

**SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Special Magistrate Meah Tell Presiding
May 17, 2007
9:00 A.M. – 12:50 P.M.**

Staff Present:

Assistant City Attorney
Eve Bazer, Clerk of Special Magistrate
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Maurice Murray, Code Enforcement Supervisor
Skip Margerum, Community Inspections Supervisor
Leonard Ackley, Code Enforcement Officer
Len Champagne, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Ingrid Gottlieb, Code Enforcement Officer
Robert Guilford, Engineering Inspector
Al Lovingshimer, Code Enforcement Officer
Cheryl Pingitore, Code Enforcement Officer
Wilson Quiintero, Code Enforcement Officer
Mary Rich, Code Compliance Officer
William Snow, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Tuchette Torres, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer

Also Present:

CE06070473: Louis Scholnick, attorney
CE06072243: David Hered, owner
CE07011692: Thomas Thurston, owner
CE07031461: Dennis Brooks, owner
CE06031698: Denise Tucci, owner; Courtney Maggio, the owner's daughter
CE07030314: Anton Branzner, property manager
CE06121689: Katherine Ehle, owner
CE06010380: Hope Calhoun, attorney; Jeremy Armstead, tenant
CE06092053: Charles Crum, owner
CE06110590: Cynthia Jones, owner
CE05111134; CE07010114: James Ackerman, owner
CE07020970: Jeffrey Akin, tenant
CE07020369: Miguel Milian Landlord; Jeffrey Jackson

CE07012090: Joanel Joseph, owner
CE07010286: Leola Harrell, owner
CE07031229: Deira Arguets, owner
CE06071074: Ivery Williams, owner
CE06110663: Chris Kapakos, owner
CE06120365: Oliver Glass, son of the owner
CE06061380: Kofi Benton, daughter of the owner
CE06120594: Helen Smallwood, owner
CE06050642: Edzer Ledane, owner
CE06102214: Oscar Grisales, attorney
CE03100773: John Rayson, attorney; John Zalai, owner
CE07030435: Louise Murray, owner
CE06110819: Walter Johnson, owner
CE06120703: William Harris, owner
CE07021830: Randy Nathan, attorney
CE05120939: Beryl Cover, owner, Jennifer Mendoza, daughter of the owner
CE06111136: Art Bengochea, architect
CE06110899: Manuel Payan, the owner's son; Clifton Culpepper, contractor's representative
CE07010594: Martino Debrosse, owner
CE07020690: Suresh Ramanathan, owner
CE07030060: Ronald Schlom, owner
CE06110776: John Pescolido, president; Eugene Dambrosio, treasurer; Robert Dally, Vice President
CE06110572: Kevin Court, 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 reminded all respondents to call the Code Department if they needed additional time to comply.

Case: CE07011692

Thomas Thurston
201 Southwest 12th Street

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

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

- 9-280(b) : THE FASCIA AND SOFFITS ARE IN DISREPAIR.
- 9-281(b) : THERE ARE NUMEROUS UNLICENSED AND INOPERABLE VEHICLES ON THE PROPERTY.
- 9-306 : THE HOUSE HAS CHIPPED AND PEELING PAINT.
- 9-307(a) : THERE ARE SOME BROKEN AND INOPERABLE WINDOWS.
- 18-27(a) : THE PROPERTY IS OVERGROWN AND NOT MAINTAINED.

Officer Ackley presented photos of the property, the inspection report and other documents to Ms. Tell.

Mr. Thomas Thurston, owner, explained that he had decided to demolish the house. He had signed a contract to demolish the house on April 18th and notified the tenant to vacate within 30 days. Mr. Thurston said the tenant had removed one vehicle, and the demolition company agreed to remove any trash on the property.

Officer Ackley recommended allowing 63 days to comply or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$25 per day, per violation.

Case: CE03100773

John Paul Eddy & Wendy Zalai
2041 Northeast 56th Court

Ms. Bazer announced that certified mail addressed to the owner was accepted on 4/18/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 47-19.2P. : THERE ARE SEVERAL TIKI HUTS ON THE PROPERTY WITHOUT ZONING APPROVAL. THEY DO NOT MEET THE CITY REQUIREMENTS FOR SHADE STRUCTURES.

Ms. Tell disclosed that she knew Mr. Rayson professionally and had contributed to his last campaign.

Mr. John Rayson, the owner's attorney, explained that there had been a case against his client for these violations in 2006, which had been settled. He presented paperwork to Ms. Tell showing this, and stated the City was collaterally estopped from re-citing his client under a new code section.

Mr. Rayson stated Mr. Zalai was a cancer patient, and claimed that these tiki huts were needed for his health, pursuant to a doctor's letter.

Mr. Rayson said the structures had been in place over seven years; he wanted to determine when this code section had been enacted. He requested a continuance until this could be determined.

The Assistant City Attorney stated this case was begun in October 2003; the case to which Mr. Rayson referred was dated 2006. The Assistant City Attorney guessed that someone had begun a new case in 2006 and then realized that there was already a case pending on the property, and closed the 2006 case. Therefore, there was no

estoppel argument. The Assistant City Attorney had no objection to a continuance to determine if the huts could be legal, non-conforming.

Ms. Tell continued the case to 7/19/07.

Case: CE06110776

Galt Towers Condo Association
4250 Galt Ocean Drive

Ms. Bazer announced that certified mail addressed to the owner and registered agent were accepted on 4/16/07.

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

- 17-11(a) : THE AIR CONDITIONING UNIT IS ABOVE THE ALLOWED DECIBEL NOISE LEVEL.

Officer Ackley explained that the property had been cited in November and complied, but it was in violation again.

John Pescolido, owner, presented the following to Ms. Tell: the notice of violation; the proposals from Johnson Control and Custom Air Designs, a letter from DeRose Design Consultants; a contract dated May 3, 2007 with DeRose Design.

Mr. Pescolido said they had bids for a new cooling tower from Johnson Control and Custom Air Designs for \$269,580 and \$278,000 respectively. Mr. Pescolido said they were given conflicting information from Johnson Control and had decided to hire DeRose, an independent engineering company. DeRose had discovered a problem with the chiller and recommended another solution. DeRose was pursuing a permit for the work, and the condo association was in the process of bidding the new project.

Officer Ackley agreed that the owner had been diligent, and had tried many things to get the property complied, but also acknowledged that this was a nuisance to the neighbors.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$100 per day, and ordered the owner to appear at the 7/19/07 hearing.

Case: CE07010286

Hearing to Impose Fine

Leola Mayo
1213 Northwest 10th Place

Ms. Bazer announced that this case was first heard 3/1/07 to comply by 3/29/07: 3 sections at \$25 per day. The property was not complied and the City was requesting imposition of a \$3,600 fine and its continued accrual until the property was complied.

Ms. Cheryl Pingitore, Code Enforcement Officer, explained to Ms. Tell that Ms. Harrell had tenants she was in the process of evicting. She had begun work at the property and had "come an amazing way" according to Officer Pingitore. She recommended an extension of 120 days.

Ms. Leola Harrell, owner, presented photos of the property to Ms. Tell

Ms. Tell granted a 126-day extension to 9/20/07 and advised Ms. Harrell to contact Officer Pingitore to request additional time if she needed it.

Case: CE05111134

Hearing to Impose fine

James Ackerman
843 Southwest 14th Court

Ms. Bazer stated this case was first heard 2/1/07 to comply by 3/1/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$1,700 fine and its continued accrual until the property was complied.

Mr. James Ackerman, owner, said he had completed the roof at the beginning of April, and was awaiting inspections.

Mr. Dick Eaton, Code Enforcement Officer, confirmed for Ms. Tell that Mr. Ackerman had completed the work, but had missed some inspections. Mr. Ackerman was working with the Building Department now. Officer Eaton recommended granting a 63-day extension.

Ms. Tell granted an extension to July 19, 2007 and ordered the owner to appear at that hearing.

Case: CE07021830

La Segunda Realty Corp
2758 Davie Boulevard

Ms. Bazer announced that certified mail addressed to the owner was accepted on 4/20/07 and certified mail addressed to the registered agent was accepted on 4/16/07.

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

- 47-22.3.C. : THERE IS A BANNER SIGN THAT READS "SASSANOS NEW YORK STYLE PIZZA" ATTACHED TO A STEEL POLE SIGN ON THIS PROPERTY. THERE IS A SNIPE SIGN THAT READS "KARATE SELF DEFENSE/KICKBOXING" ATTACHED TO A STEEL POLE SIGN ON THIS PROPERTY.

Officer Viscusi stated the karate sign had been removed and the owner's attorney, Randy Nathan, had presented him with the pizza sign this morning, so the property was now complied. Officer Viscusi presented the case file to Ms. Tell.

Case: CE07030314

City Rise LLC
501 Southeast 8th Street

Ms. Bazer announced that certified mail sent to the registered agent was accepted on 4/16/07.

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

- 9-280(b) : THERE ARE BROKEN AND INOPERABLE WINDOWS.
- 9-306 : THERE IS PEELING AND CHIPPING PAINT AS WELL AS AREAS THAT ARE UNPAINTED.

Officer Ackley informed Ms. Tell that the windows had been repaired and the building had been painted, except for the window frames. He presented photos, the notice of violation and the inspection report to Ms. Tell.

Mr. Anton Branzler, property manager, requested 30 days to comply.

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

Case: CE07030060

Ronald Schlom
3090 Northeast 46th Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/27/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 9-281(b) : THERE IS AN UNLICENSED TRAILER ON THE PROPERTY.
- The following violation was complied:
- 9-304(b) : THERE IS A TRAILER ON THE GRASS AT THIS PROPERTY.

Officer Gottlieb presented photos of the property and the case history to Ms. Tell and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to tow.

Mr. Ronald Schlom, owner, said he had received two prior notices after the holidays about trash on his property. He had phoned Officer Gottlieb to inform her that the trash belonged to neighbors. Mr. Schlom said he had moved the trailer and car in order to repair the driveway, and then been cited for these violations. Mr. Schlom said, "This isn't just another trailer; this is about discrimination and harassment of a citizen that's willing to be in compliance, but is being all but attacked by somebody with a badge."

Mr. Schlom presented photos of his property and several others to Ms. Tell, pointing out violations on several neighbors' properties. The Assistant City Attorney objected to the photos of the neighbors' properties. Ms. Tell advised Mr. Schlom to provide the Code Officers with the photos of the other properties, with the property addresses, to initiate complaints against them.

Mr. Schlom said he could register the trailer; he explained he did not have a valid title to the trailer, so this would take time.

Ms. Tell found in favor of the City, and ordered compliance with 9-281(b) within 56 days, by 7/12/07, or a fine of \$50 per day. Ms. Tell advised Mr. Schlom to contact Officer Gottlieb and request an extension in writing if he could not meet the deadline.

Case: CE06070473

Sabco Properties Inc
101 Southwest 31st Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/20/07.

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

- 9-280(b) : THE OVERHANG ON THIS PROPERTY IS IN DISREPAIR.
- 9-306 : THERE ARE AREAS OF MILDEW AND STAINED PAINT ON THIS BUILDING.

The following violations were complied:

- 18-27(a) : THERE ARE AREAS OF OVERGROWN GRASS AND WEEDS IN AREAS ON THIS PROPERTY.
- 9-280(h)(1) : THE CHAIN-LINK FENCE IN FRONT OF THIS BUILDING IS IN DISREPAIR.
- BCZ 39-217. (d) : THE PARKING AREA ON THIS PROPERTY IS IN DISREPAIR.
- BCZ 39-79(e) : THE LANDSCAPE ON THIS PROPERTY IS NOT BEING MAINTAINED. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Officer Cross presented photos of the property and the case file to Ms. Tell.

Mr. Louis Scholnick, attorney, explained that five of the seven violations were complied, and the owner had been working diligently. He requested 63 days to comply.

Ms. Tell found in favor of the City and ordered compliance with 9-280(b) and 9-306 within 63 days or a fine of \$150 per day, per violation

Case: CE07020970

728 Group Inc
900 South Federal Highway

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/26/07.

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

- 47-21.8 : THE ORIGINAL SITE PLAN CALLS FOR THREE (3) ROYAL PALMS WHICH ARE NOT NOW ON THE PROPERTY.

Officer Ackley stated the original site plan called for three Royal Palms, which were no longer present on the property. Officer Ackley presented the case history to Ms. Tell.

Mr. Jeffrey Akin, tenant, explained that he had opened in January and was unaware of the ordinance requiring trees; palms existing on the property had been removed because they were dying and unsightly. He requested 30 days to replace the trees.

Mr. Maurice Murray, Code Enforcement Supervisor, suggested an extended compliance period because of the drought situation. He recommended 126 days, to September 20, 2007.

Ms. Tell found in favor of the City and ordered compliance within 126 days or a fine of \$100 per day.

Case: CE06092053

Charles Crum
731 Northwest 15th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 5/3/07.

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

- 9-329(b) : THE BUILDING HAS BEEN BOARDED AND THE REQUIRED BOARD-UP CERTIFICATE HAS NOT BEEN ISSUED.

Office Pingitore presented photos of the property, the permit history, the original notice of violation and Special Magistrate notice to Ms. Tell.

Mr. Charles Crum, owner, explained that he had hired an engineer and architect, and had a meeting this afternoon with the City to discuss the building's rehabilitation.

The Assistant City Attorney explained that there was an Unsafe Structures Board case on this property as well, and recommended the case be continued so staff could coordinate the cases.

Ms. Tell continued the case to 6/21/07.

Case: CE06110572

Kevin & Deena Court
6800 Northwest 26th Terrace

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/25/07.

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

- 9-306 : THE BUILDING ON THE PROPERTY HAS CHIPPED, MISSING, MILDEW AND STAINED PAINT.

The following violation was complied:

- 9-280(h)(1) : THERE IS A WOODEN FENCE IN DISREPAIR ON THE PROPERTY.

Officer Torres presented photos and the case history to Ms. Tell, and recommended ordering compliance with 9-306 within 28 days or a fine of \$25 per day.

Mr. Kevin Court, owner, said he was in the process of putting an addition on the house; his architect was working on the plans now. He said he would pressure clean the house and begin some stucco work. He did not want to paint the house because the construction would later ruin this.

Ms. Tell found in favor of the City and ordered compliance with 9-306 within 35 days or a fine of \$25 per day and ordered Mr. Court to appear at the June 21, 2007 hearing.

Case: CE06110590

Cynthia Jones

540 Southwest 28th Terrace

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/24/07.

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

- 18-27(a) : THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT THIS PROPERTY.
- 9-280(h)(1) : THE WOODEN FENCE ON THIS PROPERTY IS IN DISREPAIR.

The following violation was complied:

- 9-281(b) : THERE IS AN INOPERABLE GREY CHEVROLET LUMINA STORED ON THIS PROPERTY.

Officer Cross presented photos of the property to Ms. Tell.

Ms. Cynthia Jones, owner, said she was working to remove all of the trash and they were also repairing the fence. She requested 30 days to comply.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) and 9-280(h)(1) within 35 days or a fine of \$25 per day, per violation.

Ms. Tell cautioned Ms. Jones to contact Inspector Cross if it appeared she would not comply by the deadline.

Case: CE07030435

Louise Murray
2217 Northwest 20th Street

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 violations:

- 9-280(b) : THERE ARE DAMAGED/MISSING PIECES OF WOOD CASING HOME.
- 9-306 : THERE ARE AREAS OF MISSING, CHIPPING, PEELING, DIRTY, STAINED PAINT ON THE EXTERIOR WALLS AND FASCIA BOARDS ON THIS HOME.

The following violations were complied:

- 18-27(a) : THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THIS ENTIRE PROPERTY, INCLUDING, BUT NOT LIMITED TO A TREE STUMP, ROOF SHINGLES, PLASTIC BUCKETS, ETC.
- 9-281(b) : THERE ARE DERELICT, INOPERABLE VEHICLES PRESENT ON THIS PROPERTY, SPECIFICALLY A BLACK FOUR (4) DOOR CADILLAC AND A TWO (2) DOOR BROWN VEHICLE, UNKNOWN MAKE AND MODEL WITH NO LICENSE PLATES ON THEM.

Officer Viscusi reported that the Cadillac had been removed and Ms. Murray reported that the other vehicle had been removed as well. Officer Viscusi presented photos of the property to Ms. Tell.

Ms. Louise Murray, owner, explained that she was hiring someone to pressure clean and paint the building, and requested 30 days to do so.

Ms. Tell found in favor of the City and ordered compliance with 9-280(b) and 9-306 within 49 days or a fine of \$25 per day, per violation.

Case: CE07020690

GSR Assets Inc.
3821 Southwest 13th Court

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 24-28(a) : THE DUMPSTER IS OVERFLOWING WITH TRASH. THERE IS TRASH SURROUNDING THE BULK CONTAINER.

The following violations were complied:

- 47-19.4.D.4 : THERE IS A DUMPSTER ENCLOSURE WITH GATES OPEN ALL THE TIME.
- 9-281(b) : THERE IS A RED HONDA, FOUR (4) DOORS, WITHOUT TAGS STORED AT THIS PROPERTY.

Officer Quintero presented photos of the property and case history to Ms. Tell and recommended ordering compliance with 24-28(a) within 14 days or a fine of \$100 per day.

Suresh Ramanathan, owner, explained that this was a recurring problem with illegal dumping on the property. He requested 30 days to resolve the problem.

Ms. Tell found in favor of the City and ordered compliance with 24-28(a) within 28 days or a fine of \$100 per day.

Case: CE07020369

Di-Mi Investments Corp
1135 South Federal Highway

Ms. Bazer announced that this case was continued from 4/19/07.

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

- 47-18.2.C.9. : THERE IS AN ADULT SEX SHOP WITHIN 500 FT. OF A CHURCH AND RESIDENTIAL AREA.
- 47-22.9 : THERE ARE UNPERMITTED SIGNS ON THE PROPERTY.

Officer Ackley explained that at the April 19 hearing, Ms. Tell had allowed 30 days for the owner to obtain permits; this had not yet happened. Officer Ackley presented photos of the property, the permit history and case file to Ms. Tell. He also submitted a map of the area showing the shop's location.

Mr. Miguel Milian, Landlord, said the tenant had told him he would need 63 days to comply the signs. Regarding the sex shop's location within 500 feet of a church and residential area, Mr. Milian said, "According to my tenants, they say they're going to take care of that themselves." Ms. Tell took issue with this, and said the shop was a non-permitted use and must close. Officer Ackley confirmed that he had cited the property on February 6, 2007.

The Assistant City Attorney informed Mr. Tell that the City would withdraw the case from today's agenda and reschedule it to August 2, 2007. Ms. Tell refused to give up jurisdiction over the case and advised the Assistant City Attorney to reschedule the case for another date. The Assistant City Attorney said they would withdraw the case from the agenda and "figure out a way to deal with it administratively." Ms. Tell relented, and agreed to reschedule the case for August 2, 2007.

Case: CE06120703

Glendale Federal Bank
2661 Northwest 20th Street

Hearing to Impose Fine

Ms. Bazer announced that this case was first heard 3/15/07 to comply by 3/29 and 4/5/07: 3 sections at \$100 per day. The property was complied and the City was requesting imposition of a \$3,700 fine.

Mr. William Harris, owner, explained that this was a duplex for which he had already been cited and assessed a \$350 fine.

Mr. Len Champagne, Code Enforcement Officer, said this violation was for the other residence on the property. He had complied this building on April 16.

Mr. Harris explained work he had done at the property, and stated that the tenants had caused the problems. Mr. Harris did not think it was fair to be cited twice for the two residences of the duplex.

Ms. Tuchette Torres, the original Code Enforcement Officer for this case, explained that the duplexes had separate addresses. Officer Torres said when officer Champagne had taken over the case, the property was not complied. The problem arose because Mr. Harris was not notified of the violations, Glendale Federal was because this was the owner listed on the tax roll. She said she had posted the property, but apparently the tenants had not informed Mr. Harris.

Officer Torres said she had spoken with Mr. Harris once and informed him what she intended to request from the Special Magistrate, and he had agreed the work would be done, but it was not. Officer Torres remarked that Mr. Harris owned three or four properties on that street and he did not take care of any of them. Mr. Harris reiterated that he had done work at the property and the tenants had not kept the property up.

Ms. Tell explained that there were two cases for the two residences, and that the case for which Mr. Harris had been fined \$350 had nothing to do with this case.

Ms. Tell imposed a \$750 fine.

Case: CE06010380

Request For Extension

Ella Sobolevsky
525 West Sunrise Boulevard

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

Ms. Hope Calhoun, attorney, explained that there had been a fire at the property, and the tenant was still working on a solution for the outdoor grill. She requested a 63-day extension.

Ms. Irma Westbrook, Code Enforcement Officer, had no objection to an extension.

Ms. Tell granted an extension to 7/19/07

Case: CE06072243

David Hered
200 Rose Drive

Ms. Bazer announced that this case was continued from 3/15/07.

Mr. Len Ackley, Code Enforcement Officer, stated they had met with the property owner and reviewed his survey, which indicated the pump was in fact located in the setback. Officer Ackley presented photos and the case file to Ms. Tell.

Mr. David Hered, owner, explained that his attorney, Bill Cohen, could not be present today. Mr. Hered had applied for a variance, but had discovered that it would cost more to obtain a variance than to move the pump. He requested 91 days to comply.

Ms. Tell granted a 91-day extension to 8/16/07 for 47-19.2.S. @ \$25 per day.

Case: CE06110842

Eddie Ellis
122 Southwest 24th Avenue

Ms. Bazer announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

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

- 9-304(b) : THERE ARE VEHICLES PARKED ON THE GRASS.
- 9-306 : THE EXTERIOR OF THE STRUCTURE IS NOT BEING MAINTAINED. EXTERIOR WALLS IN NEED OF CLEANING AND PAINT.

The following violation was complied:

- 47-19.9 : THERE IS OUTDOOR STORAGE ON THE PROPERTY.

Officer Viscusi presented photos of the property and the case file, and requested Ms. Tell order compliance with 9-304(b) 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 9-304(b) and 9-306 within 28 days or a fine of \$25 per day, per violation.

Case: CE07020236

Ruby Ferguson
1800 Southwest 10th Court

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/17/07.

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

- 18-27(a) : THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY.

- 47-19.9 : THERE ARE TIRES BEING STORED ON THE PROPERTY.
- 47-21.13 A. : THERE IS A DEAD TREE STUMP ON THE PROPERTY.
- 9-305(b) : THERE IS DEAD GRASS/VEGETATION COVERING THE CHAIN-LINK FENCE.

Officer Feldman presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 47-19.9, 47-21.13.A. and 9-305(b) 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), 47-19.9, 47-21.13.A. and 9-305(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE07030677

Leon White & Pauline Phillips
1407 Northwest 15th Street

Supervisor Murray announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

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

- 47-21.8 : THERE ARE AREAS OF DEAD GROUND COVER ON THE PROPERTY.
- 9-280(h)(1) : THE CHAIN-LINK FENCE IS LACKING THE REQUIRED TOP RAILS AND IS IN GENERAL DISREPAIR.
- 9-313 : THE REQUIRED NUMERICAL ADDRESS IS ABSENT OR NOT VISIBLE FROM THE STREET PER CODE ORDINANCE.
- 9-323 : THE VACANT BUILDING IS UNKEPT AND UNSECURED. THERE ARE BROKEN WINDOWS, OVERGROWTH, LITTER AND GREEN, UNCIRCULATING POOL CREATING AN UNSAFE, UNHEALTHY PUBLIC NUISANCE. THESE CONDITIONS ARE INTERFERING WITH THE USE AND ENJOYMENT OF THE NEIGHBORING PROPERTIES.

Officer Pingitore informed Ms. Tell that personal service had been made this morning as well. Officer Pingitore presented photos of the property and the case file to Ms. Tell. Officer Pingitore said she had spoken with Mr. Phillips this morning, and agreed to recommend 14 days or a fine of \$50 per day for 9-323 because the property did not have water service presently due to rehabilitation work. Officer Pingitore recommended ordering compliance with 47-21.8, 9-280(h)(1) and 9-313 within 126 days or a fine of \$25 per day, per violation. She explained that the Florida room had been added without a permit, and must be demolished.

Ms. Tell found in favor of the City and ordered compliance with 9-323 within 14 days or a fine of \$50 per day, and with 47-21.8, 9-280(h)(1) and 9-313 within 126 days or a fine of \$25 per day, per violation.

Case: CE07011035

Max LLC
1309 Northwest 3rd Court

Supervisor Murray announced that certified mail sent to the owner and registered agent were accepted on 4/27/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:

- 47-19.9 : THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO REFRIGERATORS, AUTO PARTS, INTERIOR FURNITURE AND LP GAS CONTAINERS.

Officer Snow presented photos of the property and the case file to Ms. Tell and recommended ordering compliance with 21 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day.

Case: CE07021897

Manhnoush Rekabi & Faraz Karimianfar
1201 Southwest 31st Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/18/07.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:

- 9-281(b) : THERE IS AN UNLICENSED, INOPERABLE BLUE MAZDA PARKED ON PROPERTY.

Officer Rich presented photos of the property and a copy of the inspection report to Ms. Tell and recommended ordering compliance within 14 days or a fine of \$100 per day, with the right to tow.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to tow the blue Mazda.

Case: CE07031537

Rosa's Plaza LLC
3095 Northwest 62nd Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 5/11/07 and certified mail addressed to the registered agent was accepted on 4/19/07.

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

- 47-22.3.C. : THE BUSINESS ON THIS PROPERTY, AT DIFFERENT TIMES, DISPLAYS A BANNER SIGN ADVERTISING "LITTLE CAESAR'S PIZZA \$5.00".

Officer Torres presented photos of the property and the case history and explained that the sign had not been present on May 15, but because the business owner had refused to stop putting up the sign, Officer Torres was requesting an order for 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.

Case: CE07040759

Danias Family Revocable Trust
5317 Northwest 9th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/28/07.

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

- 47-22.3.C. : THERE ARE SEVERAL BLUE BANNER SIGNS, WITH WHITE LETTERING, HANGING IN THE DIFFERENT BAYS ON THIS PROPERTY.

Officer Torres presented the case history and photos of the property to Ms. Tell 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.

Case: CE07031745

Eddie Wright
2911 Northwest 21st Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/28/07.

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

- 9-281(b) : THERE IS AN UNLICENSED, INOPERABLE FULL SIZE CAR UNDER A CAR COVER WITH THE FRONT DRIVER SIDE TIRE OFF, STORED ON THIS PROPERTY.
- 9-304(b) : THERE ARE CARS CONSTANTLY PARKING ON THE LAWN AT THIS PROPERTY.

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the vehicle 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 14 days or a fine of \$100 per day with the right to tow the vehicle and with 9-304(b) within 14 days or a fine of \$25 per day.

Case: CE06120206

Forrest Young
1029 Northeast 9th Avenue

Ms. Bazer announced that service was via posting on the property on 4/30/07 and at City Hall on 5/3/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:

- 18-27(a) : PROPERTY CONTINUES TO HAVE OVERGROWTH IN THE FRONT AND REAR. PLYWOOD AND OTHER RUBBISH, TRASH AND DEBRIS ON THE PROPERTY.
- 9-280(h)(1): METAL FENCE IS IN DISREPAIR.
- 9-306 : FASCIA AND SOFFIT ARE ROTTING AND IN DISREPAIR.

Officer Davis presented photos of the property and the case history and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

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

Case: CE07021749

HSBC Bank USA
1228 Northeast 11th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 4/28/07 and certified mail addressed to an officer of the company was accepted on 4/30/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:

- 9-329(a) : REAR OF THE PROPERTY WAS BOARDED DUE TO A FIRE. PROPERTY OWNER IS RESPONSIBLE FOR GETTING A BOARD-UP CERTIFICATE.

The following violation was complied:

- 18-27(a) : PROPERTY HAS OVERGROWTH.

Officer Davis explained that there had been a fire at this property. She presented photos of the property and the case history and recommended ordering compliance with 9-329(a) within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-329(a) within 14 days or a fine of \$50 per day.

Case: CE07030181

Dorothy Bell & Robert Adams
2336 Northwest 14th Court

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

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

- 18-27(a) : THERE IS RUBBISH, TRASH AND DEBRIS ON THE PROPERTY.
- 9-313(a) : THE HOUSE NUMBERS ON THE PROPERTY ARE NOT DISPLAYED OR VISIBLE.

The following violations were complied:

- 9-280(h)(1) : THERE IS A CHAIN-LINK AND WOODEN FENCE IN DISREPAIR ON THIS PROPERTY.
- 9-304(b) : THERE IS A GREEN HONDA PARKED ON GRASS SURFACE OF THIS PROPERTY.

Officer Champagne presented photos of the property and the case history and recommended ordering compliance with 18-27(a) and 9-313(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 18-27(a) and 9-313(a) within 14 days or a fine of \$25 per day, per violation.

Case: CE07020427

Robert Joshua
2533 Northeast 35th Drive

Ms. Bazer announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 47-34.4 B.2. : THERE IS A BOAT AND TRAILER IN THE FRONT YARD EXCEEDING 21 FEET IN LENGTH. THIS IS NOT PERMITTED IN RS-4.4 ZONING.

Officer Gottlieb explained that the owner was in the process of purchasing a smaller boat, which would comply the violation. She presented photos of the property and the case history and recommended ordering compliance within 6 weeks or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 6 weeks or a fine of \$25 per day.

Case: CE07021141

John & Teresa Osman

1721 Northeast 56th Street

Ms. Bazer announced that service was via posting on the property on 4/26/07 and at City Hall on 5/3/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 47-20.20.H : THERE ARE LARGE PORTIONS OF PAVEMENT MISSING IN THE PARKING LOT. THE STRIPES HAVE FADED.
- 9-306 : THE EXTERIOR OF THE STAIRCASE HAS A LARGE DENT IN IT. THE STRUCTURE HAS FADED OR MISSING PAINT.
- 9-308(a) : THERE ARE MISSING ROOF TILES ON THE STRUCTURE.

Officer Gottlieb presented photos of the property and the case history and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

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

Case: CE07022058

John Burkett
2701 Northeast 49th Street

Ms. Bazer announced that service was via posting on the property on 4/26/07 and at City Hall on 5/3/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 47-21.8.A. : THE ENTIRE PROPERTY IS BARE DIRT OR STONE.

The following violation was complied:

- 9-281(b) : THERE IS AN UNLICENSED SCOOTER AND A TURQUOISE AND WHITE CHEVROLET VAN ON THE PROPERTY.

Officer Gottlieb presented photos of the property and the case history and recommended ordering compliance with 47-21.8.A. within 126 days or a fine of \$50 per day [do to current water restrictions].

Ms. Tell found in favor of the City and ordered compliance with 47-21.8.A. within 126 days or a fine of \$25 per day.

Case: CE07021639

Katherine Butler & Tara Coiro
1200 Northeast 2nd Avenue

Ms. Bazer announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

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

- 9-329(b) : BUILDING OPENING HAS BEEN SECURED WITHOUT A VALID AND CURRENT BOARDING CERTIFICATE.

Officer Westbrook presented photos of the property, the case history and inspection report 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.

Case: CE07021636

Natalie Petrarca
1024 Northeast 3rd Avenue

Ms. Bazer announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

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

- 9-329(b) : BUILDING OPENING HAS BEEN SECURED WITHOUT A VALID AND CURRENT BOARDING CERTIFICATE.

Officer Westbrook presented photos of the property, the notice of violation, the case history and inspection report 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.

Case: CE07030992

Thomas Glasson
1545 Northeast 1st Avenue

Ms. Bazer announced that service was via posting on the property on 4/25/07 and at City Hall on 5/3/07.

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

- 9-279(f) : OCCUPIED STRUCTURE WITHOUT CITY WATER SERVICE.

Officer Westbrook presented photos of the property and the inspection report 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.

Case: CE07031516

Cheryl Williams
1424 Northwest 9th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/19/07.

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

- 18-27(a) : THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.

The following violations were complied:

- 9-281(b) : THERE IS A WHITE, UNLICENSED, INOPERABLE MERCEDES ON THE PROPERTY.
- 9-304(b) : VEHICLES PARKING/STORED ON THE GRASS.

Officer Westbrook presented photos of the property, the property history and the inspection report and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$50 per day.

Case: CE07031712

U.S. Bank National Association Trustee
800 Southeast 9th Street

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

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

- 18-27(a) : THE PROPERTY IS OVERGROWN AND NOT BEING MAINTAINED.

Officer Ackley presented photos of the property and the case 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.

Case: CE07030579

Rosena Rouse
2284 Northwest 20th Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 4/19/07.

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

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

- 9-306 : THERE ARE AREAS OF MISSING, DIRTY, STAINED PAINT ON THE EXTERIOR WALLS OF THE HOUSE ON THIS PROPERTY.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

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

Case: CE06111136
Quarterdeck Properties LC
2933 East Las Olas Boulevard

Hearing to Impose Fine

Ms. Bazer announced that this case was first heard 2/15/07 to comply by 4/19/07; 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Mr. Art Bengochea, architect, said they had been working diligently with staff to get the approval from the City. He requested another 30 days.

Mr. Adam Feldman, Code Enforcement Officer, agreed that the owner and his architect had been diligent, and kept him apprised of their progress. He had no objection to an extension.

Ms. Tell granted a 35-day extension.

Case: CE06120594
Smallwoods 13 LLC
1672 Southeast 10th Avenue

Request for Extension

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

Ms. Helen Smallwood, owner, reported that they were almost finished with the roof repair. She stated she had called when she realized she would not comply by the deadline, but had been unable to be put on an earlier agenda. She requested 30 days.

Mr. Dick Eaton, Code Enforcement Officer, confirmed that Ms. Smallwood had been working diligently and had called him to report she could not comply by the deadline.

Ms. Tell granted a 35-day extension, and noted that Ms. Smallwood had requested an extension by phone prior to the ordered compliance date, so the existing fine would not be imposed.

Case: CE06031698
Denise Tucci

Hearing to Impose Fine

451 Northeast 8th Avenue

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 3/1/07; 1 section at \$25 per day. The property was complied and the City was requesting imposition of a \$170 fine [reduced from \$425].

Ms. Denise Tucci, owner, explained that the contractor had been very slow, but the work was complete.

Mr. Robert Guilford, Engineering Inspector, said he supported reduction of the fine to \$170; he was aware that there were circumstances beyond Ms. Tucci's control that resulted in the late compliance.

Ms. Tell imposed a \$170 fine.

Case: CE05120939

Hearing to Impose Fine

Beryl Cover
2832 Southwest 5th Street

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 4/5/07; 1 section at \$25 per day. The property was not complied and the City was requesting imposition of a \$1,025 fine and its continued accrual until the property was complied.

Ms. Jennifer Mendoza, daughter of the owner, explained they had experienced problems with the insurance company, but they had finally paid the claim. She request 30 to 60 days to find a roofer and have the work done.

Mr. Andre Cross, Code Enforcement Officer, recommended 60 additional days, as they would need to pull a permit.

Ms. Tell granted a 77-day extension.

Case: CE06050642

Hearing to Impose Fine

Edzer & Shirlene Ledain
1676 North Dixie Highway

Ms. Bazer announced that this case was first heard 8/3/06 to comply by 10/2/06; 3 sections at \$100 per day. The property was complied and the City was requesting imposition of a \$5,275 fine [reduced from \$21,100].

Mr. Edzer Ledain, owner, asked Ms. Tell to further reduce the fine. He said he had traveled back and forth from Toronto approximately ten times to handle the parking area and landscaping problems, and the repairs had been costly.

Mr. Adam Feldman, Code Enforcement Officer, confirmed that Mr. Ledain had been in constant contact with him, and done an "immaculate" job on the property. He said two of Mr. Ledain's properties had experienced a "complete turnaround."

Ms. Tell imposed a \$2,000 fine.

Case: CE07012090

Request for Extension

Joanel Joseph
1301 Northwest 7th Avenue

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

Mr. Joanel Joseph, owner, requested an 18-week extension to complete the work.

Ms. Irma Westbrook, Code Enforcement Officer, had no objection to an extension.

Ms. Tell granted a 126-day extension.

Case: CE06071074

Hearing to Impose Fine

Ivery & Mary Williams
1501 Northeast 3rd Avenue

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 3/1/07; 1 section at \$50 per day. The property was complied and the City was requesting imposition of a \$2,400 fine.

Mr. Ivery Williams, owner, said he had a problem with the contractor, but had been in contact with Officer Westbrook.

Ms. Irma Westbrook, Code Enforcement Officer, said Mr. Williams had informed her of the problems he had with the contractor. She clarified that the fines had run for vehicles parking on the grass. Mr. Williams explained that the vehicles had been forced to park on the grass while the parking area was repaired.

Officer Westbrook confirmed that Mr. Williams had installed a new parking area to prevent tenants from parking on the grass. She recommended reducing the fine to \$1,000 because of the improvements Mr. Williams had made at the property.

Ms. Tell imposed a \$450 fine.

Case: CE07010594

Hearing to Impose Fine

Martino & Penina Debrosse
3812 Southwest 14th Street

Ms. Bazer announced that this case was first heard 4/5/07 to comply by 4/19/07; 2 section at \$100 per day. The property was complied and the City was requesting imposition of a \$3,600 fine.

Mr. Martino Debrosse, owner, asked Ms. Tell to reduce the fine. He explained that he had hired the tenant to clean the yard, but he had not done the work. Mr. Debrosse said he had told the tenant to remove the derelict vehicle, but the tenant had not. Mr. Debrosse said the notices had been sent to the building, and the tenant had not informed him of the violations.

Mr. Wilson Quintero, Code Enforcement Officer, said Mr. Debrosse had told him he had not received the notices. He noted that Mr. Debrosse had immediately acted when he became aware of the problems.

Ms. Tell imposed a \$450 fine.

Case: CE06120365

Hearing to Impose Fine

Oliver Glass

1600 Northwest 6th Street

Ms. Bazer announced that this case was first heard 4/5/07 to comply by 4/15 and 4/19/07; 1 section at \$100 per day and 1 section at \$25 per day. The property was not complied and the City was requesting imposition of a \$3,775 fine, and its continued accrual until the property was complied.

Mr. Oliver Glass, son of the owner, said his father was in New York, and he was trying to work on the property for him. The van had already been removed, but the Jaguar was still there. Mr. Glass said they had found a buyer for the car, but they were waiting for the title from New York. Mr. Glass requested 35 days to comply.

Mr. Adam Feldman, Code Enforcement Officer, recommended that the fines be imposed.

Ms. Tell granted a 35-day extension, and ordered Mr. Glass to appear at the June 21 hearing to request reduction of the fine.

Case: CE06120368

Oliver Glass

1602 Northwest 6th Street

Mr. Adam Feldman, Code Enforcement Officer, informed Ms. Tell that this property was complied.

Ms. Tell said possible fines at this property totaled \$4,300.

Mr. Glass said they were restoring this property and there were no tenants at present. A contractor they had hired had completed half the work and abandoned the job. Officer Feldman confirmed that the building was recently painted. He thought another Code Enforcement officer had a case against the exterior of this building.

Ms. Tell imposed a \$750 fine.

Case: CE06110663

Deo Pedia Holdings Inc
1509 South Andrews Avenue

Ms. Bazer announced that this case was first heard 1/18/07 to comply by 3/22/07; 1 section at \$50 per day. The property was complied and the City was requesting imposition of a \$1,350 fine.

Mr. Chris Kapakos, owner, explained that he had cleaned the graffiti immediately, and the City had then painted the building. Regarding the façade, Mr. Kapakos said he had suffered a family emergency with his mother while he was trying to get this work done, the stress from which had resulted in his developing shingles. Mr. Kapakos phoned Officer Eaton on March 22 to request an extension, and Officer Eaton allowed him until April 19. Officer Eaton had complied the property on April 19.

Mr. Dick Eaton, Code Enforcement Officer, stated he originally cited the property in November 2006 and he had given Mr. Kapakos 30 days to comply. Mr. Kapakos had not contacted Officer Eaton or done any work in that 30 days, so Officer Eaton had scheduled the case for the Special Magistrate hearing in January. Mr. Kapakos had informed Mr. Eaton he was performing work at the property, but Officer Eaton determined that permits were issued for interior work; the violations were for exterior problems.

Officer Eaton continued that Mr. Kapakos had removed the graffiti at the end of January. Officer Eaton had received a call from the assistant to the city manager on 3/22/07 after a walking tour, asking about the status of the property. Officer Eaton had phoned Mr. Kapakos and reminded him that the compliance deadline had been 3/22/07. Officer Eaton remarked that the history showed Mr. Kapakos had not been diligent, and he felt a fine was warranted.

Mr. Kapakos stated the permits were for both interior and exterior work. He complained that the Building Department had been very slow granting the permits. Mr. Kapakos requested the fine be reduced to \$100.

Mr. Maurice Murray, Code Enforcement Supervisor, said the City's request was for the full fine amount.

Ms. Tell imposed a \$450 fine.

Case: CE06110899

Hearing to Impose Fine

Rosa's Plaza LLC
3091 Northwest 62nd Street

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 4/5/07: 1 section at \$25 per day. The property was complied and the City was requesting imposition of a \$775 fine.

Mr. Clifton Culpepper, the contractor's representative, said he had phoned Officer Viscusi on March 8 to inform him they would not meet the deadline. They obtained the permit on March 21 and began work on April 5. The work was now complete. Mr. Culpepper requested reduction of the fines.

Ms. Tuchette Torres, Code Enforcement Officer, said she had taken the case from officer Viscusi, but there was no note in the file that Mr. Culpepper spoke to Officer Viscusi. She had confirmed that the permit application had been submitted in December 2006 and the permit issued on March 21, 2007. When she visited the property on April 25 to post it for the hearing, she saw that work had begun. When she revisited the property on May 7, work was complete.

Mr. Manuel Payan, the owner's son, reiterated that Mr. Culpepper had called to request an extension almost a month before the deadline. He produced a cell phone record showing that he had phoned.

Mr. Skip Margerum, Community Inspections Supervisor, agreed that the cell phone bill showed Mr. Culpepper had called Officer Viscusi on March 8 at 10:31 a.m.

Supervisor Margerum recommended the full fine be imposed. Mr. Payan requested the fine be waived.

Ms. Tell imposed a \$75 fine.

Case: CE06102214

Lake Villas LLC
1743 Northwest 29th Way

Ms. Bazer announced that this case was first heard 3/15/07 to comply by 3/29/07: 1 section at \$25 per day. The property was complied and the City was requesting imposition of a \$525 fine.

Mr. Oscar Grisales, attorney for the owner, produced current photos of the property and said the dates of the photos were the compliance dates: March 28 and April 6. Ms. Tell said fines had run from March 30 to April 20, so fines had run for 21 days. Mr. Grisales admitted that no one had called the inspector to reinspect the property.

Mr. Len Champagne, Code Enforcement Officer, pointed out that “we’re talking about maybe a gallon of paint and maybe a half hour, fort-five minutes worth of work” but Mr. Grisales had requested three extensions and the property had been inspected eight times.

Mr. Grisales request that the fines be reduced to \$262.50.

Ms. Tell imposed a \$275 fine.

Case: CE06061380

Request for Extension

Dorothy, L.D. & G.D. Benton
1642 Northwest 25 Terrace

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

Ms. Kofi Benton, daughter of the owner, requested 90 to 120 days to repair the roof and garage door. Ms. Tell admonished Ms. Benton for not requesting an extension sooner, allowing fines to accrue.

Ms. Tuchette Torres, Code enforcement Officer, confirmed that the fence violation was complied, and that she had no objection to an extension.

Ms. Tell granted a 91-day extension to 8/16/07.

Case: CE06121689

Katherine & Dennis Ehle
511 Northeast 11th Avenue

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violations:

- 18-27(a) : THERE IS RUBBISH, TRASH AND DEBRIS ON THE PROPERTY CONSISTING, BUT NOT LIMITED TO WASHERS, DRYERS, ETC.
- 9-281(b) : THERE ARE DERELICT VEHICLES AND TRAILERS IN THE REAR OF THE PROPERTY.

Ms. Bazer requested Ms. Tell order compliance with 18-27(a) within 30 days or a fine of \$25 per day and with 9-281(b) within 14 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 30 days or a fine of \$25 per day and with 9-281(b) within 14 days or a fine of \$25 per day.

Case: CE07010114

James Ackerman
843 Southwest 14th Court

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violations:

- 18-27(a) : THERE IS OVERGROWTH, TRASH AND DEBRIS THROUGHOUT THIS PROPERTY.
- 47-19.9 : THERE IS OUTDOOR STORAGE THROUGHOUT THE PROPERTY.
- 9-280(h)(1) : THE FENCE AROUND THIS PROPERTY IS DAMAGED AND IN DISREPAIR.

Ms Bazer requested Ms. Tell order compliance with 18-27(a) and 47-19.9 within 14 days or a fine of \$25 per day, per violation, and with 9-280(h)(1) within 49 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) and 47-19.9 within 14 days or a fine of \$25 per day, per violation, and with 9-280(h)(1) within 49 days or a fine of \$25 per day.

Case: CE07031461

Brooks Family Properties LLC
410 Southeast 16th Street

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violation:

- 9-280(b) : THE ROOF ON THIS PROPERTY IS DAMAGED AND IN DISREPAIR. THE SOFFITS HAVE AREAS OF ROTTING WOOD AND ARE IN NEED OF PAINT AND REPAIR. THE PORCH OVERHANG AND VERTICAL SUPPORT BEAMS ARE IN DISREPAIR AND NOT STRUCTURALLY SOUND.

The following violation was complied:

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

Ms Bazer requested Ms. Tell order compliance with 9-280(b) within 63 days or a fine of \$50 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 9-280(b) within 63 days or a fine of \$50 per day.

Case: CE07030373

Levorla Swanson
2871 Northwest 18th Court

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violation:

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

The following violations were complied:

- 47-19.9 : THERE IS OUTDOOR STORAGE ON THE PROPERTY TO INCLUDE, BUT NOT LIMITED TO BUILDING MATERIALS.
- 9-281(b) : THERE IS AN UNLICENSED, INOPERABLE 535 BMW PARKED ON THE PROPERTY.

Ms Bazer requested Ms. Tell order compliance with 18-27(a) within 35 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 35 days or a fine of \$25 per day.

Case: CE07030387

Elmon Wilkerson
2711 Northwest 16th Court

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violation:

- 9-308(b) : THE ROOF IS COVERED WITH BROWN TARP AND HAS ELEMENTS LYING ON TOP OF TARP.

The following violations were complied:

- 18-27(a) : THERE IS RUBBISH, TRASH AND DEBRIS ON THE PROPERTY.
- 9-281(b) : THERE IS AN UNLICENSED, INOPERABLE GREEN CADILLAC ON THE PROPERTY.

Ms Bazer requested Ms. Tell order compliance with 9-308(b) within 91 days or a fine of \$50 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 9-308(b) within 91 days or a fine of \$50 per day.

Case: CE07040228

Shelby Herring
1050 Northwest 25th Avenue

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violation:

- 9-281(b) : THERE IS AN UNLICENSED, INOPERABLE SILVER BLUE PONTIAC BONNEVILLE PARKED ON THIS PROPERTY.

Ms Bazer requested Ms. Tell order compliance within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 14 days or a fine of \$100 per day.

Case: CE07031513

Alnise Laneaut & Marcien Luckner
1010 Northwest 3rd Avenue

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violation:

- 9-281(b) : THERE IS A GREEN UNLICENSED, INOPERABLE CAMARO ON THE PROPERTY.

The following violation was complied:

- 24-27(b) : THE TRASH CARTS ARE LEFT OUT ON THE SWALE AFTER PICK-UP.

Ms Bazer requested Ms. Tell order compliance with 9-281(b) within 3 weeks or a fine of \$100 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 9-281(b) within 3 weeks or a fine of \$100 per day.

Case: CE07012008

Ramon Vega & William & Nydia Negron
3106 Southwest 15th Court

Ms. Bazer announced that the Officer had a stipulated agreement with the owner to comply.

Violations:

- 9-280(b) : THERE IS A SCREEN ENCLOSURE IN DISREPAIR ON THIS PROPERTY THAT HAS MISSING/DAMAGED SCREENS.

- 9-304(b) : THERE IS A BLACKTOP DRIVEWAY IN DISREPAIR ON THIS PROPERTY.

Ms Bazer requested Ms. Tell order compliance within 70 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 70 days or a fine of \$25 per day, per violation.

Case: CE06121102

Hearing to Impose Fine

Saint James Lodge #83 Inc
670 Northwest 22 Road

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$5,800 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$5,800 fine.

Case: CE06070949

Hearing to Impose Fine

Sharon Floyd
2341 Northwest 14th Street

Ordered to Reappear from 4/19/07

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$3,950 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$3,950 fine.

Case: CE06110819

Hearing to Impose Fine

Walter Johnson
2580 Southwest 6th Court

Ms. Bazer announced that the property was complied and the City was recommending no fine be imposed.

Ms. Tell imposed no fine.

Case: CE06120940

Hearing to Impose Fine

Anthony Siplin & Jane Willis
923 Northwest 12th Street

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$1,350 fine.

Case: CE06121097

Hearing to Impose Fine

Forrest Young
1451 Southwest 11th Place

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$675 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$675 fine.

Case: CE06121424

Hearing to Impose Fine

David Potter
1515 Southwest 9th Street

Ms. Bazer announced that three of the eight original violations were not complied and the City was requesting imposition of a \$2,750 fine and its continued accrual for sections 18-27(a), 47-21.10 B.1. and 9-280(h)(1).

Ms. Tell imposed the \$2,750 fine.

Case: CE06121571

Hearing to Impose Fine

Michael McCray
2337 Northwest 14th Street

Ms. Bazer announced that two of the original violations were not complied and the City was requesting imposition of a \$2,400 fine and its continued accrual for sections 18-27(a) and 9-304(b).

Ms. Tell imposed the \$2,400 fine.

Case: CE06101464

Hearing to Impose Fine

Nuria Rodriguez
616 Southwest 16th Avenue

Ms. Bazer announced that six of the original nine violations were not complied and the City was requesting imposition of a \$18,600 fine and its continued accrual for sections 18-27(a), 47-20.20.H., 9-280(b), 9-280(c), 9-280(g) and 9-306.

Ms. Tell imposed the \$18,600 fine.

Case: CE07012026

Hearing to Impose Fine

Charles Donnelly
3018 Northeast 20th Court

Ms. Bazer announced that four of the original six violations were not complied and the City was requesting imposition of a \$24,800 fine and its continued accrual for sections 9-280(b), 9-306, 9-308(a) and 9-308(b).

Ms. Tell imposed the \$24,800 fine.

Case: CE06120799

Request for Extension

17th Street Partners LLC
900 Southeast 17th ST

Ms. Bazer announced that the respondents for this case had not appeared.

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:

CE07021053	CE07011590	CE06102523	CE06120467
CE07011648	CE07022173	CE07040048	CE07010757
CE07011011	CE07011096	CE07020698	CE07022154
CE06120688	CE07031815	CE07031011	CE07031530
CE07031688	CE07010498	CE07020378	CE07020563
CE07031229	CE07040161	CE07040554	CE07022150
CE07030456	CE07030654	CE07030914	CE07031148
CE07031157	CE07031219	CE07031406	CE07031517
CE07040227	CE06111837	CE07021590	CE07030382
CE07030836	CE07031053	CE07031775	CE07031938
CE07011926	CE07030403	CE07030422	CE07030568
CE07030569	CE07030575	CE07030580	CE06101074
CE06111796			

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:

CE07030058	CE07010082	CE07030499	CE07030624
CE07031672	CE07022137	CE07030965	CE07021296
CE07030496	CE07040436	CE07010715	CE07030854
CE07031164	CE07030454	CE07031419	CE07011999

Cases Withdrawn

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

CE06072154

CE07010694

CE07030426

Cases Rescheduled

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

CE07020434


CE07021631

There being no further business, the hearing was adjourned at 12:50 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate