

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Meah Tell Presiding
November 16, 2006
9:00 A.M. –1:00 P.M.

Staff Present:

Assistant City Attorney
Eve Bazer, Clerk of Special Magistrate, Supervisor
Debra Maxey, Clerk III
Maurice Murray, Code Enforcement Supervisor
Tuchette Bryant-Torres, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Robert Guilford, Engineering Inspector
Karl Lauridsen, Community Landscape Officer
Al Lovingshimer, Code Enforcement Officer
Mike Maloney, Code Enforcement Officer
Cheryl Pingitore, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer

Also Present:

CE06090426: Clifford Chance, owner
CE04121071; 06010380; CE04121066; CE04121067; CE04121071; CE04121072;
CE04121073: Hope Calhoun, attorney
CE06040620: Sandra Tweedy, owner
CE06060367: Joy Ganaishlal, owner
CE06010875; 06010877: Michael Liss, attorney for the owner
CE06091541: Scott Kramer, owner
CE06082002: Charles Weber, owner
CE06061224: Kim Zimmerman, landscape architect; Leslie Streicher, attorney for the
owner
CE06071425: Dale Hansen, owner
CE06082040: Michael Madfis, architect
CE06070118: Edward Zinkel, owner
CE06081992: Beatrice Morant, owner
CE06072248: William Ruffin, owner
CE05121403: Tiffany Waters; Richard Waters, owner
CE05121606: James Grzeszczak, part owner and lessee; Don Gond, part owner
CE06051027: James Piccolo, owner
CE06061031: Roger Hawthorne, representative of the owner
CE06030507: Gary Kosuda, owner

CE05021857: John Seiler, attorney for the owner
CE06081718: Judy Gonzalez, owner
CE06050979: Luckner Laneaut, owner
CE05030746: Camey Davidson, owner
CE05101493: James Silver, owner
CE06090202: Tro Le, owner
CE06021432: Moses Spencer, owner
CE06060374: Leveorn Giles, owner
CE05050370: Cynthia Grace, owner; Wanda Mayadeene, owner; Connie Davis, owner
CE06071184: Jay Richardson, attorney for the owner
CE06082103: Guillermo Vasquez, owner
CE06061383: Darleen Lockwood, owner
CE05111748: Erica Barker-Burke, 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.

The following two cases for the same owner were heard together:

Case: CE06010875

Hearing to Impose Fine

Natchez Resort 1997 Ltd.
725 North Fort Lauderdale Beach Boulevard

Ms. Bazer announced that this case was first heard 4/6/06 to comply by 10/3/06: 5 sections at \$150 per day.

Mr. Michael Liss, attorney for the owner, stated he had spoken with the Assistant City Attorney and met with other members of City Staff regarding this. He presented Ms. Tell with an agreement Mr. Liss had drafted for her approval.

The Assistant City Attorney informed Ms. Tell that the owner's request for an extension had been denied by another magistrate and Mr. Liss had appealed the order denying the extension request. Ms. Tell stated she would approve the agreement Mr. Liss and the Assistant City Attorney created. The Assistant City Attorney said they agreement was for an extension dating from 10/3/06, the original compliance date, to 1/4/07, whereupon Mr. Liss would return with a status report from an engineer.

Ms. Tell granted an extension from 10/3/06 to 1/4/07 and ordered the attorney to appear at that hearing.

Case: CE06010877

Hearing to Impose Fine

Natchez Resort 1997 Ltd.

735 North Fort Lauderdale Beach Boulevard

Ms. Bazer announced that this case was first heard 4/6/06 to comply by 10/3/06: 5 sections at \$150 per day.

Ms. Tell granted an extension from 10/3/06 to 1/4/07 and ordered the attorney to appear at that hearing.

Case: CE05030746

Hearing to Impose Fine

John & Camey Davidson
1200 Northwest 19th Street

Ms. Bazer announced that this case was originally heard on 4/7/05 with compliance ordered by 4/21, 4/28 and 6/21/05: 4 sections at \$25 per day and 1 section at \$100 per day. One of the six original violations was not complied and the City was requesting \$54,900 in fines and continuation of the fines until the property was complied.

Ms. Camey Davidson, owner, explained that the paving was complete and they were in the process of repairing the sprinkler system and landscaping.

Ms. Cheryl Pingitore, Code Enforcement Officer, presented photos taken on the previous day. She confirmed that the driveway had passed final inspection. Inspector Pingitore said the property could be complied with one or two pallets of sod. She noted Ms. Davidson had spent time completing work for which she had not been cited and wondered about her priorities. Ms. Davidson said the landscaper would do the work the following Monday. Ms. Tell asked Ms. Davidson to have the landscaper phone Inspector Pingitore.

Ms. Tell granted an extension to 1/4/07 and ordered the owner to appear at that hearing.

Case: CE06071425

Request for Extension

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

Ms. Bazer announced that this case was first heard 10/19/06 to comply by 11/2/06: 1 section at \$50 per day. The property was not complied.

Mr. Dale Hansen, owner, explained that all of the work was complete. He said he had spoken with Inspector Ackley a few days ago, and he had promised he would reinspect the property.

Mr. Len Ackley, Code Enforcement Officer, said he had been called in for a deposition and had been unable to reinspect Mr. Hansen's property. Ms. Tell said she would grant an extension for Inspector Ackley to reinspect, and Mr. Hansen should return in January to address the fine issue.

Mr. Hansen explained that he had changed his address with the post office but had not received the notices. He had phoned the City and been told that his mailing address must be changed with the Broward County Revenue Collector. Ms. Tell confirmed that this was how it must be done. Mr. Hansen explained that his daughter was having emotional problems and he and his wife must return to their daughter as soon as possible. Ms. Tell said she would grant Mr. Hansen an extension, but he must return to request mitigation of the fines.

Ms. Tell granted a 14-day extension and ordered the owner to appear at the 1/4/07 hearing.

Case: CE06091541

Scott Kramer
833 Northwest 4th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/31/06

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 9-279(d)(3): THERE IS NO ACTIVE WATER ACCOUNT AND NO WATER SERVICE.

Because of the health issues involved, Inspector Lovingshimer recommended ordering compliance within 14 days or a fine of \$100 per day.

Mr. Scott Kramer, owner, explained that he had been trying to evict the tenant since October but he would not leave. The water service had been the tenant's responsibility and he owed the City \$1,100; this was why the City had removed the meter. Mr. Kramer requested 60 days to evict the tenant. Inspector Lovingshimer stated the water bill was in the tenant's name. Ms. Tell asked that someone determine if the owner would be forced to pay the tenant's balance in order to have the water turned on for another tenant.

Inspector Lovingshimer checked with the Water Department and reported that they would pursue the tenant for the outstanding water bill. Mr. Kramer conferred with the Assistant City Attorney and she reported to Ms. Tell that the City was requesting that Ms. Tell order the owner to have the water turned on by the end of the week, or a fine of \$100 per day. Ms. Tell agreed to grant Mr. Kramer 21 days, but stated, "I've given you absolutely the top amount of time that I feel comfortable giving you here under these circumstances."

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$100 per day would be imposed; she also ordered Mr. Kramer to appear at the 12/7/06 hearing.

Case: CE06061224 Request for Extension
Morse Operations Inc. [Bayview Cadillac]
1240 North Federal Highway

Ms. Bazer announced that the owner was requesting an extension.

Mr. Leslie Streicher, attorney for the owner, explained that his client was developing a new site plan, partly due to FDOT's revision of US 1 and the property's curb cut. He had worked with the City and agreed to install some temporary vegetation along the property's fence line at the sea wall. They had created an agreement whereby his client had two years to get an approved site plan; in the meantime, they would maintain the temporary solution at the rear of the property.

The Assistant City Attorney said as long as the car dealership maintained the screening at the rear of the yard, the City would allow two years before the landscape project must be completed. Ms. Tell agreed to backdate the extension so there would be no fines. Mr. Streicher agreed to work with the Assistant City Attorney to create language for the order.

Ms. Tell granted a 24-month extension for 47-21.4, dating from 11/6/06.

Case: CE06061383
Darleen Lockwood
3170 Northwest 67th Court

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

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- BCZ 39-286.(1): THERE IS A SHED ON THIS PROPERTY WHICH IS LOCATED WITHIN 7 1/2 FEET OF THE PROPERTY LINE. THIS IS IN VIOLATION OF BROWARD COUNTY ZONING SETBACK GUIDELINES OF 7 1/2 FEET FOR RS-5 ZONING DISTRICT.

Inspector Viscusi said he had spoken with Ms. Lockwood, who insisted that she was not in violation.

Ms. Darleen Lockwood, owner, presented her own photos of the property and additional documents to Ms. Tell that were admitted into evidence. She explained that she should be exempt from the code requirements because the company that installed the shed in 1999 was responsible for its situation. She said she had spoken with an attorney, who

informed her that she had a defense of a “doctrine of latches.” She stated this meant that since the shed existed on her property for over seven years without citation, it should be grand fathered in. Removal would also be a considerable burden, because landscaping she had planted around the shed had matured over the course of seven years.

Ms. Lockwood continued that when she had purchased the shed, her property was under the jurisdiction of Broward County. When they annexed into Fort Lauderdale, they had an agreement with the City that they would not enforce code issues on pre-existing home, with the exception of health and safety issues. Ms. Tell asked Ms. Lockwood to speak with the Assistant City Attorney about this.

The Assistant City Attorney informed Ms. Tell that when areas were annexed, until the City rezoned those areas, it enforced Broward County zoning. She confirmed that this was a violation of Broward County zoning and the City had received a complaint.

Ms. Tell stated she must consider the “latches” argument. She noted that the shed company had stated they were responsible for procuring the permits; she suggested Ms. Lockwood determine whether or not the company pulled a permit. If they had not, perhaps Ms. Lockwood had legal recourse against the shed company. Ms. Tell advised Ms. Lockwood to seek a variance.

Ms. Tell wanted to continue the case until March 1, 20067; the Assistant City Attorney informed her that “constitutional, as-applied challenges are not appropriately heard in this forum; it’s a matter for the Court of Appeals.”

Ms. Tell continued the case to 3/1/07 and ordered the owner to appear at that hearing.

Case: CE06090202

Tro Le
1480 Southwest 24th Court

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

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 47-21.13: THERE IS A PARTIALLY UPROOTED TREE ON THE PROPERTY BEING HELD UP BY AN INOPERABLE VEHICLE AND CREATING A SAFETY HAZARD.

The following violations were now complied:

- 18-27(a): PROPERTY AND SWALE ARE OVERGROWN. TRASH AND DEBRIS ARE SCATTERED ABOUT THE PROPERTY.
- 47-19.9: THERE IS OUTDOOR STORAGE ON THE PROPERTY.
- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES ON THE PROPERTY INCLUDING, BUT NOT LIMITED TO A RED MAZDA AND A RED MDV VAN.

- 9-304(b): THERE ARE SEVERAL VEHICLES PARKED ON THE LAWN/GRASS AREA.

Inspector Cross presented photos of the property and a copy of the inspection report and reported that the vehicle had been removed and the tree cut, but a very large stump remained.

Mr. Tro Le, owner, presented photos of the property that were admitted into evidence, and requested additional time to remove the stump; he had trimmed the tree himself and been injured in the process. Inspector Cross said he did not object to 90 days.

Ms. Tell found in favor of the City and ordered compliance with 47-21.13 within 91 days or a fine of \$25 per day would be imposed.

Case: CE06010380

Request for Extension

Ella Sobolevsky
525 West Sunrise Boulevard
Tenant: Texas Hold 'Em Barbeque

Ms. Bazer announced that the owner was requesting an extension.

Ms. Hope Calhoun, attorney for the tenant, stated the tenant was in the process of obtaining permits to complete the work, and requested an additional 90 days.

Ms. Irma Westbrook, Code Enforcement Officer, stated she had no objection to another 90 days.

Ms. Tell granted a 91-day extension to 2/15/07.

The next five cases for the same owner were heard together:

Case: CE04121066

Downtown Loft Developers LLC
300 Northwest 2nd Street

Ms. Hope Calhoun, attorney for the owner, stated the property was in compliance.

Mr. John Gossman, Code Enforcement Officer, confirmed that all of the properties were complied through demolition. He noted that some of the properties had incurred fines, even though the compliance dates for all of the properties should have been the same. Inspector Gossman dated the compliance for all Sections that had uncured fines back to the ordered compliance dates so no fines would apply.

Case: CE04121067

Downtown Loft Developers LLC
117 Northwest 3rd Avenue

Case: CE04121071

Downtown Loft Developers LLC
306 Northwest 2nd Street

Inspector Gossman dated the compliance for all Sections that had uncured fines back to the ordered compliance dates so no fines would apply.

Case: CE04121072

Downtown Loft Developers LLC
320 Northwest 2nd Street

Case: CE04121073

Downtown Loft Developers LLC
108 Northwest 4th Avenue

Case: CE05111748

Erica Barker
3281 Northwest 64th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/3/06.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- 9-280(h)(1): THERE IS A WOOD FENCE ON THIS PROPERTY THAT IS IN DISREPAIR.

Inspector Viscusi said he had spoken with the owner, who already had applied for the permit to repair the fence. He presented photos of the property and copies of other documents and recommended ordering compliance within 12 weeks or a fine of \$25 per day.

Ms. Erica Barker, owner, agreed to perform the work within 12 weeks.

Ms. Tell found in favor of the City and ordered compliance within 13 weeks or a fine of \$25 per day would be imposed; she also ordered the owner to appear at the 2/15/07 hearing.

Case: CE06090426

Clifford Chance
122 Southwest 22nd Avenue

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

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES ON THE PROPERTY: BLUE TOYOTA CRESSIDA.

The following violations were now complied:

- 9-304(b): VEHICLES ARE PARKED ON THE LAWN/GRASS AREA.
- 9-308(a): ROOF IS NOT BEING MAINTAINED AND IS COVERED WITH A BLUE TARP.
- 9-313(a): HOUSE NUMBERS ARE NOT DISPLAYED.

Inspector Cross presented photos of the property and a copy of his file and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Mr. Clifford Chance, owner, said the car would be removed by the next day.

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 or the vehicle would be towed.

Case: CE06060367

Request for Extension

Premnath Ganaishlal
710 Northwest 5th Avenue

Ms. Bazer announced that the owner was requesting an extension.

Ms. Joy Ganaishlal, owner, explained that they were replacing two roofs on the property and she wanted to wait until this was done before painting the building. She requested additional time to comply.

Mr. Al Lovingshimer, Code Enforcement Officer, said he did not object to the extension because there was a considerable amount of work being done at the property.

Ms. Tell granted a 105-day extension and ordered the owner to appear at the 3/1/07 hearing.

Case: CE06061031

Request for Extension

Alhambra Circle Properties
148 Isle of Venice

Ms. Bazer announced that the owner was requesting an extension.

Mr. Roger Hawthorne, representative of the owner, requested a 91-day extension. He stated that the buildings were being demolished and they had already removed the trash.

Mr. Mario Sotolongo, Code Enforcement Officer, said he had no objection to the extension. Inspector Sotolongo confirmed that two of the original violations were already complied; only Section 9-306 remained in violation.

Ms. Tell granted a 91-day extension and ordered the owner to appear at the 2/15/07 hearing.

Case: CE06040620

Sandra Tweedy
525 Southwest 11th Court

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/20/06.

Mr. Len Ackley Code Enforcement Officer, testified to the following violations:

- 9-280(b): THERE ARE BROKEN WINDOWS AND PARTS OF THE WINDOWS ARE NOT BEING MAINTAINED.

The following violation was now complied:

- 47-19.9.A.: THERE ARE ITEMS STORED OUTSIDE UNDER THE CARPORT.

Inspector Ackley presented photos of the property and a copy of his case file and recommended ordering compliance with 9-280(b) within 105 days or a fine of \$25 per day.

Ms. Sandra Tweedy, owner, presented copies of estimates to replace the windows and a letter from FEMA that were admitted into evidence. She noted that the windows must be custom-made. Inspector Ackley did not object to an extension to March 1, 2007.

Ms. Tell found in favor of the City and ordered compliance with 9-280(b) within 105 days or a fine of \$25 per day would be imposed and ordered Ms. Tweedy to attend the 3/1/07 hearing.

Case: CE06081992

Beatrice & Hilbert Morant
2332 Northwest 13th Court

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/14/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- 9-304(b): DRIVEWAY IS NOT WELL-GRADED AND/OR DUST, WEED FREE.

The following violations were now complied:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY.
- 9-313(a): THERE ARE NO HOUSE NUMBERS ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of her case file and recommended ordering compliance with 9-304(b) within 14 days or a fine of \$25 per day.

Ms. Beatrice Morant, owner, agreed to remove the weeds and lay more gravel. She requested 30 days to do this.

Ms. Tell found in favor of the City and ordered compliance with 9-304(b) within 35 days, by December 21, 2006, or a fine of \$25 per day would be imposed.

Case: CE06021432

Request for Extension

Moses Spencer
1537 Northwest 4th Avenue

Ms. Bazer announced that the owner was requesting an extension.

Mr. Moses Spencer, owner, said he had purchased the sod already, and requested an extension.

Ms. Irma Westbrook, Code Enforcement Officer, informed Ms. Tell that no work had been done yet. She noted that the truck and the trash and outside storage items were still present.

Ms. Tell granted a 49-day extension and ordered the owner to appear at the 1/4/07 hearing.

Case: CE05101493

Request for Extension

James Silver & Paul Rizzo
1341 Northeast 3rd Avenue

Ms. Bazer announced that the owner was requesting an extension.

Mr. James Silver, owner, reported that the contractor was in the process of replacing the roof.

Mr. Maurice Murray, Community Inspections Supervisor, recommended a 6-week extension.

Ms. Tell granted a 49-day extension to 1/4/07.

Case: CE06082002

Diane & Charles Weber
1150 Iroquois Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/20/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- BCZ 39-275(6)(b): THERE IS OUTSIDE STORAGE OF A SHIPPING CONTAINER STORED ON THIS PROPERTY.

The following violation was now complied:

- 9-304(b): THERE ARE VEHICLES CONSTANTLY PARKING ON THE LAWN AT THIS PROPERTY.

Inspector Cross presented photos of the property and a copy of his case file that were admitted into evidence.

Mr. Charles Weber, owner, explained that the container held furniture from the house while the roof was being repaired. He hoped the work would be complete by the end of the year.

Ms. Tell found in favor of the City and ordered compliance with BCZ 39-275(6)(b) within 49 days, by 1/4/07, or a fine of \$25 per day would be imposed.

Case: CE06051027

Joseph & Kelly Piccolo
6992 Northwest 30th Avenue

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

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THIS PROPERTY.

The following violation was now complied:

- 9-281(b): THERE ARE DERELICT VEHICLES ON THIS PROPERTY. SPECIFICALLY, BOAT TRAILER WITH NO LICENSE PLATE AND A MUSTARD COLOR VOLVO WITH FLAT TIRES.

Inspector Viscusi stated he had spoken with the owner earlier and agreed to recommend ordering compliance with 18-27(a) within 28 days or a fine of \$25 per day. He presented photos of the property and a copy of his case file that were accepted into evidence.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 28 days or a fine of \$25 per day would be imposed.

Case: CE06072248

William La'Marr Ruffin
2610 Northwest 20th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/8/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY.
- BCZ 39-275(6)(a): THERE IS UNPERMITTED STORAGE OF BUILDING MATERIALS ON PROPERTY.

Inspector Torres presented photos of the property and a copy of her case file that were admitted into evidence and recommended ordering compliance with 18-27(a) within 14 days, and with BCZ 39-275(6)(a) within 12 weeks or a fine of \$100 per day, per violation.

Mr. Ruffin stated he would take care of the overgrowth immediately. He said he had an old permit for the outside storage from Broward County. This had expired and he must apply for a Fort Lauderdale permit.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 14 days, and with BCZ 39-275(6)(a) within 12 weeks or a fine of \$100 per day, per violation would be imposed.

Case: CE06082040

Lauderdale Investments
1777 South Andrews Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/25/06.

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

- 25-100.(a): NON-PERMITTED BUILDING DRAINAGE INSTALLED ON CITY RIGHT-OF-WAY.

Mr. Michael Madfis, architect, said he had performed research on the drainage connection and requested time to correct the situation. He must meet with the City Engineer to determine the proper resolution and asked for 60 days, whereupon he would return to give a more certain date for completion of the work.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$100 per day would be imposed and ordered Mr. Madfis to appear at the 1/18/07 hearing.

Case: CE05121606

Request for Extension

BIC Corp.
5101 Northwest 9th Avenue

Ms. Bazer announced that the owner was requesting an extension.

Mr. James Grzeszczak, part owner and lessee, said he had signed a contract with a contractor to do the work. He requested a 12-week extension.

Mr. Sal Viscusi, Code Enforcement Officer, said he did not object to an extension. He presented photos of the property and a copy of his case file that were admitted into evidence. Inspector Viscusi explained that the case was originally heard on 7/20/06. Mr. Grzeszczak had shown up at the 10/19/06 hearing [but had not been on the agenda] and discovered that fines were running. Inspector Viscusi advised him to speak with Ms. Manning to be put on this meeting's agenda to request an extension. Mr. Grzeszczak felt it unfair that any fines had accrued.

Mr. Don Gond, BIC Corporation, said they had been told at the 10/19 hearing to "call up the next day and they would kill the fine." Inspector Viscusi said Mr. Grzeszczak had spoken with Ms. Manning on 10/23 and 10/24 and been told that fines were still running. Ms. Tell advised Mr. Grzeszczak to request consideration of fine abatement in writing when he requested to be put on the 3/1/07 agenda.

Ms. Tell granted an extension to 3/1/07 and ordered Mr. Grzeszczak to appear at that hearing.

Case: CE06070118

Ordered to Appear

JV Development Group Inc.
1945 Southwest 5th Place

Ms. Bazer announced that at the 10/19/06 hearing the owner was ordered to appear today.

Mr. Eduard Zinkil, owner, said the property was now complied. He reminded Ms. Tell that he had thought his verbal request for an extension would be sufficient.

Ms. Tell stated that because Mr. Zinkil had made the verbal request for an extension prior to the compliance date, no fines would be imposed.

Case: CE06082103

Alba & Guillermo Vasquez
2830 Southwest 9th Street

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

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 9-304(b): THERE ARE VEHICLES AND TRAILERS PARKED ON THE LAWN.

Inspector Cross presented photos of the property and copies of the property history and inspection report that were admitted into evidence.

Mr. Guillermo Vasquez, owner, explained that this was a rental property. He had informed the tenants not to park on the lawn, but they had persisted. Mr. Vasquez had then decided to put in a circular driveway to afford the tenants additional parking area. He requested a deadline of March 1, 2007 for compliance.

Ms. Tell found in favor of the City and ordered compliance by 3/1/07 or a fine of \$100 per day would be imposed.

Case: CE06091819

Patrick Downs
1733 Northwest 18th Street

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

Ms. Cheryl Pingitore, Code Enforcement Officer, testified to the following violations:

- 18-1: THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY. THE PROPERTY HAS BECOME OVERGROWN AND NOT MAINTAINED. THE PROPERTY MAY BECOME INFESTED WITH RODENTS AND COULD AFFECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC. THE PROPERTY IS A PUBLIC NUISANCE.
- 9-306: THERE IS GRAFFITI ON THE BUILDING.

The following violation was now complied:

- 9-326: THE CONSTRUCTION DUMPSTER IS OVERFLOWING WITH TRASH AND DEBRIS AND NEEDS TO BE EMPTIED ON A SCHEDULED BASIS.

Inspector Pingitore presented photos of the property and copies of the property history and notice of violation and noted that the property had a history of being a nuisance. She recommended ordering compliance with 18-1 and 9-306 within 7 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 18-1 and 9-306 within 7 days or a fine of \$250 per day, per violation would be imposed.

Case: CE06061577

Maurice & Bernadette Waisome
1470 Northwest 21st Street

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

Ms. Cheryl Pingitore, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS TRASH AND DEBRIS SCATTERED ABOUT THE PROPERTY. THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED.
- 47-21.8: THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.
- 9-278(b): THERE IS PLYWOOD COVERING THE WINDOWS CREATING A SAFETY HAZARD.
- 9-280(g): THERE ARE BROKEN, MISSING AND/OR INOPERABLE ELECTRICAL FIXTURES ON THE BUILDING.
- 9-280(h)(1): THE FENCE ON THE PROPERTY IS IN DISREPAIR.
- 9-308(a): THE ROOF ON THE BUILDING IS IN DISREPAIR AND HAS NOT BEEN MAINTAINED.
- 9-313(a): THE REQUIRED NUMERICAL ADDRESS IS ABSENT AND/OR NOT VISIBLE FROM THE STREET.

Inspector Pingitore presented photos of the property and a copy of the property history and notice of violation that were admitted into evidence and recommended ordering compliance with all violations within 14 days or a fine of \$50 per day, per violation.

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

Case: CE06100071

Mount Bethel Baptist Church Inc.
619 Northwest 12th Avenue

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on 10/20/06.

Ms. Cheryl Pingitore, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THE VACANT LOT HAS BECOME OVERGROWN. THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY.

Inspector Pingitore presented photos of the property and a copy of her case file that were admitted into evidence 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.

Reference CE05121403

Richard Waters

Hearing to Impose Fine

2878 Northeast 30th Place

Ms. Bazer announced that the owner was ordered at the 7/6/06 hearing to appear today. The property was not complied and the City was requesting imposition of \$3,000 in fines and continuation of the fines until the property was complied.

Mr. Richard Waters, owner, stated the property was now complied.

Mr. Len Ackley, Code Enforcement Officer, confirmed that the property was complied. He reminded Ms. Tell that the City had left debris on Mr. Waters' property after making a repair to the adjacent alley.

Ms. Tell imposed no fine.

Case: CE05021857

Request for Extension

Flagler Warehouse 1 LLC
501 Northwest 1st Avenue

Ms. Bazer announced that the owner was requesting an extension.

Mr. John Seiler, attorney for the owner, said all but two of the violations were now complied. He stated they must wait for delivery of 215 windows that had been on order since August, and they were waiting for a backorder of the sealant for the asphalt.

Mr. John Gossman, Code Enforcement Officer, confirmed that only 47-20.20.H. and 9-307(a) were not yet complied. He said he had seen the contracts for the work, and had no objection to an extension.

Ms. Bazer informed Ms. Tell of updated compliance dates, and dates when extension requests were made. Supervisor Murray suggested Ms. Tell leave the fines regarding 47-20.20.H. and 9-307(a) intact and address these once the property was complied.

Ms. Tell granted an extension to 3/1/07 for 47-20.20.H. and 9-307(a) and ordered Mr. Seiler to appear at that hearing.

Case: CE06060374

Hearing to Impose Fine

Leveorn & Laura Giles
2017 Northwest 21st Avenue

Ms. Bazer announced that this case was first heard 8/17/06 to comply by 8/27/06 and 9/16/06: 1 Section at \$25 per day and 2 Sections at \$100 per day. The property was not complied and the City was requesting imposition of \$15,075 in fines and their continued accrual until the property was complied.

Mr. Leveorn Giles, owner, said he had asked for 90 days originally, but this had not been granted. He requested an additional 60 days now.

Ms. Tuchette Torres, Code Enforcement Officer, said the trucks were not permitted to be stored on the lot. She agreed that Mr. Giles had cleaned the property, and did not object to another 63 days.

Ms. Tell granted a 63-day extension and ordered the owner to appear at the 1/18/07 hearing.

Reference CE05050370

Hearing to Impose Fine

Connie, Rose & Wayne Davis, etc.
2300 Northwest 13th Street

Supervisor Murray announced that this case was originally heard on 7/7/05 with compliance ordered by 8/6/05. The property was now complied, and Supervisor Murray said the City was recommending that a fine of \$1 per day, per violation day be imposed. He explained that the owner had passed away.

Ms. Connie Davis, owner, explained that one of her sisters had resided at the property but Ms. Davis was unaware of the violations until the sister passed away. Once she was aware of the violations, she had taken care of the situation.

Ms. Tell reduced the fine to \$50.

Reference CE06081718

Hearing to Impose Fine

Augustine & Judy Gonzales
640 East Campus Circle

Supervisor Murray announced that this case was originally heard on 10/5/06 with compliance ordered by 10/15/06: 1 section at \$100 per day. The property was not complied and the City was requesting \$3,100 in fines and their continued accrual until the property was complied.

Ms. Judy Gonzalez, owner, explained that this was a rental property. She had met with the renters and they had removed the cars the previous evening. Ms. Gonzalez was considering widening a paved driveway on the side of the house.

Mr. Andre Cross, Code Enforcement Officer, agreed to reinspect the property the following day.

Ms. Tell granted an extension to 1/4/07 and ordered the owner to appear at that hearing.

Case: CE06030507

Hearing to Impose Fine

Gary Kosuda
221 Northeast 12th Avenue

Ms. Bazer announced that Inspector Thime had recommended that a fine of \$240 be imposed.

Mr. Gary Kosuda, owner, asked that the fine be abated. He explained that the original 30-day deadline was not sufficient and Inspector Thime had told him he could get additional time to comply.

Ms. Ursula Thime, Code Enforcement Officer, confirmed compliance dates and said she had recommended the minimum fine amount. Supervisor Murray explained that the original fine was \$600. He confirmed that Mr. Kosuda lived at the property and it was homesteaded.

Ms. Tell reduced the fine to \$100.

Case: CE06050979

Hearing to Impose Fine

Alnise & Luckner Laneaut
1100 Northeast 2nd Avenue

Ms. Bazer announced that this case was first heard 8/17/06 to comply by 8/31/06, 9/16/06 and 10/16/06: 1 Section at \$25 per day and 1 Section at \$50 per day. The property was complied and the City was requesting imposition of \$675 in fines.

Mr. Luckner Laneaut, owner, said he had needed to do all of the work himself, and had difficulty affording the repairs.

Ms. Irma Westbrook, Code Enforcement Officer, recommended imposing the full fine.

Ms. Tell reduced the fine to \$100.

Case: CE06071184

Hearing to Impose Fine

Glenn Wright Construction and Development Inc.
2747 Northeast 21st Court

Ms. Bazer announced that this case was first heard 9/7/06 to comply by 9/17/06 and 9/21/06: 2 Sections at \$50 per day and 1 Section at \$200 per day. The property was not complied and the City was requesting imposition of \$10,050 in fines and their continued accrual until the property was complied.

Mr. Jay Richardson, attorney for the owner, explained that the property was demolished and complied on October 6, 2006. He stated the delay was due to a tenant who had remained at the property.

Mr. Len Ackley, Code Enforcement Officer, stated they had cleared the center of the property, but not the property lines and swale area. Mr. Richardson requested 30 days to complete the cleanup. Mr. Ackley recommended 7 days. Supervisor Murray recommended imposing the existing fines and granting the 7-day extension.

Ms. Tell granted a 7-day extension and ordered the owner to appear at the 1/4/07 hearing.

Case: CE06071081

Josephine Rose
1109 Northeast 17th Terrace

Ms. Bazer announced that service was via posting on the property on 10/13/06 and posting at City Hall on 11/2/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY.
- 9-308(b): THE ROOF IS DIRTY AND IT HAS BROKEN AND MISSING TILES.

Inspector Feldman presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 9-308(b) within 28 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, and with 9-308(b) within 28 days or a fine of \$25 per day would be imposed.

Case: CE06071070

Josephine Rose
1105 Northeast 17th Terrace

Ms. Bazer announced that service was via posting on the property on 10/13/06 and posting at City Hall on 11/2/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY.

Inspector Feldman presented photos of the property and a copy of his case file that were admitted into evidence 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: CE06080527

CGF Holdings LLC
1230 Southwest 4th Avenue

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on 10/20/06.

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

- 25-56(a): SIDEWALK IS BROKEN AND IS IN DISREPAIR.

Inspector Guilford presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance within 30 days or a fine of \$50 per day. Inspector Guilford felt the sidewalk presented a safety hazard and wanted the owner to apply for a permit and replace it.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would be imposed.

Case: CE06082055

Mark Hirsch
2060 Southwest Starlight Land

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/24/06.

Mr. Mike Maloney, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THE PROPERTY IS OVERGROWN AND NOT MAINTAINED.
- 9-280(h)(1): THE CHAIN LINK FENCE IS IN DISREPAIR.

Inspector Maloney presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day and with 9-80(h)(1) within 4 weeks 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 and with 9-280(h)(1) within 4 weeks or a fine of \$25 per day would be imposed.

The following two cases for the same owner were heard together:

Case: CE06091644

Reo Asset Management Inc.

820 Northwest 1st Avenue

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on 10/30/06. She stated that Inspector Lovingshimer had a stipulated agreement with the owner to comply.

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 9-329(d): THE BOARD-UP CERTIFICATE HAS EXPIRED.

Inspector Lovingshimer stated he had a stipulated agreement with the owner to comply within 60 days, by 1/16/07 or a fine of \$50 per day. He presented photos of the property, and copies of his case file and the stipulated agreement that were admitted into evidence.

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

Case: CE06091645

Reo Asset Management Inc.
824 Northwest 1st Avenue

Ms. Bazer announced that certified mail addressed to the registered agent and owner were both accepted on 10/30/06

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 9-329(d): THE BOARD-UP CERTIFICATE HAS EXPIRED.

Inspector Lovingshimer stated he had a stipulated agreement with the owner to comply within 60 days, by 1/16/07 or a fine of \$50 per day. He presented photos of the property, and copies of his case file and the agreement that were admitted into evidence.

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

Case: CE06070205

Luise Buettner
3110 Auramar Street

Ms. Bazer announced that service was via posting on the property on 10/30/06 and posting at City Hall on 11/2/06.

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violations:

- 18-1: THERE ARE FOUR (3) UNLICENSED, INOPERABLE VEHICLES ON THE PROPERTY: BLUE VOLVO; GREY PONTIAC; RED FORD PICKUP.

- 9-280(g): THERE ARE EXPOSED ELECTRICAL WIRES.
- 9-306: THERE ARE BROKEN WINDOWS.
- 9-278(g): WINDOW OPENINGS ARE MISSING SCREENS.

Inspector Lovingshimer presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance with all violations within 14 days or a fine of \$50 per day, per violation.

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

Case: CE06070438

Bayshore 740 LLC
740 Bayshore Drive

Ms. Bazer announced that service was via posting on the property on 10/20/06 and posting at City Hall on 11/2/06.

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 18-27(a): PROPERTY IS OVERGROWN AND LITTERED WITH DEBRIS.

The following violation was complied:

- 25-4: SIDEWALK IS OBSTRUCTED WITH OVERGROWTH.

Inspector Lovingshimer presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance with 18-27(a) 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) within 28 days or a fine of \$50 per day would be imposed.

Case: CE06071618

Golden Properties of South Florida LLC
408 Northeast 7th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/27/06 and 10/30/06.

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS RUBBISH, TRASH AND DEBRIS ACCUMULATED IN THE REAR OF THE PROPERTY.
- 9-307(a): SOME DOORS ON THIS PROPERTY ARE NOT WEATHERPROOF. DOORS HAVE ROTTEN WOOD.

Inspector Thime presented photos of the property and a copy of her case file that were admitted into evidence and recommended ordering compliance with 18-27(a) within 14 days, and with 9-307(a) within 28 days or a fine of \$50 per day, per violation.

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

Case: CE06091046

Amir Idan
1130 Northwest 5th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/23/06.

Ms. Irma Westbrook Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.
- 9-281(b): THERE ARE SEVERAL UNLICENSED, INOPERABLE VEHICLES ON THE PROPERTY: WHITE LEGACY; GREY HONDA ACCORD.
- 9-305(b): FAILURE TO MAINTAIN THE REQUIRED LANDSCAPE IN A HEALTHY AND NEAT APPEARANCE.

Inspector Westbrook presented photos of the property and a copy of her case file that were admitted into evidence and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day or the vehicles would be towed, and with 18-27(a) and 9-305(b) within 14 days or a fine of \$50 per day, per violation.

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 or the vehicles would be towed, and with 18-27(a) and 9-305(b) within 14 days or a fine of \$50 per day, per violation would be imposed.

Case: CE06061426

Dexter Coelho
1544 Northwest 9th Avenue

Ms. Bazer announced that service was via posting on the property on 10/11/06 and posting at City Hall on 11/2/06.

Ms. Irma Westbrook Code Enforcement Officer, testified to the following violation:

- 47-21.8: THERE ARE AREAS OF DEAD AND MISSING GROUND COVER ON THE PROPERTY.
- 9-304(b): VEHICLES PARKING ON THE GRASS.

Inspector Westbrook presented photos of the property and a copy the inspection report and property history that were admitted into evidence and recommended ordering

compliance with 9-304(b) within 14 days, and with 47-21.8 within 28 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 9-304(b) within 14 days, and with 47-21.8 within 28 days or a fine of \$50 per day, per violation would be imposed.

Case: CE06091678

Oscar Larraza
211 Southwest 11th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/1/06

Mr. Len Ackley, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THE PROPERTY IS OVERGROWN.

Inspector Ackley presented a copy the inspection report and property history that were admitted into evidence 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: CE06080703

Maurice Walker
2308 Northwest 26th Street

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

Ms. Tchette Torres, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THE PROPERTY.
- 9-304(b): THE DRIVEWAY IS NOT DUST/WEED FREE.
- BCZ 39-217(f): THERE ARE VEHICLES BEING PARKED/STORED ON THE LAWN, ON THE PROPERTY.
- BCZ 39-275(6)(b): THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of her file that were admitted into evidence and recommended ordering compliance with all violations within 14 days or a fine of \$100 per day, per violation.

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

Case: CE06082105

Edward Gordon & Mary Harbin
1425 Northwest 24th Avenue

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

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- 9-304(b): THE DRIVEWAY IS NOT WELL-GRADED AND/OR DUST, WEED FREE ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of her case file that were admitted into evidence 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.

Case: CE06051343

Otis & Juanita Sanders
2215 Northwest 21st Avenue

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

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- BCZ 39-296.: THERE IS A COMMERCIAL TRUCK STORED ON THIS VACANT LOT WHICH IS A PROHIBITED USE OF ZONING.

Inspector Torres said the owner was ill and the truck had belonged to the owner's brother who had recently died. She presented photos of the property and a copy of her file that were admitted into evidence and recommended ordering compliance within 24 weeks or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 24 weeks or a fine of \$25 per day would be imposed.

Case: CE06091624

Fredic Edmondson
440 Southwest 30th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/27/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES ON THIS PROPERTY: OLD YELLOW PICKUP.
- 9-304(b): VEHICLES ARE CONSTANTLY PARKING ON THE LAWN.
- 18-27(a): THE LAWN AT THIS PROPERTY IS OVERGROWN AND IS NOT BEING MAINTAINED. ALSO, THERE IS TRASH SCATTERED ABOUT THE PROPERTY.

Inspector Cross presented photos of the property and a copy of his case file that were admitted into evidence and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed, with 9-304(b) and 18-27(a) within 14 days or a fine of \$25 per day, per violation.

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 or the vehicle would be towed, and with 9-304(b) and 18-27(a) within 14 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06091065

Robert & Alfreda Graham
384 Utah Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/27/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED ON THIS PROPERTY: 4-DOOR TAN SEDAN.
- 9-304(b): VEHICLES ARE CONSTANTLY PARKING ON LAWN.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence 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 9-304(b) within 14 days or a fine of \$25 per day.

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 or the vehicle would be towed, and with 9-304(b) within 14 days or a fine of \$25 per day would be imposed.

Case: CE06091082

Mark Alford
565 West Dayton Circle

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/6/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE VEHICLE STORED ON THIS PROPERTY: RED OLDSMOBILE.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence 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.

Case: CE06082398

George & Mary Brennen
110 Kentucky Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/20/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- BCZ 39-275(7)(a): THERE IS A COMMERCIAL LAWN TRAILER STORED IN THE REAR OF THIS PROPERTY.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence 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.

Case: CE06062109

Scott & Ezza Sledge
248 Utah Avenue

Ms. Bazer announced that service was via posting on the property on 10/10/06 and posting at City Hall on 11/2/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THE LAWN ON THIS PROPERTY IS OVERGROWN AND IS NOT BEING MAINTAINED.
- 9-281(b): THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT THIS PROPERTY.
- 9-306: THERE ARE AREAS OF STAINED AND PEELING PAINT ON THIS BUILDING.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence and recommended ordering compliance with 18-27(a) and 9-281(b) within 14 days, and with 9-306 within 28 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) and 9-281(b) within 14 days, and with 9-306 within 28 days or a fine of \$50 per day, per violation would be imposed.

Case: CE06080675

Peter & Camille Marciante
1908 Southwest 28th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/31/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 9-306: THERE ARE AREAS OF FADED AND STAINED PAINT ON THIS BUILDING.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence 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: CE06061299

Nader Jabrieh
6141 Northwest 33rd Terrace

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/21/06.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:

- 9-278(e): THERE IS PLYWOOD COVERING SEVERAL WINDOWS OF THIS RESIDENCE, DISTURBING THE NORMAL AIR FLOW AND VENTILATION TO THE HOME.
- 9-307(a): THERE ARE WINDOWS ON THIS HOME THAT ARE IN DISREPAIR AND BROKEN.

Inspector Viscusi presented photos of the property and a copy of the case history that were admitted into evidence and recommended ordering compliance within 8 weeks or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 8 weeks or a fine of \$25 per day, per violation would be imposed.

Case: CE06090983

John Dorenkott
204 Southeast 21st Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 10/21/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 18-27(a): PROPERTY IS OVERGROWN AND HAS TRASH AND DEBRIS SCATTERED ABOUT.
- 47-19.9: THERE IS OUTDOOR STORAGE THROUGHOUT THE PROPERTY.
- 47-21.8: THE FRONT LAWN IS BARE AND HAS NO GROUND COVER.

The following violations were now complied:

- 9-280(b): THERE IS A BROKEN, PARTIALLY BOARDED WINDOW ON THE EAST SIDE OF THE HOUSE.
- 9-281(b): THERE IS AN INOPERABLE WHITE PICK-UP TRUCK IN THE REAR OF THE PROPERTY.

Inspector Cross presented photos of the property and a copy of his file that were admitted into evidence and recommended ordering compliance with 18-27(a) and 47-19.9 within 14 days, and with 47-21.8 within 28 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, and with 47-21.8 within 28 days or a fine of \$25 per day, per violation would be imposed.

The following four cases for the same owner were heard together:

Case: CE06090555

La Scala Properties LLC.
91 Isle of Venice

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/3/06 and certified mail addressed to the registered agent was accepted on 10/30/06.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): GRASS/PLANT OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON PROPERTY.
- 24-27(b): IMPROPER PLACEMENT OF TRASH/LAWN RECEPTACLE.

- 9-280(g): ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED.
- 9-306: EXTERIOR OF STRUCTURE NOT MAINTAINED.

Inspector Sotolongo stated he had a stipulated agreement with the owner to comply all violations within 60 days or a fine of \$100 per day, per violation. He presented photos of the property and a copy of the agreement that were admitted into evidence.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day, per violation would be imposed.

Case: CE06090557

La Scala Properties LLC
95 Isle of Venice

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/3/06 and certified mail addressed to the registered agent was accepted on 10/30/06.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): GRASS/PLANT OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON
- PROPERTY.
- 9-306: EXTERIOR OF STRUCTURE NOT MAINTAINED.
- 9-280(g): ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED.

Inspector Sotolongo stated he had a stipulated agreement with the owner to comply all violations within 60 days or a fine of \$100 per day, per violation. He presented photos of the property and a copy of the agreement that were admitted into evidence.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day, per violation would be imposed.

Case: CE06090559

La Scala Properties LLC
99 Isle of Venice

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on 10/30/06.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): GRASS/PLANT OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON PROPERTY.
- 9-280(g): ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED.
- 9-306: EXTERIOR OF STRUCTURE NOT MAINTAINED.

Inspector Sotolongo stated he had a stipulated agreement with the owner to comply all violations within 60 days or a fine of \$100 per day, per violation. He presented photos of the property and a copy of the agreement that were admitted into evidence.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day, per violation would be imposed.

Case: CE06090561

La Scala Properties LLC.
103 Isle of Venice

Ms. Bazer announced that certified mail addressed to the owner was accepted on 11/3/06 and certified mail addressed to the registered agent was accepted on 10/30/06.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): GRASS/PLANT OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON PROPERTY.
- 9-280(g): ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED.
- 9-306: EXTERIOR OF STRUCTURE NOT MAINTAINED.

Inspector Sotolongo stated he had a stipulated agreement with the owner to comply all violations within 60 days or a fine of \$100 per day, per violation. He presented photos of the property and a copy of the agreement that were admitted into evidence.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day, per violation would be imposed.

Case: CE05090184

Arnold Mittleman
6001 Northwest 9th Avenue

Ms. Bazer announced that this case was complied on 11/15/06 and the case was withdrawn.

Case: CE06030405

Arnold Mittleman
920 Northwest 62nd Street

Ms. Bazer announced that this case was complied on 11/15/06 and the case was withdrawn.

Case: CE06071692

Casa Mia Co-op
140 Isle of Venice

Vacate Order of 10/5/06
Wrong Owner Cited

Ms. Tell vacated the order.

Case: CE96041576

HSH Properties
824 Northwest 2nd Avenue

Vacate Orders of 7/18/96
Change of Ownership

Ms. Tell vacated the order.

Case: CE06080501

Willie & Merceda Brutton
1106 Northwest 15th Avenue

Hearing to Impose Fine

Ms. Bazer announced that this case was first heard 9/21/06 to comply by 10/1/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of \$300 in fines.

Ms. Tell signed the order to impose the \$300 in fines.

Case: CE06051822

Daniel & Angela Cope
2011 Northeast 18th Street

Hearing to Impose Fine

Ms. Bazer announced that this case was first heard 8/3/06 to comply by 10/2/06: 2 section at \$25 per day. The property was not complied and the City was requesting imposition of \$2,200 in fines and their continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$2,200 fine and continue the fine accrual until the property was complied.

Case: CE05010302

WRH Rio Properties Inc.
634 Northwest 10th Terrace

Vacate Order of 4/7/05
Lien After 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:

CE06091508
CE06100301
CE06091529

CE06100285
CE06100304
CE06100130

CE06060307
CE06041453
CE06090898

CE06100297
CE06100353
CE06100245

CE06091796	CE06091797	CE06091688	CE06072217
CE06081813	CE06081816	CE06081963	CE06080615
CE06080616	CE06080632	CE06070550	CE06091054
CE06091064	CE06091093	CE06061574	CE06060937
CE05110979	CE06031747	CE06010902	CE06090412
CE06090409	CE06100619	CE06090416	CE06090420
CE06090410	CE06090429	CE06091513	CE06090421
CE06091515	CE06090433	CE06100214	CE06070160

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:

CE06091589	CE06080301	CE06091985	CE06091749
CE06082363	CE06091469	CE06090443	CE06090778
CE06080674	CE06081526	CE06071288	CE06062128
CE06050314	CE06060611	CE06040326	CE06060641
CE06060939	CE06081025		

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:

CE06031906 CE06100248

Cases Rescheduled

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

CE06100193 CE06050334 CE06050331 CE06050333

There being no further business, the hearing was adjourned at 1:00 p.m.

Special Magistrate

ATTEST:

Clerk, Special Magistrate

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Special Magistrate

ATTEST:


Clerk, Special Magistrate