

**SPECIAL MAGISTRATE HEARING  
City Commission Meeting Room  
Judge Floyd Hull Presiding  
September 6, 2007  
9:00 A.M. – 3:16 P.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor  
Sue Manning, Secretary, Special Magistrate  
Mary Allman, Secretary Special Magistrate  
Assistant City Attorney  
Cheryl Pingitore, Code Enforcement Supervisor  
Leonard Ackley, Code Enforcement Officer  
Leonard Champagne, Code Enforcement Officer  
Thomas Clements, Fire Inspector  
Dick Eaton, Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
John Gossman, Code Enforcement Supervisor  
Ingrid Gottlieb, Code Enforcement Officer  
Lee Kaplan, Code Enforcement Officer  
Karl Lauridsen, Community Landscape Officer  
Wilson Quintero, Code Enforcement Officer  
Mary Rich, Code Compliance Officer  
Bill Snow, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ursula Thime, Code Enforcement Officer  
Barbara Urow, Code Enforcement Officer  
Salvatore Viscusi, Code Enforcement Officer  
Irma Westbrook, Code Enforcement Officer

Also Present:

CE06070473: Chad Bliebel, property manager; Louis Scholnick, attorney  
CE07040981: Patricia Forum, Board Secretary  
CE07070347: Nelson Ponce, owner's son; Olga Ramos, owner  
CE04080420: Nissan Hammy, owner; Steven Walker, tenant  
CE07031461: Dennis Brooks, owner  
CE06110199; CE06101167; CE06101169: Richard Coker, attorney  
CE06080896: Christopher Peterson, contractor  
CE07061073: Benjamin Bugarin, owner  
CE07050855: Kathleen Salvan, realtor  
CE07070263: Eddie Falcon, owner  
CE07040765: Robert Lamar, contractor's representative  
CE07052104: Learie Hernandez, owner  
CE06092020: Cory Eichorn, attorney  
CE07020369: Peter Pantanzo, attorney's assistant  
CE07020485: Thomas Shoop, owner

CE06100446: Thomas Lanigan, owner  
CE07012090: Joanel Joseph, owner  
CE07011471: Larry Konzny, owner  
CE07051028: Anthony Graham, owner  
CE07020483: Wayne Manning, owner  
CE07041898; CE07052121: Louis Elis, owner  
CE06120594: Helen Smallwood, owner  
CE07032155: Joseph Roberts, owner  
CE06111500: Craig Sheldon, property manager  
CE07040440: Fidel Goldson, owner  
CE07030904: Carlton Brown, owner  
CE03100773: John Zalai, owner; John Rayson, attorney  
CE06110489: William Isenbord, attorney  
CE07060647: Mary Seabrook, owner  
CE07030435: Louise Murray, owner  
CE07030579: Rosena Bivens, owner  
CE07041101; CE07062069: Edna Edwards, owner  
CE07060049: Alba Tylinski, owner; Chris Tylinski, owner  
CE07040436: Dorothy Mitchell, owner  
CE07030564: Lenora Campbell, owner's daughter  
CE07030565: Genoa Jackson, owner  
CE05120655: Douglas Bell, attorney  
CE07021704: Luciano Diaz, owner  
CE07030387: Elmon Wilkerson, owner  
CE06110428: Andrew Flak, estate representative  
CE07010349; CE07010353: Vijay Patel, owner  
CE06061892: Richard Jenkins, owner; Luis Jose Leon, contractor; Peter Ewart, subcontractor  
CE07010554: Jackie Headley, assistant property manager; Lisa Turazaga, property manager  
CE07051741: Jodi Newberry, owner's representative  
CE07030117: John Fowler, construction manager  
CE07040550: Wayne Hillsman, owner  
CE07021719: Mercedes Fernandez, owner; Pedro Beltran, owner  
CE07010833: Domingos Mendez, owner  
CE07031506: Inales Osias, owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 9:00 A.M. Judge Hull cautioned respondents to contact the Code Department if they believed they could not comply by the deadline.

**Case: CE07031461**  
Brooks Family Properties LLC

Hearing to impose fine

410 Southeast 16th Street

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 7/19/07: 1 Section at \$50 per day. The property was complied and the City was recommending no fine be imposed [reduced from \$350].

Mr. Dennis Brooks, owner, explained that the weather and the contractor's lateness had caused delays in the project's compliance.

Mr. Dick Eaton, Code Enforcement Officer, confirmed that Mr. Brooks had been diligent in complying the property, and agreed no fine should be imposed.

Judge Hull imposed no fine.

**Case: CE07031506**

Inales & Violette Osias  
1731 Fairfax Drive

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted on 8/11/07.

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

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS ON THE NORTH SIDE OF THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO TIRES, BUCKETS, ETC.

9-278(e)

THERE ARE WINDOWS COVERED WITH SHUTTERS AT SOUTH SIDE OF THIS PROPERTY, OBSTRUCTING LIGHT AND VENTILATION TO BEDROOMS.

9-280(b)

THERE ARE BROKEN WINDOWS COVERED WITH PLASTIC AT THIS PROPERTY.

9-305(a)

THERE ARE WEEDS/GRASS ENCROACHING THE PEDESTRIAN RIGHT-OF-WAY AT THIS PROPERTY.

9-306

THE EXTERIOR STRUCTURE OF THIS PROPERTY NEEDS PAINT. THERE ARE STAINS AND DIRT IN MANY PLACES.

Complied:

9-281(b)

THERE IS A RED, FOUR (4) DOOR PASSENGER VEHICLE STORED AT THIS PROPERTY DRIVEWAY WITH EXPIRED TAG #V099WQ SINCE 02/07.

Officer Quintero presented photos of the property and case history and recommended ordering compliance with 18-27(a), 9-278(e), 9-280(b), 9-305(a) and 9-306 within 56 days or a fine of \$25 per day, per violation.

Mr. Inales Osias, owner, said his ex-wife was occupying the home, and had a restraining order against him so he could not make repairs to the house. Officer Quintero said Mr. Osias had tried to get permission to enter the premises to make repairs but had been denied. Mr. Osias informed Judge Hull that the house was in his name and his sister's name, and not his wife's, but she was occupying the house. Mr. Osias presented a permit he had pulled to repair the windows. Officer Quintero said he had spoken with Mrs. Osias, who informed him Mr. Osias was the one who damaged the property, trying to prevent her from living there.

Judge Hull clarified that Mrs. Osias had not been awarded the home during the divorce.

Mr. Len Ackley, Code Enforcement Officer, recommended Mr. Osias contact legal aid.

Officer Quintero said Mrs. Osias had informed him that she would permit workers on the property, but not Mr. Osias. Mr. Osias said he could not afford to hire workers and intended to do the work himself.

Judge Hull found in favor of the City stated he did not have the authority to order action be taken contrary to the existing court order. He stated he would reschedule the case in 56 days when an interpreter could be present and advised Mr. Osias to consult an attorney, and to get a court order specifying the date his wife must move out.

**Case: CE07060647**

Mary Seabrook  
2132 Northwest 7th Street

Mr. McKelligett announced that service was via posting on the property on 8/13/07 and at City Hall on 8/16/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
9-329(b)

THE BUILDING IS BOARDED WITHOUT A CITY ISSUED  
BOARD-UP CERTIFICATE.

Officer Snow presented photos of the property and recommend ordering compliance within 63 days or a fine of \$25 per day.

Ms. Mary Seabrook, owner, explained there had been break-ins at the property and this was why she had boarded it. Officer Snow stated the City had boarded up the building,

and not obtained a certificate. He explained to Ms. Seabrook that she must disconnect the water, sewer and electricity from the property in order to obtain a certificate.

Judge Hull found in favor of the City and ordered compliance within 63 days or a fine of \$25 per day.

**Case: CE07030564**

Matilda Brinson  
2420 Northwest 20th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/29/07

Mr. Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:  
9-281(b)

THERE ARE DERELICT, INOPERABLE VEHICLES PRESENT ON THIS PROPERTY. SPECIFICALLY, BLACK FOUR (4) DOOR HYUNDAI ACCENT WITH EXPIRED FLORIDA LICENSE PLATE X69-QQC, 12/05.

Complied:  
9-304(b)

THERE ARE VEHICLES BEING PARKED ON GRASS COVERED SURFACES ON THIS PROPERTY. SPECIFICALLY, BLACK HYUNDAI ACCENT FLORIDA TAG, X69-QQC, 12/05.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day, with the right to tow the vehicle.

Ms. Lenora Campbell, the owner's daughter, explained that the car was operable, and she now parked it on the driveway. Officer Viscusi stated the registration had expired, and the vehicle was heavily damaged, so it was not drivable. Ms. Campbell did not understand how her car represented a threat to the health, safety and welfare of the community and the City had the right to tow it.

Judge Hull found in favor of the City and ordered compliance within 10 days, or a fine of \$100 per day, or the black Hyundai would be towed.

**Case: CE07040981**

Venice Isle Tower Condo Association  
155 Isle of Venice

Mr. McKelligett announced that certified mail sent to the owner and registered agent were accepted on 8/14/07.

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violation:  
8-91(b)

MOORING STRUCTURE AT THIS PROPERTY IS IN DISREPAIR  
AND IT IS AN UNSAFE CONDITION.

Complied:  
9-280(g)

ELECTRICAL ACCESSORIES AND OUTLETS CLOSE TO THE  
MOORING STRUCTURE ARE NOT MAINTAINED.

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 8-91(b) within 91 days or a fine of \$50 per day.

Ms. Patricia Forum, Board Secretary, said the association was aware of the problem, and requested three months to comply.

Judge Hull found in favor of the City and ordered compliance with 8-91(b) within 91 days or a fine of \$50 per day. He cautioned Ms. Forum to notify the Code Department if she could not comply the property by the deadline.

**Case: CE07070347**

Olga Ponce, C. Maldonado & R.D. Canales  
229 Southwest 21<sup>st</sup> Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/17/07

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violations:  
18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS THROUGHOUT  
THE PROPERTY.

47-19.9

THERE IS OUTDOOR STORAGE ON THE PROPERTY  
INCLUDING, BUT NOT LIMITED TO TIRES AND A CEMENT  
MIXER IN THE FRONT YARD.

Complied:  
24-27(b)

THE TRASH RECEPTACLES ARE BEING STORED ON THE  
FRONT OF THE PROPERTY.

9-304(b)

THERE ARE VEHICLES PARKED ON THE LAWN/GRASS AREA.

9-313(a)

THERE ARE NO HOUSE NUMBERS VISIBLE FROM THE  
STREET.

Officer Eaton provided photos of the property and the case file to Judge Hull. He stated the owners had appeared at an October 2006 hearing to address the same violations, and recommended ordering compliance with 18-27(a) and 47-19.9 within 14 days or a fine of \$50 per day per violation.

Mr. Nelson Ponce, the owner's son, explained that the trash had not been picked up the previous Friday as it should have been. He stated the cement mixer was stored in front of the property to make it easier to bring to work sites. Officer Eaton explained that the mixer must be removed from the property entirely.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) and 47-19.9 within 14 days or a fine of \$50 per day per violation.

**Case: CE07010554**

Palm-Aire Village Condo Association  
3001 Northwest 68th Street # Bldg. 9

Mr. McKelligett announced that certified mail sent to the owner and registered agent were accepted on 8/13/07.

Mr. Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:  
24-28(a)

THERE ARE NO ADEQUATE CONTAINERS ON THE PROPERTY  
IN WHICH SOLID WASTE CAN BE DEPOSITED FOR  
COLLECTION BY LICENSED PRIVATE COLLECTORS.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance within eight weeks or a fine of \$100 per day.

Jackie Headley, assistant property manager, said they were aware of the problem, and had requested City staff and Waste Management employees meet with them to find a solution, but so far she had been unable to arrange such a meeting. Ms. Headley said she had spoken with Supervisor Murray in April, but he had never gotten back to her.

Officer Viscusi explained that when this property was annexed into the City, this portion was not annexed regarding City zoning, so they did not have City trash service. He said the condo association must have dumpsters or trash cans on the property, instead of the cans being placed in the swale. Officer Viscusi said the association could contact someone at public services to request being put on the City's trash service, or they must deal with their current provider to resolve the problem.

Ms. Headley said dumpsters were not an option. She said she wanted someone from the City to meet with them at the property to explain where the container should be kept. Officer Viscusi advised her to contact Public Services.

Ms. Lisa Turazaga, property manager, said she had been referred to several people, but no one had given her specific directions or met her on the property to help resolve the issue.

Officer Viscusi said when the area was annexed they had chosen not to become part of the City's trash collection but wanted to have their own, so it was not incumbent upon the City to come up with a solution. He said they must follow up on this with their private collector.

Ms. Headley said when the property was annexed they had an existing contract with waste Management for another five years, so they had elected to keep their services until the contract was ended. She said someone at Waste Management had informed her that they were a commercial property and could not go with the Fort Lauderdale trash collection.

Judge Hull found in favor of the City and ordered compliance within 56 days or a fine of \$100 per day.

**Case: CE07020369**  
Di-Mi Investments Corp  
1135 South Federal Highway

Continued from 8/2/07

Mr. McKelligett announced that the case was continued from 8/2/07.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:  
47-22.9

THERE ARE UNPERMITTED SIGNS ON THE PROPERTY.

Withdrawn:  
47-18.2.C.9.

THERE IS AN ADULT SEX SHOP WITHIN 500 FT. OF A  
CHURCH AND RESIDENTIAL AREA.

Officer Ackley submitted the case history and inspection report into evidence.

Peter Pantanzo, the attorney's assistant, said they had no issue with the ordinance and were making every effort to comply; he requested 30 days. Officer Ackley recommended 14 days since the original violation dated from February. He wanted the signs removed pending their approval.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day.

**Case: CE07020483**  
Wayne Manning  
1563 West Sunrise Boulevard



Mr. McKelligett announced that service was via the appearance of the owner at this hearing.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violation:  
47-22.9

THE SIGN AT THIS LOCATION HAS BEEN ALTERED (COPIES  
INSTALLED) WITHOUT OBTAINING THE PROPER PERMIT.

Supervisor Pingitore submitted photos and the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day.

Mr. Wayne Manning, owner, stated he had acquired the property in May 2006 with these signs intact. He explained how he had altered one of the signs. Mr. Manning said when he had inquired at the City, he was informed he must retain an architect in order alter the sign and obtain permit. Mr. Manning reminded Judge Hull that he was in the process of paying for the Waterworks 2011 renovations and did not have additional money to hire an architect. Mr. Manning asked if he could remove the signs entirely in order to comply. Supervisor Pingitore explained he must remove the sign, the pole and the electricity.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day.

**Case: CE07052104**

Learie Hernandez  
1123 Northwest 15<sup>th</sup> Avenue

Mr. McKelligett announced that service was via the appearance of the owner at this hearing.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violations:  
18-27(a)

THE SWALE HAS BECOME OVERGROWN AND HAS TRASH AND  
LITTER SCATTERED ABOUT THE AREA.

9-280(b)

THERE IS A BROKEN AWNING WINDOW ON THE BUILDING.

9-280(h)(1)

THE WOOD FENCE ON THE PROPERTY HAS BROKEN AND  
MISSING SLATS AND IS IN GENERAL DISREPAIR.

9-281(b)

THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED  
ON THE PROPERTY.

9-304(b)

THERE ARE VEHICLES STORED ON THE GRASS.

Officer Westbrook presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 10 days or a fine of \$25 per day, with 9-280(b) within 35 days or a fine of \$25 per day, with 9-280(h)(1) within 35 days or a fine of \$25 per day, and 9-304(b) within 10 days or a fine of \$25 per day, and with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the vehicles.

Mr. Learie Hernandez, owner, said he had been unable to access the property until an eviction was completed. He agreed to comply in the times stated by Officer Westbrook. Mr. Fernandez said the tenants had been ordered to leave by September 3, but were still occupying the property. As soon as they vacated the property, Mr. Hernandez promised he would make the repairs.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the blue Chrysler, the purple Chevy van, the green Saturn and the green and black Honda, and with 18-27(a), 9-280(b), 9-280(h)(1) and 9-304(b) within 35 days or a fine of \$50 per day per violation.

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

**Case: CE07041101**

E.M., S.B., B.B. and S.A. Edwards, et al  
2312 Northwest 7th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/11/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
9-306

THE EXTERIOR WALLS OF THE HOUSE HAVE AREAS OF  
STAINED, DIRTY OR PEELING PAINT.

Officer Snow presented the case file and stated the owner had informed him the building had been painted and recommended ordering compliance within 14 days or a fine of \$25 per day.

Ms. Edna Edwards, owner, reported the house had been painted the previous Saturday. She had applied for the permit to repair the windows. She requested 30 days to repair the windows.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day.

**Case: CE07062069**

E.M., S.B., B.B. and S.A. Edwards, et al  
2312 Northwest 7th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/11/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
9-328(a)

THE BUILDING IS VACANT AND HAS BROKEN OR MISSING  
WINDOWS, DOORS OR OTHER OPENINGS THAT ALLOW  
UNAUTHORIZED ENTRY.

Inspector Snow presented the case file and recommended ordering compliance within 14 days or a fine of \$100 per day with the right to board the building.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, with the right for the City to board the building.

**Case: CE07010833** Ordered to reappear from 8/2/07  
Domingos Mendez & Lucia Mendes Hearing to impose fine  
5930 Northeast 22nd Terrace

Mr. McKelligett announced that this case was first heard on 4/19/07 to comply by 6/21/07: 1 Section at \$25 per day. Fines had been suspended from 8/2/07 to 9/6/07. The property was complied and the City was requesting imposition of a \$1,025 fine.

Ms. Ingrid Gottlieb, Code Enforcement Officer, reported that the work was completed prior to the compliance date. The owner had been awaiting final inspection on the permit. She therefore would favor a reduction of the fine.

Mr. Domingos Mendez, owner, said he had waited three months for the inspection.

Judge Hull imposed no fine.

**Case: CE07061073**  
Benjamin & Rosalinda Bugarin  
501 Southeast 22<sup>nd</sup> Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/22/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:  
18-27(a)

THERE IS TRASH AND DEBRIS ON THE PROPERTY. THIS IS  
A REPEAT VIOLATION OF CE06121166.

Complied:  
47-19.9

THERE IS OUTDOOR STORAGE ON THE PROPERTY.

9-281(b)

THERE IS AN INOPERABLE BLUE FOUR (4) DOOR NISSAN  
ON THE PROPERTY WITHOUT LICENSE OR TAG. THIS IS A  
REPEAT VIOLATION OF CE06121166.

Officer Eaton said he had discussed what needed to be done with Mr. Bugarin more than once. He submitted his case file into evidence and recommended that a fine of \$100 per day be imposed dating from August 7.

Mr. Benjamin Bugarin, owner, said his lawn maintenance person had put the lawn clippings and other yard debris in bags and out for collection on the swale. He noted that maintenance was performed twice per month and these items were collected twice per week. Officer Eaton said the trash was on the property, not on the swale. He said he had advised Mr. Bugarin to hire a property manager.

Judge Hull found in favor of the City and imposed a fine of \$100 per day dating from August 7, 2007.

**Case: CE03100773**

John & Wendy Zalai  
2041 Northeast 56th Court

Continued from 8/2/07

Mr. McKelligett announced that his case was continued from 8/2/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said the Assistant City Attorney had provided a letter stating the ordinance dated from 1997, six years prior to the Tiki huts' construction. The Tiki huts were therefore in violation of the ordinance, as one shade structure only was permitted on a property and must not be located within the required setback.

Mr. John Rayson, attorney for the owner, submitted a motion to dismiss. The Assistant City Attorney said the City opposed the motion to dismiss, pointing out that it contained a typographical error that rendered it meaningless. The Assistant City Attorney explained that she was aware of the building exemptions for the Seminole Indians, but said regardless of who installed Tiki huts, the ordinance stated the property owner was entitled to one shade structure on the property, and that structure must not be placed within the setback. The exemptions for the Seminole Indians were to the building code, regarding the permit process, not to the zoning.

The Assistant City Attorney noted that this case was first put on the Special Magistrate agenda in May, and she did not know why it had taken this long for Mr. Rayson to submit a motion to dismiss. She stated the City was prepared to present the case and go forward.

Mr. Rayson said the Assistant City Attorney was incorrect. The original ordinance was passed in 1997. The Zalais were originally charged in 2003, 2004 and 2006 with failure to obtain permits. The Zalais had demonstrated that if the huts were constructed by the Miccosukee or Seminole Indian tribes, then no permit was required. In 2007 the City had charged the Zalais with violating Section 47-19.2P. Mr. Rayson said he had done extensive research, and the first reference he could find to 2P was in 2004, almost two years after the huts were erected.

Mr. Rayson also presented a copy of the disposition from a previous zoning code violation under different case number, where Mr. Zalai has been charged for the Tiki huts in 2006. That disposition indicated that the violations had been corrected and the case had been closed.

The Assistant City Attorney referred to the ordinance Mr. Rayson had provided, C-04-02, and explained this was an amendment to section 47-19.2. She stated this section already existed in 2004, when the City amended it to incorporate requirements regarding Tiki hut's within 10 feet of a waterway. The original section 47-19.2 did exist prior to the Zalais' Tiki huts' installation. She reiterated that the zoning ordinance that predated the adoption of the ULDR in 1997 prohibited more than one Tiki hut per property, and also prohibited any structure's being located within a setback. In this case, there were three shades structures that were located within setbacks.

Mr. Rayson reiterated that he had done extensive research on this code section and presented a complete history of 47-19. He said there was no to P2, the subsection under which the Zalais had most recently been cited, until 2004.

Officer Gottlieb confirmed that the Tiki huts were seen on satellite photos dated 2003. Mr. Rayson said Mr. Zalai had stated in an email to the City that they had been built in 2002.

Officer Gottlieb explained that the other cases had not gone through because the City agreed no permit had been required. She added that the owner must go through the permitting process in order to gain zoning approval.

Officer Gottlieb stated on March 6, 2007. She had submitted a new inspection report, citing the new violation that more properly addressed the issue, using the old case number. She said she was permitted to do this.

The Assistant City Attorney explained the case was begun in 2003 and a Magistrate had never made a determination that a violation existed. The notice had been amended by changing the section under which the citation was written, and the case was brought to the Special Magistrate. The Assistant City Attorney stated this was not res judicata because there had never been a complete case before.

The Assistant City Attorney explained to Judge Hull that the original ordinance regarding Tiki huts predated the 1997 compilation of the ULDR, but had very likely been renumbered. She reiterated that only the sentence regarding huts located within 10 feet of a waterway had been added in 2004.

Judge Hull asked about the original 2003 citation regarding the need for permit, and the Assistant City Attorney said the history did not show how this was resolved. She said it was possible that the property owner had provided documentation indicating the huts were constructed by Indians, and the City agreed no permits were required. She reminded Judge Hull that the owner was present this evening because there was more than one hut on the property, and they were located within the setback.

Mr. Rayson informed Judge Hull that according to Florida state law, huts built by Seminoles were also exempt from setback requirements. Mr. Rayson stated that since 2003, the City had charged Mr. Zalai with a separate violation and complied it under a different case number. This had been included in his motion to dismiss.

Officer Gottlieb explained that the case to which Mr. Rayson referred as having been complied was dismissed because it was a duplicate of this same violation. This had been discussed the previous hearings.

The Assistant City Attorney suggested the City Attorney and Mr. Rayson both submit briefs on his motion to dismiss. Mr. Rayson said he and appeared four times to address this. He said now they were at the end of the argument on the motion, and he felt laches had been proven, and Mr. Zalai was entitled to dismissal.

Judge Hull found that laches and res judicata did apply and dismissed the case.

**Case: CE07070263**

Eddie Falcon  
800 Northwest 15<sup>th</sup> Terrace

Mr. McKelligett announced that service was via the appearance of the owner at this hearing.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violation:  
9-328(a)

THE BUILDING IS IN AN UNSECURED CONDITION. THERE ARE OPEN WINDOWS CREATING A HAZARD TO THE COMMUNITY.

Withdrawn:  
18-27(a)

THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED. THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY.

Supervisor Pingitore presented photos of the property and the case file and recommended ordering compliance with 9-328(a) within 14 days or a fine of \$100 per day, with the right to board the property.

Mr. Eddie Falcon, owner, explained the property was in foreclosure, and he hoped a new owner would take possession in a month. He asked that the City board the property.

Judge Hull found in favor of the City and ordered compliance with 9-328(a) within 14 days or a fine of \$50 per day, with the right for the City to board the property.

**Case: CE07030565**

Genoa Jackson  
2433 Northwest 20<sup>th</sup> Street

Mr. McKelligett announced that service was via the appearance of the owner at this hearing.

Mr. Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:  
9-304(b)

THE DRIVEWAY ON THIS PROPERTY IS IN DISREPAIR.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance within four weeks or a fine of \$25 per day.

Mr. Genoa Jackson, owner, said he purchased the property in December and had then been hospitalized with a hernia. He said he was now working two jobs to be able to afford laying slabs for the driveway.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day.

**Case: CE07021719**

Pedro Beltran Rojas Inc.  
3543 Davie Boulevard

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 7/12/07: 1 Section at \$50 per day. The property was not complied and the City was requesting imposition of the \$2,750 fine and its continued accrual until the property was complied.

Officers Quintero and Thime translated for the owners.

Officer Quintero said the owners had applied for a permit for the sign on June 22, 2007, but it had failed plan review on August 24.

Ms. Mercedes Fernandez and Mr. Pedro Beltran, owners, requested another 60 days to comply.

Judge Hull continued the case for 56 days and said no fine would accrue during that time.

**Case: CE07021704**  
Super Stop #812 INC  
2691 Davie Boulevard

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 7/12/07: 2 Sections at \$50 per day each. The property was not complied and the City was requesting imposition of the \$5,500 fine and its continued accrual until the property was complied.

Ms. Luciano Diaz, owner, said he purchased the property in May. He said he had hired a sign contractor, who had not completed the work and had disappeared with his deposit. He had contacted British Petroleum, who promised to provide him with a sign. He requested an extension of 63 days.

Mr. Mario Sotolongo, Code Enforcement Officer, said he did not object to the extension.

Judge Hull continued the case for 56 days and said no fine would accrue during that period.

**Case: CE07020485**  
Thomas & Charlene Shoop  
1220 South Miami Road

Continued from 7/5/07

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 7/5/07: 1 section at \$50 per day. Fines had been suspended from 7/6 to 9/6/07. The property was not complied and the City was requesting that the fine accrue until the property was complied.

Mr. Thomas Shoop, owner, said he had just received the permit and construction of the wall would begin the following week. He requested an additional 30 days.

Mr. Dick Eaton, Code Enforcement Officer, recommended more than 30 days, as inspections would be required.

Judge Hull continued the case for 56 days and said no fine would accrue during that period.

**Case: CE07030117**  
American One Inc.  
3400 Southwest 12 Place

Ordered to reappear from 8/16/07  
Hearing to impose fine



Mr. McKelligett announced that this case was first heard on 7/19/07 to comply by 8/2/07: 4 sections at \$250 per day each. Fines had been suspended from 8/16 to 9/6/07. The property was complied and the City was requesting imposition of the \$11,500 fine.

Mr. John Fowler, construction manager, explained that the building manager had not reported the violations to the main office and had absconded with rent checks. Mr. Fowler said the notices had also been sent to the property address instead of to the business office address. He noted that as soon as he became aware of the violations, he had taken care of them.

Mr. Wilson Quintero, Code Enforcement Officer, said he had notified the owner twice by phone as soon as he found violations. It was not until the owner received the Notice of Violations from the City that he contacted Mr. Fowler.

Mr. Fowler said he had a receipt from the exterminating company that proved section 9-276 (c)(3) was complied as of August 6. Judge Hull agreed to comply this violation on that date. He certified the compliance dates and fines for the other violations.

Judge Hull reduced the total fine to \$9,500.

**Case: CE04080420**

Hearing to impose fine

Beach Boys Plaza Inc.

405 South Fort Lauderdale Beach Boulevard

Mr. McKelligett announced that this case was first heard on 10/21/04 to comply by 4/22/05: 1 section at \$100 per day. The property was complied and the City was requesting imposition of the \$82,300 fine.

Mr. Steven Walker, tenant, said the work had been completed in March 2005, and he had phoned Inspector Kaplan to inspect the property. He said they had not heard back from Inspector Kaplan and assumed the property was complied. Twenty-seven months later, they received the letter to appear at this hearing.

Mr. Lee Kaplan, Code Enforcement Officer, said if the tenants could provide a receipt proving the parking lot had been paved by the ordered date, the City would accept administrative costs and agree to reduce the fine. Mr. Walker said they did not have the receipt. He had purchased the blacktop from Home Depot and had applied it himself, with a helper.

Judge Hull asked what had happened in the two years between the compliance deadline and Officer Kaplan's July inspection. Officer Kaplan explained that his territory had moved in 2004 and he could not explain what had happened in the interim. Mr. McKelligett confirmed that the area had changed inspectors and the new Inspector had not been notified to reinspect property.

Judge Hull imposed no fine.

**Case: CE07011471**

Hearing to impose fine

L.R. & Antoinette Konzny  
1401 Southwest 34th Avenue

Mr. McKelligett announced that this case was first heard on 4/5/07 to comply by 5/3/07: 1 section at \$50 per day. Fines had been suspended from 5/4 to 7/5/07. The property was complied and the City was requesting imposition of the \$170 fine [reduced from \$850].

Mr. Larry Konzny, owner, said he had been unable to find a contractor to make the repair and had to hire the manufacturer.

Judge Hull imposed a \$170 fine.

**Case: CE06100446**

Request for extension

1223 Northeast 15th Avenue  
1223 Northeast 15th Avenue LLC

Mr. McKelligett announced that the case was first heard 6/7/07, to comply by 8/23/07: 1 section at \$50 per day. The respondent was requesting an extension.

Mr. Thomas Lanigan, owner, said this had begun as a small paving job and had morphed into a "Kafkaesque" scenario. Mr. Lanigan explained that when he applied for the paving permit, it triggered requirements for curbing and landscaping, which the contractor was unprepared to do. David Gennaro, Senior Landscape Inspector, had advised Mr. Lanigan to just redo the paving in its original form, and re-stripe the existing spots.

When the plans were resubmitted, the City informed Mr. Lanigan that a 24-inch high landscaping hedge was required on the side of the property that abutted another property. Mr. Lanigan said he now must hire a landscape architect, and requested an additional 56 days.

Judge Hull continued the case for 56 days and said no fines would accrue in the interim.

**Case: CE07050855**

Sonya Sidberry  
720 Southwest 19<sup>th</sup> Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/18/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violations:  
47-21.8.A.

THE LANDSCAPE HEDGES AND SHRUBS ARE OVERGROWN AND NOT BEING MAINTAINED IN A NEAT MANNER.

9-306

THE EXTERIOR OF THIS STRUCTURE IS NOT BEING MAINTAINED. IT IS DIRTY, STAINED AND IN NEED OF PAINT.

Complied:

18-27(a)

THE PROPERTY IS OVERGROWN AND HAS TRASH AND DEBRIS THROUGHOUT.

9-280(h)(1)

THE FENCE ON THIS PROPERTY IS DAMAGED AND IN DISREPAIR.

Officer Eaton presented photos of the property and the case file to Judge Hull.

Ms. Kathleen Salvan, realtor, said an investor had purchased the property in February with the intent to renovate and resell the property, but she had not been able to afford to keep the property. Ms. Salvan agreed to maintain the property until it was sold. She requested 45 days to clean up the outside of the structure.

Judge Hull found in favor of the City and ordered compliance with 47-21.8.A. and 9-306 within 56 days or a fine of \$50 per day per violation.

**Case: CE07060049**

Continued from 8/2/07

Alba Tylinski  
2319 Northeast 35th Drive

Mr. McKelligett announced that the case was first heard 7/19/07, to comply by 8/2/07: 3 section at \$250 per day each. Fines had been suspended from 8/3 to 9/6/07.

Mr. Chris Tylinski, owner, said there was construction ongoing at the property and would continue for approximately eight months. He said the contractor had removed the debris.

Mr. Adam Feldman, Code Enforcement Officer, withdrew 9-328(a) because the site had an active permit. Officer Feldman said there was a dumpster present, but there was also a pile of loose construction debris, which the contractor had promised him would be removed today. Officer Feldman intended to reinspect the property this afternoon.

Judge Hull continued the case for 28 days and said no fine would accrue during that time.

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

**Case: CE07041898**

Francis Fertil  
1609 Northwest 16th Street

Mr. McKelligett announced that service was via posting on the property on 8/9/07 and at City Hall on 8/16/07.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violation:  
9-328(a)

THE STRUCTURE AT THIS LOCATION HAS BEEN LEFT OPEN  
AND ABANDONED CREATING A NUISANCE, POTENTIAL  
HAZARD AND AN UNSAFE CONDITION.

Supervisor Pingitore presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$100 per day with the right for the City to board the property. Supervisor Pingitore reported that the owner had been present earlier but had to leave the hearing.

Judge Hull found in favor of the City and ordered compliance within 28 days or a fine of \$100 per day with the right for the City to board the property.

**Case: CE07052121**

Francis Fertil  
1609 Northwest 16th Street

Mr. McKelligett announced that service was via posting on the property on 8/9/07 and at City Hall on 8/16/07.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violation:  
9-326

THE BUILDING HAS NOT BEEN MAINTAINED BY THE OWNER  
OF RECORD OR ANY THIRD PARTY. THE BUILDING AND  
SURROUNDING PROPERTY IS IN A SUB-STANDARD CONDITION.

Withdrawn:

9-331

THE BUILDING HAS BROKEN WINDOWS AND/OR UNSECURED  
DOORS. THE BUILDING REPRESENTS A HAZARD TO THE  
NEIGHBORHOOD IN ITS CURRENT STATE.

Supervisor Pingitore recommended ordering compliance within 14 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 28 days or a fine of \$100 per day.

**Case: CE06111500**

Continued from 8/2/07

Parkway Commerce Center Ltd.  
1919 Northwest 19 Street

Mr. McKelligett announced that this case was first heard on 3/15/07 to comply by 5/17/07: 1 Section at \$50 per day. Fines had been suspended from 7/5 - 8/2/07, and from 8/3 - 9/6/07. The property was complied, and the City was recommending that no fine be imposed [reduced from \$2,400].

Judge Hull imposed no fine.

**Case: CE06080896**

Peggy Messingschlager Revocable Trust/ Request for extension  
Peggy Messingschlager, Trustee  
425 Southwest 12<sup>th</sup> Street

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 8/2/07: 1 Section at \$25 per day. The property was complied, and the City was requesting imposition of an \$800 fine.

Mr. Chris Peterson, Peterson Marine Construction, said he had finally received the permit, and the project was complete.

Mr. Len Ackley, Code Enforcement Officer, confirmed that the property was complied. He explained the difficulties the contractor had experienced in making repairs, causing the delay.

Judge Hull imposed no fine.

**Case: CE06092020**

Hearing to impose fine

GMAC Mortgage Corporation  
1132 Northwest 2nd Street

Mr. McKelligett announced that this case was first heard on 2/1/07 to comply by 3/15/07: 1 Section at \$50 per day. Fines had been suspended from 4/19 to 6/21/07. The property was not complied, and the City was requesting imposition of a \$5,500 fine and its continued accrual until the property was complied.

Mr. Cory Eichorn, attorney, requested a 60-day extension. He explained that GMAC had acquired the property three years ago via a quit claim in lieu of foreclosure. At that time there was a code enforcement lien on the property. Mr. Eichorn had resolved that case with the City for \$70,000.

Mr. Eichorn said GMAC wanted to remove the boards from the property, but it had been difficult to find a contractor because the area was dangerous. Mr. Eichorn said now that the boards had been removed there were repairs required to the windows.

Mr. William Snow, Code Enforcement Officer, said he would not object to an extension. He noted that the property was being maintained now.

Judge Hull granted a 56-day extension and said no fine would accrue during that time. Respondent was ordered to reappear November 1, 2007.

**Case: CE07030579**

Rosena Rouse  
2284 Northwest 20th Street

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 6/14/07: 2 Sections at \$25 per day each. The property was complied, and the City was requesting imposition of a \$2,825 fine.

Ms. Rosena Bivens, owner, said after the hurricane, it had taken over nine months to receive the settlement money, and it was far less than the costs to repair the house. Ms. Bivens said she did not know she was entitled to request an extension. Ms. Bivens explained to Judge Hull that she had been unable to remove the large debris herself and had needed to hire someone.

Mr. Leonard Champagne, Code Enforcement Officer, said he had taken this case over in May, and at that time there was some debris remaining on the property. The painting violation was complied just the previous day. Ms. Bivens explained that she had done the painting work herself.

Judge Hull reduced the fine to \$1,500.

**Case: CE06110428**

Request for extension

Edmund Flak  
2733 Northeast 32nd Street

Mr. McKelligett announced that this case was first heard on 2/15/07 to comply by 6/7/07: 1 Section at \$25 per day. Fines had been suspended from 6/8 to 6/21/07 and from 6/22 to 9/6/07. The property was not complied, and the respondent was requesting an extension.

Mr. Andrew Flak, estate representative, explained they planned an addition to the property and were awaiting permit approvals. He requested three months for the work to be completed.

Ms. Ingrid Gottlieb, Code Enforcement Officer, did not object to a three-month extension. She noted that the property had been maintained well, and they were making a good effort to comply.

Judge Hull granted and 91-day extension and said no fine would accrue during that time.

**Case: CE07040440**

Request for extension

Jacob's Heritage Inc.  
2012 Northwest 6th Street

Mr. McKelligett announced that this case was first heard on 6/21/07 to comply by 9/13/07: 5 Section at \$50 per day each. The property was not complied, and the respondent was requesting an extension.

Mr. Fidel Goldson, owner, said they had blacktopped the driveway immediately after being cited. They had also repaired the dumpster enclosure, but had done so without a permit and were still waiting for the permit application to be approved.

Mr. William Snow, Code Enforcement Officer, said he had not yet inspected this property that he had recently taken on. He was aware that the permit application had failed two inspections, and said he had no objection to an extension.

Judge Hull granted a 91-day extension.

**Case: CE06070473**

Hearing to impose fine

SABCO Properties Inc.  
101 Southwest 31st Avenue

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 7/19/07: 2 Sections at \$150 per day. The property was not complied and the City was requesting imposition of a \$14,400 fine and its continued accrual until the property was complied

Mr. Louis Scholnick, attorney, asked if the mold and mildew issue had been resolved.

Ms. Irma Westbrook, Code Enforcement Officer, read from Officer Cross's notes, which indicated he had inspected the property on 7/20/07 and found that the overhang was not complied.

Mr. Scholnick said they had experienced problems with the contractor, and he had sent a certified letter demanding the contractor perform the work promised, which had failed and resulted in their going through arbitration. Mr. Scholnick said they would fire this contractor and hire a new one. He requested abatement of the fines and a 180-day continuance to allow time to hire a new contractor and to obtain new permits.

Officer Westbrook provided photos of the property to Judge Hull.

Mr. Chad Bliebel, property manager, said they had demolished the old overhang and built a new one. He did not believe there was any hazard. He said he had spoken with Officer Cross just last week, and Officer Cross informed him he would clear the overhang issue.

Judge Hull granted a 91-day extension and ordered Mr. Scholnick to appear at the 12/6/07 hearing.

**Case: CE07040436**  
Dorothy Mitchell  
2400 Northwest 30th Terrace

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 6/21/07 to comply by 7/12/07: 1 Section at \$100 per day. The property was complied and the City was requesting imposition of a \$400 fine.

Ms. Dorothy Mitchell, owner, said she and her children had experienced medical issues.

Mr. Leonard Champagne, Code Enforcement Officer, said Ms. Mitchell had moved two cars that belonged to her son but had resisted moving her car because it was "her baby." She had retrieved her car from the towing company after the City towed it, and then registered it. Officer Champagne did not object to reduction of the fine.

Judge Hull reduced the fine to \$200.

**Case: CE05120655**  
Emma Joe Bartlett Estate  
2633 Southwest 7th Street

Ordered to reappear from 5/3/07

Mr. McKelligett announced that this case was first heard on 2/1/07 to comply by 4/5/07: 2 Sections at \$50 per day. Fines had been suspended from 5/3 to 9/6/07. The property was not complied and the City was requesting imposition of a \$2,700 fine and its continued accrual until the property was complied.

Mr. Douglas Bell, attorney, said he had experienced problems with the first contractor he had retained and had subsequently hired a new architect and contractor. The new architect had completed plans, and the new contractor had applied for permits. He explained that the ownership issue had not been settled yet. There was a hearing scheduled regarding this September 12. Mr. Bell requested 90 days to get the permits.

Judge Hull granted a 91-day continuance to December 6, 2007 and said no fine would accrue during that time.



**Case: CE06061892**

Continued from 8/2/07

Scherry Jenkins  
3000 North Federal HWY # 9

Mr. McKelligett announced that this case was first heard on 9/7/06 to comply by 10/7/06: 1 Section at \$50 per day. Fines had been suspended from 10/19/06 to 3/1/07, from 3/2 to 5/3/07, from 5/4 to 6/7/07 from 6/8 to 7/5/07 and from 8/2 to 9/6/07. The property was not complied and the City was requesting imposition of a \$1,900 fine and its continued accrual until the property was complied.

Mr. Richard Jenkins, owner, said he had signed a contract for the concrete in March.

Mr. Luis Jose Leon, contractor, said the structural work was complete, had been inspected and approved, and the next step was the concrete pouring.

Mr. Peter Ewart, subcontractor, said they were ready for the concrete. He explained he had experienced delays due to weather and equipment problems, but planned to complete work by Wednesday.

Mr. Leon explained that once this was completed, they would begin roofing the building. Mr. Jenkins felt 30 days should be sufficient.

Mr. Len Ackley, Code Enforcement Officer, noted how many times this case had been continued and said neighbors in the plaza were complaining. Officer Ackley pointed out that in April, the general contractor claimed he needed one more week. He recommended fines be reinstated until the property was complied.

Judge Hull granted a 28-day extension said no fines would accrue during that time. Respondent was ordered to reappear October 4, 2007.

**Case: CE07030435**

Hearing to impose fine

Louise Murray  
2217 Northwest 20th Street

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 7/5/07: 2 Sections at \$25 per day each. The property was complied and the City was requesting imposition of the \$700 fine.

Ms. Louise Murray, owner, asked Judge Hull to abate the fines. She explained that when she had first received the citations she had just had a knee replacement operation, and further delays had been caused by the weather.

Mr. Leonard Champagne, Code Enforcement Officer, said he did not object to a reduction of the fines.

Judge Hull imposed no fine.

**Case: CE07030904**

Hearing to impose fine

Carlton & Verenda Brown  
2021 Northwest 29<sup>th</sup> Avenue

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 7/19/07: 2 Sections at \$100 per day each. The property was complied and the City was requesting imposition of the \$1,200 fine.

Mr. Carlton Brown, owner, said a friend had promised to purchase the vehicles, but the deal had fallen through. Mr. Brown had spoken to Officer Cross's supervisor and explained he would find some other way to comply. He had found a leased location in which to park the vehicles. Mr. Brown asked that the fines not be imposed.

Judge Hull reduced the fine to \$500.

**Case: CE07051028**

Hearing to impose fine

Horace Graham Estate  
1421 Northwest 24th Avenue

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 7/19/07: 1 Section at \$100 per day. The property was complied and the City was requesting imposition of the \$300 fine.

Mr. Anthony Graham, owner, said he had applied for the registrations in time, but the agency had not been able to supply them right away.

Judge Hull imposed no fine.

**Case: CE06110489**

Request for extension

Grif-Ko Apartments Inc.  
2075 South Federal Highway

Mr. McKelligett announced that this case was first heard on 1/18/07 to comply by 3/22/07: 2 Sections at \$50 per day each. Fines had been suspended from 4/19 to 6/21/07 and from 6/22 to 8/16/007. The property was not complied and the City was requesting imposition of the \$4700 fine and its continued accrual until the property was complied.

Mr. Dick Eaton, Code Enforcement Officer, said he had spoken with the owner and with the attorney, who said the building department had informed the owner he must replace the entire roof instead of repairing it. Officer Eaton had recommended a meeting with

the building official to determine exactly what must be done. He requested an extension until October 4, 2007.

Judge Hull granted an extension to October 4, 2007.

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

**Case: CE06110199**

Ordered to reappear from 7/5/07

416 Southwest 1st Avenue  
South Riverwalk Investments LLC

Mr. McKelligett announced that this case was first heard on 12/7/06 to comply by 7/4/07: 1 Section at \$50 per day. The property was complied, and the City was requesting imposition of a \$1,450 fine.

Mr. Richard Coker, attorney, said when he appeared 60 days ago, the City had agreed that if the property were complied within 60 days, no fine would be imposed.

Mr. Len Ackley, Code Enforcement Officer, confirmed that this had been the agreement.

Judge Hull imposed no fine.

**Case: CE06101167**

Ordered to reappear from 7/5/07

South Riverwalk Investments LLC  
417 South Andrews Avenue

Mr. McKelligett announced that this case was first heard on 12/7/06 to comply by 7/4/07: 1 Section at \$50 per day. The property was complied, and the City was requesting imposition of a \$1,450 fine.

Judge Hull imposed no fine.

**Case: CE06101169**

Ordered to reappear from 7/5/07

South Riverwalk Investments LLC  
429 South Andrews Avenue

Mr. McKelligett announced that this case was first heard on 12/7/06 to comply by 7/4/07: 1 Section at \$50 per day. The property was complied, and the City was requesting imposition of a \$1,450 fine.

Judge Hull imposed no fine.

**Case: CE07012090**

Hearing to impose fine

Joanel Joseph  
1301 Northwest 7th Avenue

Mr. McKelligett announced that this case was first heard on 3/15/07 to comply by 3/29 and 4/12/07: 2 Section at \$50 per day each. Fines had been suspended from 5/17 to 9/20/07. The property was complied, and the City was requesting imposition of the \$2,200 fine.

Mr. Joanel Joseph, owner, did not understand why fines had accrued when he had been granted an extension.

Ms. Irma Westbrook, Code Enforcement Officer, said she had spoken to Mr. Joseph regarding his options for the ground cover and the parking area. She said he had requested an extension on May 18, and had been granted 126 days because of the drought.

Judge Hull reduced the fine to \$1,000.

**Case: CE07032155**  
Joseph Roberts  
1710 Northwest 9th Street

Ordered to reappear from 8/2/07

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 6/21/07: 4 sections at \$100 per day each. Fines had been suspended from 8/2 to 9/7/07. The property was complied, and the City was requesting imposition of the \$15,100 fine.

Mr. Joseph Roberts, owner, asked Judge Hull to waive the fines. He said the property manager had been informing him that there were no problems at the property. It was not until she passed away that Mr. Roberts had been notified about issues at the property. As soon as he was informed in July, he had acted immediately.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, confirmed that Mr. Roberts had met with her on the property as soon as he learned of the problems. She said she had first spoken with him on July 16.

Mr. Roberts confirmed that whenever the property manager made him aware of a problem he did provide the funds for the repairs. Judge Hull could not believe that Mr. Roberts could own property, live so nearby, and never visit it.

Judge Hull asked if Mr. Roberts had received notice of the hearings. Supervisor Pingitore said the City had not received proper service for the May 3 hearing and the case was rescheduled for June 7. She researched the file to determine if Mr. Roberts had ever been personally notified and determined that certified mail addressed to Mr. Roberts had been returned unclaimed on July 6, 2007.

Judge Hull imposed no fine.

**Case: CE06120594**

Continued from 7/5/07

Smallwoods 13 LLC  
1672 Southeast 10th Avenue

Mr. McKelligett announced that this case was first heard on 2/15/07 to comply by 4/16/07: 1 Section at \$50 per day. Fines had been suspended from 4/17 to 5/16/07, from 5/17 to 6/21/07 and from 7/5 to 9/6/07. The property was not complied and fines had accrued to \$650.

Ms. Helen Smallwood, owner, said the work was completed yesterday and they were expecting final inspection today.

Mr. Dick Eaton, Code Enforcement Officer, agreed to work was complete and requested a 14-day extension to prevent fines running.

Judge Hull granted a 14-day extension and said no fines would run in the interim. He ordered Ms. Smallwood to return on October 4 to address the fines.

**Case: CE07030387**

Request for extension

Elmon Wilkerson  
2711 Northwest 16<sup>th</sup> Court

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 8/16/07: 1 Section at \$50 per day. The property was not complied, fines had accrued to \$1,000 and the owner was present to request an extension.

Elmon Wilkerson, owner, requested an extension. He said he had been in litigation for some time with the insurance company regarding the damages, and had settled just a few weeks ago. Mr. Wilkerson said he did not have the money to make the repairs himself.

Mr. Leonard Champagne, Code Enforcement Officer, confirmed that only recently the insurance company reimbursed Mr. Wilkerson for his roof, and said he did not object to an extension.

Judge Hull granted a 56-day extension, and said no fines would accrue in the interim. He ordered Mr. Wilkerson to attend the November 1 hearing to address the fines.

**Case: CE07051741**

Hearing to impose fine

Dupont Townhomes LLC  
3210 Northeast 51st Street

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 7/19/07: 1 Section at \$25 per day. The property was complied and the City was requesting imposition of the \$525 fine.

Ms. Jodi Newberry, owner's representative, requested reduction of the fine. She said she had been in constant contact with Officer Gottlieb, and there had been a misunderstanding with her landscaping company

Ms. Ingrid Gottlieb, Code Enforcement Officer, confirmed that she had been in contact with Ms. Newberry, and that there had been a misunderstanding with the landscaping company.

Judge Hull reduced the fine to \$300.

**Case: CE07040550**

Hearing to impose fine

Curtis & Valvery Hillsman  
3432 Southwest 12th Place

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 7/19/07: 1 Section at \$25 per day. The property was complied and the City was requesting imposition of the \$475 fine.

Mr. Wayne Hillsman, owner, said the property with now complied. Mr. Hillsman said he had asked the tenant to install the house numbers while he was away, but the tenant had never done so. When he returned to town, he had installed the numbers himself

Judge Hull imposed no fine.

**Case: CE07041629**

Bethanie Alfred  
1221 Northeast 5th Avenue

Mr. McKelligett announced that service was via posting on the property on 8/10/07 and at City Hall on 8/16/07.

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 and the case file and recommended ordering compliance within 28 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day.

**Case: CE07050680**

Michael Brand  
1545 Northwest 8th Avenue

Mr. McKelligett announced that service was via posting on the property on 8/10/07 and at City Hall on 8/16/07.

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.

9-304(b)

THE GRAVEL DRIVE IS NOT WELL-GRADED AND DUST-FREE.

9-308(b)

THE ROOF TILES ARE DIRTY AND STAINED.

Officer Westbrook provided photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$50 per day, with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow, and with 9-304(b) and 9-308(b) within 28 days or a fine of \$50 per day per violation.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$50 per day, with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the Isuzu truck, and with 9-304(b) and 9-308(b) within 28 days or a fine of \$50 per day per violation.

**Case: CE07071312**

Douglas Fleishman  
1329 Northwest 7th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date]

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

9-280(h)(1)

FENCE IN DISREPAIR.

24-27(b)

THE TRASH CARTS ARE CONTINUALLY LEFT OUT ON THE SWALE IN PUBLIC VIEW.

Officer Westbrook presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$50 per day per violation.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day per violation.

**Case: CE07061341**

David Turner  
2525 Okeechobee Lane

Mr. McKelligett announced that service was via posting on the property on 8/9/07 and at City Hall on 8/16/07.

Violation:  
47-21.13

DEAD ROYAL PALM BACKYARD, DEAD QUEEN PALM FRONT YARD.

Mr. McKelligett stated Officer Lauridsen had recommended ordering compliance within 21 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with and 21 days or a fine of \$25 per day.

**Case: CE07041746**

Chanderdat Debah  
1119 Northeast 15th Avenue

Mr. McKelligett announced that service was via posting on the property on 8/13/07 and at City Hall on 8/16/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:  
9-280(b)

SOFFIT IS IN DISREPAIR. EXTERIOR WOOD PANELS ARE  
IN DISREPAIR.

9-308(a)

ROOF IS IN DISREPAIR AS IT IS VISIBLY SINKING,  
CAVING IN.

Complied:  
18-27(a)

LANDSCAPING IS OVERGROWN.

Officer Gottlieb submitted the case file and recommend ordering compliance with 9-280(b) and 9-308(a) within 35 days or a fine of \$25 per day per violation.

Judge Hull found in favor of the City and ordered compliance with 9-280(b) and 9-308(a) within 35 days or a fine of \$25 per day per violation.

**Case: CE07050861**

A.M. Julien Architects,  
Inspections and Valuations, Inc.  
3801 Southwest 12th Court



Mr. McKelligett announced that certified mail sent to the owner and the registered agent were accepted on 8/17/07.

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

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ON THIS VACANT LOT. ALSO GRASS/PLANT OVERGROWTH.

47-34.1.A.1.

THERE ARE CARS PARKED AND STORED ON THIS VACANT LOT ALL THE TIME.

Officer Quintero presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$100 per day per violation.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day per violation.

**Case: CE07050476**

Stipulated Agreement

Joseph Vrechek III Revocable Trust  
515 Idlewyld Drive

Violations:

18-27(a)

ALL THE YARDS ON THIS PROPERTY ARE OVERGROWN.

9-306 90

EXTERIOR WALLS ON THE HOUSE ARE NOT MAINTAINED. THE WALLS ARE DIRTY/STAINED. SOFFIT AND FASCIA ARE IN DISREPAIR.

Ms. Ursula Thime, Code Enforcement Officer, stated she had a stipulated agreement with the owner to comply 18-27(a) within 14 days, by 9/20/07, or a fine of \$25 per day, and 9-306 within 90 days or a fine of \$25 per day.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 14 days, by 9/20/07, or a fine of \$25 per day, and with 9-306 within 90 days or a fine of \$25 per day.

**Case: CE07051724**

Serge Monette & Marleny Neira  
743 Northeast 17th Way

Mr. McKelligett announced that service was via posting on the property on 8/14/07 and at City Hall on 8/16/07.

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

18-27(a)  
PROPERTY AND SWALE ARE OVERGROWN. THERE IS A PILE OF YARD DEBRIS ON THE REAR CONSISTING OF TREE STUMPS. DEAD PLANTS ARE ON THE GROUND.

9-306  
EXTERIOR WALLS ARE IN DISREPAIR, INCLUDING FASCIA AND SOFFITS WHICH HAVE ROTTEN WOOD AREAS.

Complied:

9-307(a)  
SOME DOORS AT THIS PROPERTY ARE IN DISREPAIR AND HAVE BEEN COVERED PARTIALLY WITH WOOD.

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-306 within 14 days or a fine of \$50 per day per violation.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) and 9-306 within 14 days or a fine of \$50 per day per violation.

**Case: CE07040765**

F D G Lauderdale Inc.  
1000 Northwest 6<sup>th</sup> Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/15/07.

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

9-306  
THE EXTERIOR WALLS OF THE BUILDING ARE STAINED AND DIRTY WITH AREAS OF PEELING PAINT. THE FASCIA AND SOFFITS ARE ROTTED AND WATER DAMAGED.

9-308(a)  
THE ROOF IS IN DISREPAIR. IT IS NOT SAFE, SECURE AND WATER TIGHT. THE LEAKING ROOF HAS ALLOWED WATER TO DAMAGE THE SOFFITS AND FASCIA.

9-308(b)  
THERE IS AN ELECTRICAL DEVICE ON THE ROOF THAT IS NOT FUNCTIONAL. THE DEVICE HAS ONE OR MORE PANELS FALLING OFF OR LAYING ON THE ROOF.

9-307(a)  
ONE OR MORE WINDOWS ARE BROKEN AND NOT WEATHER TIGHT.

Officer Snow presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$25 per day per violation.

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

**Case: CE07052155**

Roberto Demming  
721 Northwest 22nd Road

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/17/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
9-329(a)

THE BUILDING IS BOARDED WITHOUT FIRST OBTAINING A  
CITY ISSUED BOARD-UP CERTIFICATE.

Officer Snow presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$25 per day.

Judge Hull found in favor of the City and recommended ordering compliance within 63 days or a fine of \$25 per day.

**Case: CE07021428**

Altaire Village LLC  
3115 Northeast 32<sup>nd</sup> Avenue

Stipulated Agreement

Violations:  
47-20.20.H.

THE PARKING LOT IS IN DISREPAIR.

9-306

THERE ARE AREAS OF THE EXTERIOR WALLS THAT HAVE  
DAMAGED/CRACKING STUCCO. THERE ARE AREAS OF THE  
EXTERIOR WALLS THAT HAVE DAMAGED/ROTTED WOOD.

Complied:  
18-27(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON  
THE PROPERTY.

Mr. McKelligett said the inspector had a stipulated agreement with the owner to comply 47-20.20.H. and 9-306 within 126 days or a fine of \$100 per day per violation.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.20.H. and 9-306 within 126 days or a fine of \$100 per day per violation.

**Case: CE07060428**

Stipulated Agreement

Altaire Village II LLC  
3201 Northeast 32nd Avenue # 1B

Violation:  
9-306

THE EXTERIOR WALL IS IN DISREPAIR IN THAT THERE  
ARE AREAS OF STUCCO CRACKING AND BEGINNING TO SEPARATE

Complied:  
9-280(h)(1)

THE GATE/FENCE IN FRONT OF THE PROPERTY IS IN  
DISREPAIR.

Mr. McKelligett said the inspector had a stipulated agreement with the owner to comply  
9-306 within 63 days or a fine of \$100 per day.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered  
compliance with 9-306 within 63 days or a fine of \$100 per day.

**Case: CE07061768**  
Altaire Village LLC  
3115 Northeast 32nd Avenue

Stipulated Agreement

Violation:  
47-20.20.H.

THE PARKING LOT IS IN DISREPAIR.

Mr. McKelligett said the inspector had a stipulated agreement with the owner to comply  
within 126 days or a fine of \$100 per day.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered  
compliance within 126 days or a fine of \$100 per day.

**Case: CE07061773**  
Altaire Village LLC  
3115 Northeast 32nd Avenue

Stipulated Agreement

Violation:  
47-20.20.H.

THIS PARKING LOT IS IN DISREPAIR.

Complied:  
18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE  
PROPERTY.

Mr. McKelligett said the inspector had a stipulated agreement with the owner to comply  
47-20.20.H. within 126 days or a fine of \$100 per day.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.20.H. within 126 days or a fine of \$100 per day.

**Case: CE07061770**

Stipulated Agreement

Altaire Village LLC  
3115 Northeast 32nd Avenue

Violation:

47-20.20.H.

THE PARKING LOT IS IN DISREPAIR.

Mr. McKelligett said the inspector had a stipulated agreement with the owner to comply within 126 days or a fine of \$100 per day.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance within 126 days or a fine of \$100 per day.

**Case: CE07030551**

Paul Grant  
1300 Northwest 15th Court

Mr. McKelligett announced that service was via posting on the property on 8/13/07 and at City Hall on 8/16/07.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violation:  
9-280(h)

THE POOL ON THIS PROPERTY IS FILLED WITH GREEN  
WATER WHICH CREATES A HAZARD FOR THE NEIGHBORHOOD.

Supervisor Pingitore presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$250 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE07030371**

BFS Retail & Commercial Operations LLC  
620 South Federal HWY

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/14/07.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:  
9-328(b)

THE DOORS AND WINDOWS ARE BOARDED WITH NO BOARDING

CERTIFICATE.

Officer Ackley presented the case file and recommended ordering compliance within 14 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

**Case: CE07021560**

Chesed LLC  
3880 North Federal Highway  
Tenant: Mattress Giant

Mr. McKelligett announced that certified mail sent to the owner and registered agent were accepted on 8/16/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:  
24-27(f)

THE DUMPSTER LIDS ARE BEING LEFT OPEN.

9-308(c)

THE MANSARD ROOF AND FACING ARE IN DISREPAIR.

47-19.4.D.4

THE DUMPSTER ENCLOSURE DOES NOT HAVE OPAQUE GATES  
AS REQUIRED.

Officer Gottlieb reported she had been in contact with the Mattress Giant corporate offices and had agreed to recommend ordering compliance within eight weeks or a fine of \$50 per day per violation. She submitted the case history to Judge Hull.

Judge Hull found in favor of the City and ordered compliance within eight weeks or a fine of \$50 per day per violation.

**Case: CE07030578**

Andrew Pascoe & Solange Bernales  
5407 Northeast 22nd Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/21/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:  
47-21.8 A.

THERE ARE WEEDS COVERING THE PROPERTY AND MISSING  
AREAS OF GROUND COVER.

Complied:  
18-27(a)

THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.

Officer Gottlieb presented the case file and recommended ordering compliance with 47-21.8 A. within four weeks or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with 47-21.8 A. within four weeks or a fine of \$25 per day.

**Case: CE07061044**

Franco & L. Antimucci & G. Daverio  
3015 East Commercial Boulevard

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/14/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:  
18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS, INCLUDING  
AN ABANDONED DUMPSTER ON THE PROPERTY.

47-20.20.H

THE PARKING AREA HAS POTHOLES. THE SEALCOAT AND  
STRIPES HAVE FADED AND THERE ARE BROKEN AND  
MISSING WHEELSTOPS.

Officer Gottlieb said she had spoken with the owner who informed her he had a contract for resealing and re-striping the driveway. She presented the case file and recommended ordering compliance within 8 weeks or a fine of \$50 per day, per violation.

Judge Hull found in favor of the City and ordered compliance within 8 weeks or fine of \$50 per day per violation.

**Case: CE07062001**

Clyde Mcphatter & Clyde Ward  
2920 Northeast 55th Place

Mr. McKelligett announced that service was via posting on the property on 8/13/07 and at City Hall on 8/16/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:  
9-280(h)

THE POOL IS NOT BEING MAINTAINED IN A CLEAN AND  
SANITARY CONDITION. THE WATER IS GREEN, STAGNANT  
AND DIRTY CREATING A HEALTH HAZARD.

Officer Gottlieb presented the case file and recommended ordering compliance within 14 days or fine of \$100 per day.  
Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

**Case: CE07070947**

John Leclair  
4720 Bayview Drive

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/31/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:  
47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED. THE PROPERTY IS COVERED WITH WEEDS AND THERE ARE AREAS OF MISSING GROUND COVER.

9-280(h)

THE POOL IS NOT BEING MAINTAINED. THE WATER IS GREEN AND DIRTY.

18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.

Officer Gottlieb presented the case file and recommended ordering compliance with 47-21.8.A. and 18-27(a) within 14 days or fine of \$25 per day, per violation, and with 9-280(h) within 14 days or fine of \$100 per day.

Judge Hull found in favor of the City, and ordered compliance with 47-21.8.A. and 18-27(a) within 14 days or fine of \$25 per day, per violation, and with 9-280(h) within 14 days or fine of \$100 per day.

**Case: CE07050010**

Julina Dorval  
700 Southwest 16th Avenue

Mr. McKelligett announced that service was via posting on the property on 7/27/07 and at City Hall on 8/16/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violations:

NFPA 1 10.13.1.1

ADDRESS AND UNIT NUMBERS ARE NOT PROVIDED AS PER CODE.

NFPA 10 6.3.1

FIRE EXTINGUISHERS HAVE NOT BEEN SERVICED AND



TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST  
12 MONTHS.

Inspector Clements recommended ordering compliance with NFPA 1 10.13.1.1 within 14 days or a fine of \$50 per day, and with NFPA 10 6.3.1 within 14 days or a fine of \$250 per day.

Judge Hull found in favor of the City and ordered compliance with NFPA 1 10.13.1.1 within 14 days or a fine of \$50 per day, and with NFPA 10 6.3.1 within 14 days or a fine of \$250 per day.

**Case: CE07060882**

Jorge Cimitier & Beverly Lewis  
353 Southwest 19th Avenue

Mr. McKelligett announced that service was via posting on the property on 7/27/07 and at City Hall on 8/16/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violation:  
NFPA 10 6.3.1

THE FIRE EXTINGUISHER HAS NOT BEEN SERVICED AND  
TAGGED BY A STATE LICENSED COMPANY.

Officer Clements recommended ordering compliance within 14 days or a fine of \$250 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE07070108**

JP Morgan Chase Bank Trustee  
1111 Southwest 2nd Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/14/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violation:  
NFPA 10 6.3.1

THE FIRE EXTINGUISHER HAS NOT BEEN SERVICED AND  
TAGGED BY A STATE LICENSED COMPANY

Officer Clements recommended ordering compliance within 14 days or a fine of \$250 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE05111134**  
James Ackerman  
843 Southwest 14th Court

Ordered to reappear from 7/19/07  
Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 2/1/07 with compliance ordered by 3/1/07: 1 section at \$50 per day. Fines were suspended from 3/2 to 4/12/07, from 5/17 to 7/19/07 and from 7/20 to 9/6/07. 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.

Judge Hull imposed the fine and continued its accrual.

**Case: CE06010175**  
John & Kandi Francavilla  
1016 Waverly Road

Vacate order of 10/19/06

Judge Hull vacated the order.

**Case: CE06120342**  
Marcus McDonald  
2197 Southwest 37th Terrace

Ordered to reappear from 8/2/07  
Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 3/15/07 with compliance ordered by 6/21/07: 1 section at \$25 per day. Fines had been suspended from 8/2 to 9/6/07. 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.

Judge Hull imposed the fine and continued its accrual.

**Case: CE06121315**  
2730 Northwest 16 Street  
Teresa Gillyard, Trustee  
Mary Harvey Revocable Trust

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 7/19/07: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of a \$1,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued its accrual.

**Case: CE07012142**  
Susan Breckenridge, R. Hirsch & P. Sherfield  
5821 Northeast 20th Avenue

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 4/19/07 with compliance ordered by 5/3 and 7/19/07: 2 sections at \$25 per day each. The property was not complied and the City was requesting imposition of a \$1,975 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07012353**  
Richard Mancinelli  
5419 Northeast 31st Avenue

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 4/19/07 with compliance ordered by 7/19/07: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of a \$1,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07020409**  
John Carson  
1243 Northwest 3rd Avenue

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 4/5/07 with compliance ordered by 4/19 and 5/3/07: 4 sections at \$50 per day each. The property was not complied and the City was requesting imposition of a \$24,850 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07020434**  
Edward Masters  
2459 Andros Lane

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 6/21/07 with compliance ordered by 7/5 and 7/19/07: 3 sections at \$50 per day each. The property was not complied and the City was requesting imposition of a \$5,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual. He also ordered the property boarded up.

**Case: CE07031033**  
Chris Adach  
1043 Northwest 17th Avenue

Vacate order of 6/21/07

Judge Hull vacated the order.

**Case: CE07022209**

Yvenert Camille  
1519 Northwest 8<sup>th</sup> Avenue

Vacate orders of 8/2/07 & 4/19/07

Judge Hull vacated the orders.

**Case: CE07030728**

Delta Asset Management  
2630 Northwest 21st Street

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 6/7/07 with compliance ordered by 7/12/07: 2 sections at \$25 per day each. The property was not complied and the City was requesting imposition of a \$2,750 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07031782**

John Burkett  
2701 Northeast 49th Street Apt. 1

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 7/19 and 8/2/07: 4 sections at \$50 per day each and 1 section at \$100 per day. The property was not complied and the City was requesting imposition of an \$11,600 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07041423**

Sabrina Judah  
1706 Northwest 9 Street Apt. # 8

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 6/7/07 with compliance ordered by 6/21/07: 1 section at \$25 per day. The property was complied and the City was requesting imposition of a \$175 fine.

Judge Hull imposed the fine.

**Case: CE07040389**

Jack & Yolanda Davis  
808 Northwest 16th Avenue

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 7/19/07: 1 section at \$100 per day. The property was not complied and the

City was requesting imposition of a \$4,800 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE07051454**

Hearing to impose fine

Maria Bagi, Trustee  
Zamora 15 Street Trust  
3531 Southwest 15 Street

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 7/19/07: 2 sections at \$25 per day each. The property was not complied and the City was requesting imposition of a \$2,400 fine and its continued accrual until the property was complied.

Judge Hull imposed the fine and continued the fine accrual.

**Case: CE97090191**

Request to vacate order of 10/7/1997

Benjamin & Rosalinda Bugarin  
421 Southeast 22nd Street

Judge Hull vacated the order.

**Case: CE06080125**

Request to vacate orders of 1/18/07 & 3/15/07

Denise McClendon  
642 Northwest 15th Avenue

Judge Hull vacated the orders.

**Case: CE06072243**

Request for extension

David Hered  
200 Rose Drive

Mr. McKelligett announced that the owner had not appeared to request the extension and this case would be rescheduled for a Massey hearing.

**Case: CE07010349**

Request for extension  
Stipulated Agreement

Oakland Hospitality Inc  
2949 North Federal Highway

Mr. McKelligett announced that the case was first heard on 2/1/07 with compliance ordered by 3/1/07: 1 section at \$25 per day. Fines had been suspended from 3/2 to 5/3/07 and from 6/7 to 8/9/07. The property was not complied and the inspector had a stipulated agreement with the owner to comply within 30 days or fine of \$25 per day

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance within 30 days or a fine of \$25 per day.

**Case: CE07010353**

Request for extension

Oakland Hospitality Inc.  
2951 North Federal Highway

Mr. McKelligett announced that the case was first heard on 2/1/07 with compliance ordered by 3/1/07: 1 section at \$25 per day. Fines had been suspended from 3/2 to 5/3/07 and from 6/7 to 8/9/07. The property was not complied and the inspector of the stipulated agreement with the owner to comply within 30 days or fine of \$25 per day

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance within 30 days or a fine of \$25 per day.

**Case: CE07020654**

Request for extension

John Field Jr., Patricia Coleman, &  
Clara Gettman  
1355 West Sunrise Boulevard

Mr. McKelligett announced that the owner had not appeared to request the extension, and this case would be rescheduled for a Massey hearing.

**Case: CE06102845**

Request for extension

New Daniel Investments LLC  
3001 North Ocean Boulevard

Mr. McKelligett announced that the owner had not appeared to request the extension, and this case would be rescheduled for a Massey hearing.

**Cases Complied**

Mr. McKelligett 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:

CE07071053	CE07050039	CE07070122	CE07070351
CE07060641	CE07061604	CE07050903	CE07070742
CE06061383	CE07070674	CE07071519	CE07070314
CE07071601	CE07050326	CE07051588	CE07060725
CE07070237	CE07060777	CE07070109	CE07062094
CE07070736	CE07020354	CE07061537	CE07020037
CE07040866	CE07040869	CE07040870	CE07040871
CE07080115	CE07050933	CE07030713	CE07020094
CE07051693	CE07070445	CE07060892	CE07070111
CE07070799	CE07070986	CE07071011	CE07070343

CE07070005	CE07050013	CE07050002	CE07060856
CE07060857	CE07060975	CE07061004	CE07070105
CE07070110	CE07071462	CE07032152	CE06071658
CE07050410	CE07050619	CE07051751	CE07051818
CE07060906	CE07061724	CE07061278	CE07061638
CE07062036	CE07071037	CE07070872	CE07071038
CE07071052	CE07071536	CE07021167	

**Cases Pending Service**

Mr. McKelligett 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:

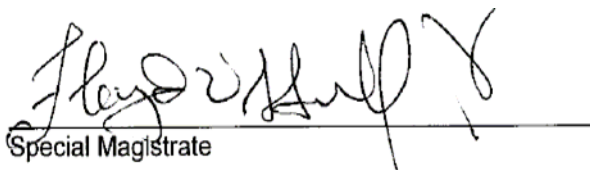
CE07061078	CE07071206	CE07070664	CE07071249
CE07070807	CE06111107	CE07061894	CE07071100
CE07061483	CE07061737	CE07071132	CE07050156
CE07051416	CE07051427	CE07070106	CE07070114
CE07070112	CE07071465	CE07070584	CE07051361
CE07050677	CE07071277		

**Cases Withdrawn**

Mr. McKelligett 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:

CE07051888	CE07071605	CE07060487	CE07060489
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There being no further business, the hearing was adjourned at 3:16 p.m.

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate