Parking/storing vehicles on the grass.

Inspector Westbrook presented photos of the property and a copy of the property history and recommended ordering compliance by November 16, 2006 or a fine of \$25 per day.

Mr. Macule Ariste, owner, explained that there was never a driveway on the property. Inspector Westbrook confirmed that Mr. Ariste did not need a permit to put in a gravel driveway. Mr. Ariste said he would need 90 days to comply because he planned to be away for a while.

Ms. Tell found in favor of the City and ordered compliance by December 21, 2006 or a fine of \$50 per day would be imposed.

Case: CE06082120

Sedrick & Dwayne Wright
1606 Northwest 12th Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/16/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violation:

- 9-281 (b): There are unlicensed, inoperable vehicles stored on the property. As per Special Magistrate orders dated 4/20/06 (CE05070746 SM Tell) this is a repeat violation.

Inspector Pingitore identified the vehicles as: a dark green Oldsmobile, a white Chevy Van, and a Blue pick-up truck; presented photos of the property and a copy of the case and property history to Ms. Tell.

Mr. Sedrick Wright, owner, said he felt harassed because Inspector Pingitore assumed that the vehicles were not registered. He stated that he had proof of registration, but not with him; he said he had the paperwork at home. Inspector Pingitore recommended ordering compliance within 2 weeks.

Ms. Tell found in favor of the City and ordered compliance by November 2, 2006 or a fine of \$50 per day would be imposed with no right to tow.

Later in the meeting, Mr. Wright returned, saying he had proof of registration for his vehicles, and Ms. Tell reopened the case.

Inspector Pingitore said she would reinspect the property the following day to be sure the registrations matched the vehicles. Mr. Wright agreed to meet her at the property.

Case: CE06072121

Meredith Oliver
3120 Northwest 68th Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/29/06.

Mr. Sal Viscusi, Community Inspections Officer, testified to the following violation:

- BCZ 39-275. (5) (a): Per Broward County zoning regulations, a fence or screen enclosure is required around pools.

Inspector Viscusi explained that Ms. Oliver had tried to comply by having a neighbor put up a fence, but no one had pulled a permit. Ms. Oliver now intended to remove this fence and install temporary barrier fences around the pool while she pulled a permit for a new fence. Inspector Viscusi presented photos of the property and a copy of his paperwork and recommended ordering compliance within 8 weeks.

Ms. Meredith Oliver, owner, stated she currently lived at the property, but was selling it.

Ms. Tell found in favor of the city and ordered compliance by December 21, 2006 or a fine of \$25 per day would be imposed.

Case: CE06082212

Olga Ponce, C. Maldonado & R.D. Canales
229 Southwest 21st Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/16/06.

Mr. Dick Eaton, Community Inspections Officer, testified to the following violations:

- 18-27 (a): The property and swale have overgrowth, trash and debris.
- 47-19. 9: There is outdoor storage on the property including, but not limited to a cement mixer on the front lawn.
- 9-281 (b): There are unlicensed, inoperable vehicles on the property including an orange Ford Thunderbird.

The following violation was complied:

- 9-304 (b): Vehicles are parked on the grass/lawn area.

Inspector Eaton presented photos of the property and recommended ordering compliance with 9-281 (b) within 10 days or a fine of \$100 per day or the vehicle would be towed, and with 18-27 (a) and 47-19. 9 within 14 days or a fine of \$25 per day, per violation.

Mr. Fernando Gomez, the owner's son, explained that they had removed everything from the yard. He presented his own photos of the property to Ms. Tell.

Ms. Tell found in favor of the City and ordered compliance with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow, and with 18-27 (a) and 47-19. 9 within 14 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06090224

Bruce Hendershaw
521 Southwest 12th Court

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

Mr. Dick Eaton, Community Inspections Officer, testified to the following violations:

- 9-281 (b): There is an inoperable white Ford Explorer on the property.
- 9-304 (b): There are vehicles parked on the lawn/grass area.

Inspector Eaton presented photos of the property and a copy of the inspection report that were admitted into evidence and recommended ordering compliance with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow and with 9-304 (b) within 14 days or a fine of \$25 per day.

Mr. Bruce Hendershaw, owner, said the vehicles parked on the lawn were there temporarily. Inspector Eaton said he had spoken with neighbors, who confirmed that there were always vehicles parked on the property's lawn. Ms. Tell informed Mr. Hendershaw that vehicles were permitted to park on the driveway or swale area, not on the lawn. Mr. Hendershaw said he had repaired the Explorer and it was registered now.

Ms. Tell found in favor of the City and ordered compliance with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow, and with 9-304 (b) within 14 days or a fine of \$25 per day would be imposed.

Case: CE02031199

Marc Levy
1018 Northwest 2nd Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard 9/5/02 to comply by 10/5/02: 3 sections at \$50 per day. The property was complied and the City was requesting imposition of \$31,400 in fines [reduced from \$62,800].

Mr. Maurice Murray, Community Inspections Supervisor, testified that Sections 47-21.8.A. and 47-20.20.H were out of compliance for 591 days and Section 9-281 (b) was out of compliance for 74 days.

Mr. Darren Snyder, attorney for the owner, explained that the owner was in the process of selling the property to Samuel Horodov. He requested Ms. Tell grant the reduction of the fines to help Mr. Horodov purchase and rehabilitate the property.

Ms. Tell signed the order to impose \$31,400 in fines.

Case: CE06061892

Scherry Jenkins
3000 North Federal Highway # 9

Request for Extension

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 10/7/06: 2 sections at \$50 per day, per violation.

Mr. Rick Jenkins, owner, said they had received the notice on August 31, 2006; it had been sent to the wrong address. His attorney had sent Inspector Ackley a fax on September 6, 2006 explaining Mr. Jenkins' medical issues. Mr. Jenkins said he had an agreement with Inspector Ackley to postpone his appearance at the September 7 hearing, but his case had been heard in his absence. Inspector Ackley said they had no agreement.

Mr. Jenkins said the property was boarded, but he had not been able to make the roof repairs. He asked that the accrued fine for the roof be abated. Mr. Jenkins had applied for the permit to repair the roof but it had not been issued yet. He requested an extension to the end of February.

Mr. Len Ackley, Community Inspections Officer, confirmed that Section 9-329(b), regarding the boarding, was complied. He recommended granting the extension to February for the roof repair.

Ms. Tell granted an extension to March 1, 2007 and ordered Mr. Jenkins to appear at that hearing.

Case: CE06041725

Deborah Byles
413 Southeast 18th Street

Request for Extension

Ms. Mohammed announced that this case was first heard 6/1/06 to comply by 9/29/06: 1 section at \$50 per day. Ms. Tell disclosed that she knew the respondent from having served as a mediator on a case in which she was involved.

Ms. Courtney Crush, attorney for the owner, explained that a contractor hired by Ms. Byles had pulled the required permits, done substandard work and ultimately walked off the job. Ms. Byles had a new contractor, who was working with Mr. Tim Welch, City Engineer, on the plans. Ms. Crush requested an additional 60 days.

Mr. Bob Guilford, Engineering Inspector, stated he had no objection to a 60-day extension.

Ms. Tell granted an extension to December 21, 2006 and no fines during this time. .

Case: CE06021265

Wesley & Lynette Greaves
2824 Davie Boulevard

Massey Hearing

Ms. Mohammed announced that this case was first heard 8/17/06 to comply by 9/16/06: 1 section at \$25 per day. The property was complied and the City was recommending that no fines be imposed.

Mr. Maurice Murray, Community Inspections Supervisor, said he had spoken with Inspector Burks, who informed him that Mr. Greaves had done everything possible to comply the property. He recommended not fining Mr. Greaves.

Ms. Tell found in favor of the City and denied the imposition of fines and dismissed the case.

Case: CE06041452

Elizabeth Raysor
1642 Northwest 14th Court

Ordered to Appear From 8/3/06

Ms. Mohammed announced that this case was first heard 8/3/06 to comply by 10/19/06: 1 section at \$25 per day. The property was not complied.

Ms. Elizabeth Raysor, owner, explained that she had paid off her first loan, and requested additional time to apply for another loan to make the repairs.

Ms. Cheryl Pingitore, Community Inspections Officer, said she had no objection to Ms. Raysor's request for an additional 60 days.

Ms. Tell granted an extension to December 21, 2006.

Case: CE06061582

Ian & Caryn Bruce-Douglas
1222 West Las Olas Boulevard

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 9/21/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of \$1,900 in fines.

Mr. Eric Magoon, attorney for the owner, requested reduction of the fines. He informed Ms. Tell that the owner was very ill and was selling the property; he had also never received proper service. In the meantime, the owner had hired a company to maintain the property.

Ms. Ursula Thime, Community Inspections Officer, confirmed that notices had been sent to the vacant house. The owners had complied the property immediately when they came down and were made aware of the problems.

Ms. Tell reduced the fine to \$400.

Case: CE06031253

Keystone Halls Inc.
228 Southwest 14th Court

Massey Hearing

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 9/17/06; 1 section at \$50 per day. The property was complied and the City was requesting imposition of \$450 in fines.

Mr. Maurice Murray, Community Inspections Supervisor, requested imposition of \$450 in fines.

Mr. Ronald Malec, owner, explained that this was a halfway house. He stated that at the previous hearing when he spoke to Inspector Burks, she had not specifically explained that two refrigerators on the property must be removed. He requested reduction of the fine.

Ms. Tell reduced the fine to \$200.

Case: CE05081855

Synergy Property Services Inc.
1335 Northwest 7th Terrace

Massey Hearing

Ms. Mohammed announced that this case was first heard 4/20/06 to comply by 5/4/06 & 7/19/06: 4 sections at \$25 per day, per violation. Extensions had been granted from 9/7-9/14/06. The property was complied and the City was requesting imposition of \$10,600 in fines.

Gilbert Lopez, Community Inspections Officer, confirmed the number of days each violation had existed for Ms. Tell.

Mr. Richard Patterson, property manager, claimed that 18-27 (a) and 9-306 were complied the day after he was made aware of the violations. The dead ground cover had been caused by a tenant's P.O.D. storage unit kept on the property. Mr. Patterson said he had called Inspector Lopez, but he had never called back.

Inspector Lopez said he had reinspected the property whenever Mr. Patterson called. He stated, "The property came in and out of compliance almost on a daily basis." He recommended imposing the full fine.

Mr. Patterson presented his own photos of the property that were admitted into evidence and Inspector Lopez agreed that it was greatly improved since he had cited it..

Ms. Tell reduced the fines to \$4,350.

Case: CE06081509

Synergy Property Services Inc.
1335 Northwest 7th Terrace

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/18/06 and certified mail addressed to the registered agent was accepted on 9/18/06.

Ms. Irma Westbrook Community Inspections Officer, testified to the following violation:

- 9-308 (a): The roof is leaking into the apartment below.

Inspector Westbrook presented a copy of the inspection report and notice of violation and photos of the property and recommended ordering compliance within 14 days or a fine of \$50 per day.

Mr. Richard Patterson, property manager, stated that the property was already complied.

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

Case: CE05081345

Donna Hickenbottom
1118 Northwest 8th Avenue

Massey Hearing Ordered to Appear From
9/21/06

Ms. Mohammed announced that this case was first heard 4/20/06 to comply by 5/20/06: 1 section at \$25 per day. Extensions had been granted from 7/6/06-9/21/06, and from 9/21/06-10/19/06. The property was complied and the City was requesting imposition of \$1,150 in fines.

Mr. William Meyers, owner, stated that the property was complied.

Mr. Maurice Murray, Community Inspections Supervisor, recommended imposing the full fine amount.

Ms. Tell signed the order to impose \$1,150 in fines.

Case: CE06021432

Moses Spencer
1537 Northwest 4th Avenue

Massey Hearing Ordered to Appear From
9/21/06

Ms. Mohammed announced that this case was first heard 6/15/06 to comply by 6/25/06: 2 section at \$25 per day; 1 section at \$100 per day. An extension had been granted from 9/21-10/20/06. The property was not complied and Ms. Mohammed said "the City is requesting that the fine of \$25 for the two sections be imposed for each day the case is out of compliance and \$100 be imposed for the one section that is out of compliance" and the fines' continued accrual until the property was complied.

Mr. Moses Spencer, owner, said he had injured his leg some time ago and was just now starting to get back to work. Mr. Spencer explained that he had registered and insured the vehicle since the last hearing and had brought proof with him today. Ms. Tell advised Mr. Spencer to confer with Inspector Westbrook.

Ms. Irma Westbrook, Community Inspections Officer, said there were several vehicles on the property, as well as trash. After conferring with Mr. Spencer, Inspector Westbrook confirmed that there were several inoperable, unlicensed vehicles on the property. She noted that this case was begun in February and nothing had been done on the property. Ms. Tell then advised Mr. Spencer to confer with Supervisor Murray.

Upon returning to the case, Supervisor Murray said Mr. Spencer had informed him that he would move all of the vehicles to a warehouse next week and would phone Inspector Westbrook to reinspect the property as soon as he moved the cars. After the cars were removed, Mr. Spencer could return to address the fine issue. Supervisor Murray asked that the current fines be imposed and that they continue to accrue until the property was complied. Mr. Spencer requested a two-week extension; Ms. Tell said she would give him a four-week extension.

Ms. Tell granted an extension to November 16, 2006.

Case: CE06060951

Village at Harbor Beach
Development LLC
2424 Southeast 17th Street

Ordered to Appear From 9/21/06

Ms. Mohammed announced that certified mail addressed to the management company was accepted on 9/29/06.

Ms. Mohammed announced that this case was first heard 8/17/06 to comply by 9/16/06: 2 Sections at \$100 per day, per violation. An extension had been granted from 9/21-10/19/06. The property was not complied, and the owner was ordered to appear at the last hearing.

Mr. John Vetter, contractor, explained that they had agreed to a contract and the A.C. unit would be relocated on the grounds. The plans had so far been approved by the Zoning Department and they were awaiting the issuance of the permit. Mr. Vetter requested another 6 weeks to comply.

Mr. Len Ackley, Community Inspections Officer, confirmed that they were waiting for the permit. The contractor had promised to phone Inspector Ackley when he received it.

Ms. Tell confirmed that fines had already accrued on the property, and that the request for an extension was timely made.

Ms. Tell granted an extension to December 7, 2006 and the fines shall not be imposed..

Case: CE04120247

Brewer, W C Jr & F J Rev Liv Tr Request for Extension
301 East Sunrise Boulevard

Ms. Mohammed announced that this case was first heard on 3/17/05 to comply by 3/24/05 & 6/15/05: 2 sections at \$50 per day, per violation. Extensions had been granted from 6/16-10/14/05, from 1/5-5/5/06, from 5/4-8/3/06, and from 8/3-11/1/06.

Ms. Cynthia Brewer-Bulk, owner, said this case had gone on for three years and the property had been in the DRC process for over one year. She intended to demolish the building and therefore did not want to replace the soffits. Ms. Brewer-Bulk requested an additional 60 days.

Mr. Andre Cross, Community Inspections Officer, said he did not object to an extension.

Ms. Tell granted an extension to December 21, 2006.

Case: CE06070119

JV Development Group Inc Massey Hearing
1935 Southwest 5th Place

Ms. Mohammed announced that this case was first heard 7/20/06 to comply by 8/19/06 & 9/18/06: 3 sections at \$25 per day, per violation. The property was not complied.

Mr. Eduard Zinkil, owner, confirmed that the parking lot was completed. He said he had thought that contacting the inspector was sufficient to get a time extension and did not realize that fines had run. He requested abatement of the fine.

Mr. Mike Maloney, Community Inspections Officer, confirmed that the property was complied. He confirmed that Mr. Zinkil had contacted him for an extension, but he had not gone through the entire process.

Ms. Tell no fines were imposed..

Case: CE06070118

JV Development Group Inc.
1945 Southwest 5th Place

Ms. Mohammed announced that this case was first heard 7/20/06 to comply by 8/19/06 & 9/18/06: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of the fines for the days the property was not complied, and their continued accrual until the property was complied.

Mr. Mike Maloney, Community Inspections Officer, said the same issue existed at this address as the previous case address regarding Mr. Zinkil's request for an extension. Inspector Maloney said there was one pothole in the driveway that must be filled in.

Mr. Eduard Zinkil, owner, agreed to fill the pothole and return in November to request abatement of the fine.

Ms. Tell granted an extension to November 16, 2006 and ordered Mr. Zinkil to appear at that hearing.

Case: CE05081229

Leonidas & Athina Tridimas & Fereri, T Ordered to Appear From 9/21/06
& Tony Ferrari
2606 Whale Harbor Lane

Ms. Mohammed announced that this case was first heard on 10/6/05 to comply by 1/4/06: 1 section at \$100 per day. Extensions had been granted from 7/6-9/21/06, and from 9/21-10/19/06. At the 9/21/06 hearing, the owner had been ordered to appear at this hearing.

Mr. Tony Ferrari, owner, said he had collected the documents to resubmit with his permit application. He requested another 30 days.

Mr. Robert Guilford, Engineering Inspector, said he had just learned Mr. Ferrari had these documents with him today, and recommended granting an extension so Mr. Welch could look at the documents.

Ms. Tell granted an extension to November 23, 2006.

Case: CE06050516

Georges Sanon Request for Extension
1616 Northwest 8th Avenue

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/1/06 & 10/21/06: 4 sections at \$50 per day, per violation. The property was not complied.

Ms. Chrismonne Francois, the owner's fiancée, requested 90 days to obtain permits and perform the work.

Ms. Irma Westbrook, Community Inspections Officer, said she had no objection to a 90-day extension

Ms. Tell granted an extension to January 18, 2007.

Case: CE06081987

Aline & Neil Tucker
1700 Northeast 17th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/15/06

Mr. Len Ackley, Community Inspections Officer, testified to the following violation:

- 47-19. 2. S.: Installation of a generator without a permit in the setback.

Inspector Ackley presented photos of the property and a copy of the inspection report, and informed Ms. Tell that he had spoken with the generator company, who informed him that they had already removed the generator. Inspector Ackley recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE06070964

Autumn Markley
1713 Northeast 15th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/4/06 and posting at City Hall on 10/5/06.

Mr. Len Ackley, Community Inspections Officer, testified to the following violation:

- 18-27 (a): The property is overgrown and not being maintained.

Inspector Ackley said he first cited the property in July and nothing had been done. He presented photos of the property and a copy of the inspection report and property history and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE06071425

D. R. & Janet Hansen
1532 Northeast 15th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/4/06, and at City Hall on 10/5/06

Mr. Len Ackley, Community Inspections Officer, testified to the following violation:

- 18-27 (a): The property is overgrown and not being maintained.

Inspector Ackley presented photos of the property and a copy of the inspection report and property history and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE06081738

Flagler Place LLC
115 Northwest 6th Street

Ms. Mohammed announced that certified mail addressed to the registered agent was accepted on 9/29/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violation:

- 18-27 (a): The property, including the swale, is overgrown with plant life.

Inspector Ackley presented photos of the property and a copy of the case file and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE05110816

Corbel Cooper
925 Northwest 2nd Avenue

Ms. Mohammed announced that service was via posting on the property on 10/2/06 and at City Hall on 10/5/06

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violation:

- 9-280 (h) (1): The fence at the property is in disrepair.

Inspector Ackley presented photos of the property and a copy of the case file and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE06081720

Key West Hobe Sound IV LLC
1272 North Rio Vista Boulevard

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/21/06; certified mail addressed to the registered agent was accepted on 9/15/06

Mr. Adam Feldman, Community Inspections Officer, testified to the following violation:

- 18-27 (a): The vacant lot has overgrowth and debris that includes mounds of dirt.

Inspector Feldman explained that the overgrowth had been removed but the dirt had not. He had spoken with the property manager and realtor, who informed him this would be done this week. Inspector Feldman recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE06011027

Shadwick Twiggs
1224 Northeast 11th Avenue

Ms. Mohammed announced that service was via posting at the property on 9/8/06 and at City Hall on 10/5/06

Mr. Adam Feldman, Community Inspections Officer, testified to the following violations:

- 18-27 (a): Property has overgrowth and debris.
- 9-280 (b): The jalousie windows on the front door are missing.
- 9-280 (h) (1): The wood fence and chain link fence are in disrepair.

Inspector Feldman recommended ordering compliance with 18-27 (a) and 9-289 (b) within 14 days or a fine of \$50 per day, per violation, and with 9-280 (h) (1) within 28 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 18-27 (a) and 9-289 (b) within 14 days or a fine of \$50 per day, per violation, and with 9-280 (h) (1) within 28 days or a fine of \$50 per day would be imposed.

Case: CE06080900

Glenrick Higgins
1008 Carolina Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/15/06.

Mr. Andre Cross, Community Inspections Officer, testified to the following violations:

- 9-304 (b): There are vehicles constantly parking on the lawn at this property.
- 9-281 (b): There are unlicensed, inoperable vehicles stored on this property: .

Inspector Cross presented photos of the property and a copy of the property history, described the vehicle as a blue Toyota Camry and recommended ordering compliance

with 9-304 (b) within 14 days or a fine of \$25 per day and with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow..

Ms. Tell found in favor of the City and ordered compliance with 9-304 (b) within 14 days or a fine of \$25 per day and with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow. .

Case: CE06061689

Essie Mae Osborne
610 Southwest 31st Avenue

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

Mr. Andre Cross, Community Inspections Officer, testified to the following violations:

- 47-21. 8 A.: There are areas of dead and missing ground cover on this property.
- 9-306: There are areas of peeling and stained paint.

The following violation was now complied:

- 9-281 (b): There is an unlicensed, inoperable vehicle stored on this property.

Inspector Cross presented photos of the property and a copy of the property history and recommend ordering compliance with 47-21.A.8. and 9-306 within 28 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 47-21. A. 8. and 9-306 within 28 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06082254

Steven David
2761 Southwest 2nd Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/30/06.

Mr. Andre Cross, Community Inspections Officer, testified to the following violation:

- 9-279 (f): This property is occupied without being connected to city water.

Inspector Cross presented photos and a copy of the property history and inspection report and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE06031054

Shaun Sands
2781 Northwest 19th Street

Ms. Mohammed announced that service was via posting at the property on 9/15/06 and at City Hall on 10/5/06.

Ms. Tuchette Torres, Community Inspections Officer, testified to the following violation:

- 18-27 (a): There is trash and debris and overgrowth on property.

Inspector Torres presented photos of the property and a copy of the inspection report and property history and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day would be imposed.

Case: CE06080710

Top Dog Real Estate Holdings II LLC
3055 Northwest 19th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/8/06 and certified mail addressed to the registered agent was accepted on 9/8/06.

Ms. Tuchette Torres, Community Inspections Officer, testified to the following violations:

- 18-1: The dumpster on property has trash and debris in it and around causing a noxious odor that goes into the neighborhood directly behind the property and has become inhabited by roosters.
- 18-27 (a): There is overgrowth, trash and debris on property.

The following violation was now complied:

- BCZ 39-294. (c) (3): The dumpster on property is constantly overflowing with garbage in and around dumpster.

Inspector Torres said she had spoken to the owner and had agreed to recommend ordering compliance with 18-1 and 18-27 (a) within 14 days or a fine of \$100 per day, per violation. Inspector Torres presented photos of the property and a copy of the inspection report and property history to Ms. Tell.

Ms. Tell found in favor of the City and ordered compliance with 18-1 and 18-27 (a) within 14 days or a fine of \$100 per day, per violation would be imposed.

Case: CE06081357

R. L. & Brenda Reeder
224 Northeast 14th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/25/06.

Ms. Ursula Thime, Community Inspections Officer, testified to the following violation:

- 18-27 (a): Property and swale are overgrown.

Inspector Thime presented photos of the property and a copy of her file and recommended ordering compliance within 14 days or a fine of \$100 per day. She noted that she was requesting the high fine amount because the property had been cited previously.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day would be imposed.

Case: CE06081194

Lillian Horowitz & Sylvia Korotkin
1968 East Sunrise Boulevard

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/23/06.

Ms. Ursula Thime, Community Inspections Officer, testified to the following violations:

- 18-27 (a): The rear yard of the business is overgrown and littered with rubbish, trash and debris. Yard is overgrown.
- 9-280 (b): Rear windows have broken glass.

Inspector Thime presented photos of the property and a copy of the inspection report 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.

Case: CE06070673

David Darwent
1625 Northeast 3rd Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/4/06.

Ms. Ursula Thime, Community Inspections Officer, testified to the following violations:

- 9-278 (e): Some windows on the house are boarded up with brown plywood.
- 9-280 (h) (1): Wood fence is in disrepair.
- 9-281 (b): There are unlicensed, derelict vehicles parked on the property: .

Inspector Thime reported that she had received a letter from the owner stating that the boards were in place in preparation for a hurricane and all vehicles were registered and operational. She presented photos of the property, showing the boarding, the white Jeep with a May 2005 registration tag, and a copy of the inspection report and property history and recommended ordering compliance with 9-278 (e) within 14 days or a fine of \$50 per day; with 9-280 (h) (1) within 28 days or a fine of \$50 per day and with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow. .

Ms. Tell found in favor of the City and ordered compliance with 9-278 (e) within 14 days or a fine of \$50 per day; with 9-280 (h) (1) within 28 days or a fine of \$50 per day and with 9-281 (b) within 10 days or a fine of \$100 per day with the right to tow. .

Case: CE06071825

Jeff Paperman
716 Northeast 7th Street

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

Ms. Ursula Thime, Community Inspections Officer, testified to the following violation:

- 18-27 (a): The property and swale are overgrown and littered with dead plants. The swale has rubbish scattered on the grounds.

The following violation was now complied:

- 24-27 (b): The trash bins are stored constantly on the swale after trash pick-up.

Inspector Thime presented photos of the property and a copy of the property history and inspection report and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$25 per day would be imposed.

Case: CE06060864

Michael Ehrenpreis
1519 Northwest 18th Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/7/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violations:

- 47-21. 8: There are areas of dead and missing ground cover.
- 9-281 (b): There are unlicensed, inoperable vehicles stored on the property: .

Inspector Pingitore presented photos of the property, and copies of the property history, case history, a vehicle description of a yellow pick up truck, and notice of violations and recommended ordering compliance within 4 weeks or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day, per violation would be imposed.

Case: CE06060543

Deborah Campion & Louis Cupio
1613 Northwest 11th Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/7/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violation:

- 9-329 (d): The board-up certificate issued for the property has not been renewed, nor has the building/structure been repaired, rehabilitated, or sold per the requirements of 9-329 (d).

Inspector Pingitore presented photos of the property and copies of the property permit history, the case history, property history and notice of violation and recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would be imposed.

Case: CE06081247

Natalie Petrarca
1024 Northeast 3rd Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/19/06.

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- 18-27 (a): There is overgrowth, trash and debris scattered about the property.
- 47-19. 9: There is outside storage of furniture, wood debris and other miscellaneous items stored on the property.

The following violation was now complied:

- 9-304 (b): the gravel driveway is not well-graded and/or dust-free.

Inspector Westbrook presented a copy of her case file and recommended ordering compliance with 18-27 (a) and 47-19. 9 within 14 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 18-27 (a) and 47-19. 9 within 14 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06090381

Semyon, Ilya & Rozalia Tabakhman
600 Southwest 14th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/23/06

Mr. Dick Eaton, Community Inspections Officer, testified to the following violation:

- 18-27 (a): Lawn and swale areas are extremely overgrown and not being maintained.

Inspector Eaton presented photos of the property and recommended ordering compliance within 14 days or a fine of \$50 per day. Inspector Eaton said he had inspected the property several times; the owner claimed to have complied once, but at his last inspection, Inspector Eaton found that the overgrowth had returned.

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

Case: CE03121569

Bobby Floyd
2341 Northwest 14th Street

Vacate Order of 4/15/04
Change of Ownership

Ms. Tell vacated the order.

Case: CE04020960

3328 Northeast 16 Court
Gregory Baum

Vacate Orders of 8/5/04 & 6/17/04
Change of Ownership

Ms. Tell vacated the orders.

Case: CE06041365

2200 Construction Company LLC
2208 Southwest 18th Avenue

Request for Extension

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/21/06: 3 sections at \$50 per day, per violation. The property was not complied, the owner requested an extension but had not appeared.

Ms. Tell denied the extension.

Case: CE06010175

John & Kandi Francavilla
1016 Waverly Road

Ms. Mohammed announced that this case was first heard 6/15/06 to comply by 7/15/06 & 9/13/06: 4 sections at \$25 per day, per violation. The property was not complied and the City was requesting imposition of \$6,500 in fines and their continued accrual until the property was complied. Ms. Mohammed confirmed that certified mail addressed to the owners regarding this hearing was accepted on 10/11/06.

Ms. Tell signed the order to impose the \$6,500 fine and to continue the fines' accrual until the property was complied.

Case: CE06050846

Miseline Fabre
1122 Northwest 8th Avenue

Ms. Mohammed announced that this case was first heard 8/17/06 to comply by 9/16/06: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of \$1,600 in fines and their continued accrual until the property was complied. Ms. Mohamed confirmed that certified mail addressed to the owner was accepted on 10/7/06.

Ms. Tell signed the order to impose the \$1,600 in fines and continue their accrual until the property was complied.

Case: CE06040049

Flagler Place LLC
115 Northwest 6th Street

Ms. Mohammed announced that this case was first heard 7/6/05 to comply by 7/16/06: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of \$4,700 in fines, and their continued accrual until the property was complied. Ms. Mohammed confirmed that certified mail addressed to the registered agent was accepted [no date].

Ms. Tell signed the order to impose the \$4,700 in fines and continue their accrual until the property was complied.

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:

CE05080294
CE06051649

CE06050710
CE06041255

CE06069139
CE06070950

CE06051582
CE06090618

CE06082326	CE06070344	CE06041382	CE06091124
CE06090110	CE06081224	CE06081737	CE06062229
CE06081758	CE06081744	CE06081798	CE06070182
CE06080631	CE06090295	CE06081003	CE06082288
CE06080713	CE06082011	CE05121657	CE06081590
CE06081189	CE06091131	CE06072291	CE06080707
CE06061736	CE06062019	CE06080281	CE06071035
CE06070128	CE06081254	CE06081723	CE06081272
CE06081841	CE06081274	CE06081276	CE06082194
CE06081097	CE06082206	CE06070165	CE06072283
CE06082007	CE06082016	CE06082215	CE06082298
CE06090061	CE06090062	CE06090371	CE06081146

Cases Pending Service

Ms. Mohammed announced that the below listed cases had not been heard 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:

CE06081615	CE06070565	CE06071914	CE06060307
CE06072133	CE06081556	CE06080187	CE06081863
CE06061719	CE06070160	CE06062020	CE06061786
CE06031906	CE06080848	CE06090185	CE06011779
CE06061474			

Cases Withdrawn

Ms. Mohammed 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:

CE06072127	CE06080138	CE06080859	CE06081259
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Cases Rescheduled

Ms. Mohammed 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:


CE06100005	CE05091393
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There being no further business, the hearing was adjourned at 12:45 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate