

**SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge H. Mark Purdy Presiding
December 20, 2007
9:00 A.M. – 12:17 P.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Mark Campbell, Clerk III
Ginger Wald, Assistant City Attorney
Leonard 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
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Kimberly Williams, Code Enforcement Officer,

Also Present:

CE07040981: Alan Vordermeier, property manager
CE07050476: Joseph Vrechek, owner
CE07081380: David Shanks, owner
CE06080035: Hope Calhoun, attorney
CE07060335: Ingeborg Leatherbury., owner
CE06091641: Gladys Hart, owner's wife
CE07090765: Veronica Sazera, owner
CE06100446: Thomas Lanigan, owner
CE07071652: Steven Kates, property manager
CE07091499: Timothy Caverly, neighbor
CE07091499: Kenneth Synfelt, owner
CE07071716: Russell Bratt, owner
CE07060647: Mary Seabrook, owner
CE06111585: John Aurelius, attorney
CE07031625: Ilene Richmond, owner; Natalie Mescolotto, tenant
CE07090491: Christian Ballesteros, representative of the owner
CE06091445: Gavin Banta, attorney; Edward Smith, owner
CE06121060: Elva Barger, owner

CE06110572: Kevin Court, 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.

Case: CE07060647

Hearing to impose fine

Mary Seabrook
2132 Northwest 7th Street

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 11/8/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,025 fine which would continue to accrue until the property complied.

Mr. William Snow, Code Enforcement Officer, confirmed the property was not complied, and there was no permit on record. He stated the owner had provided a receipt of having paid a contractor to do the work.

Ms. Mary Seabrook, owner, requested 60 additional days to comply. She informed Judge Purdy she had hired the contractor prior to Thanksgiving. Officer Snow explained that the process to obtain the certificate was lengthy and it was difficult to find a contractor. He had no objection to an extension of time. Ms. Seabrook agreed she understood the new compliance date and would work with her contractor to comply.

Judge Purdy granted a 63-day extension to 2/21/08.

Case: CE07091499

Kenneth Synfelt
1625 Northwest 4th Avenue

Mr. McKelligett announced that service was via posting on the property on 11/19/07 and at City Hall on 12/6/07.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:
47-21.8

THERE ARE AREAS OF DEAD AND MISSING GROUND COVER
ON THE PROPERTY. THERE ARE AREAS OF BARE SAND.

9-304(b)

VEHICLES PARKING ON THE GRASS: RED 4-DOOR SEDAN AND BLUE
TOYOTA CAMRY.

Officer Viscusi confirmed that the property was still not complied. He described efforts to notify the owner of the violations, presented photos of the property and the case file

and recommended ordering compliance within 4 weeks or a fine of \$25 per day, per violation.

Mr. Kenneth Synfelt, owner, explained that there were only five tenants on the property and he assumed some of the cars did not belong to tenants.

Mr. Timothy Caverly, neighbor, said the neighborhood association experienced other problems with this property such as noise and activity at all hours of the day and night. He presented his own photos of the property to Mr. Synfelt.

Assistant City Attorney Ginger Wald advised Mr. Synfelt to consult with the Code Enforcement officer to discuss what must be done to comply.

Judge Purdy found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07090765

Vincent & Veronica Sazera
1031 Southwest 4th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/29/07.

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

THERE ARE VEHICLES PARKING ON THE GRASS.

Officer Ackley explained that this area was undergoing sewer conversion at this time.

Ms. Veronica Sazera, owner, explained that they were experiencing a problem with the sewer connection. They were therefore postponing replacing the driveway. Ms. Sazera requested 77 more days to comply.

Officer Ackley described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 77 days or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance within 77 days or a fine of \$25 per day.

Case: CE07060335

Good Service Realty Inc
643 Northeast 18th Avenue

Request for extension

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/5/07 and 12/19/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the owner was present to request additional time.

Ms. Ingeborg Leatherbury, owner, explained she wanted to comply the property and was trying to hire a contractor.

Ms. Ursula Thime, Code Enforcement Officer, did not object to an extension.

Judge Purdy granted a 91-day extension to 3/20/08.

Case: CE07071716

Russell Bratt
1885 South Andrews Avenue

Ordered to reappear
Hearing to impose fines

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/4/07 and 10/25/07. Time to comply had been extended from 11/1/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$260 fine [reduced from \$2,200].

Mr. Dick Eaton, Code Enforcement Officer, confirmed that the property was complied as of 12/18/07. Officer Eaton stated Mr. Bratt had been diligent, but had been delayed by events beyond his control. He recommended the reduced fine to cover administrative costs.

Judge Purdy imposed a \$260 fine.

Case: CE07081380

David & Flora Belle Shanks
520 Northwest 21st Avenue

Request for extension

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/22/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the owner was present to request additional time.

Mr. William Snow, Code Enforcement Officer, explained the owner had phoned to request an extension on approximately December 4.

Mr. David Shanks, owner, requested a 63-day extension.

Judge Purdy granted a 63-day extension to 2/21/08.

Case: CE07090542

Arthur Harden
715 Northwest 20th Avenue

Mr. McKelligett announced that service was via posting on the property on 11/30/07 and at City Hall on 12/6/07.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
9-306

THERE IS GRAFFITI ON THIS PROPERTY PAINTED VERY
LARGELY ON THE REAR OF THIS PROPERTY, SPELLING
DOSE/QUAKE.

Complied:
18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT
THIS PROPERTY.

9-281(b)

THERE ARE DERELICT VEHICLES STORED ON THIS
PROPERTY.

Officer Cross described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance with 9-306 within 35 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-306 within 35 days or a fine of \$50 per day.

Case: CE07091274

Jerry Olah
1239 Northeast 5th Avenue

Mr. McKelligett announced that service was via posting on the property on 11/19/07 and at City Hall on 12/6/07.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:
9-280(h)(1)

THE WOODEN FENCE ON THE PROPERTY IS IN DISREPAIR.

9-313(a)

THE HOUSE NUMBERS ARE MISSING FROM THE STRUCTURE.

Officer Viscusi described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07100401

Randy Knepp
1601 Northwest 2nd Avenue

Mr. McKelligett announced that service was via posting on the property on 11/19/07 and at City Hall on 12/6/07.

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

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS
FROM THE PROPERTY AND SWALE.

Officer Viscusi described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day.

Case: CE07091062

Richard Baird
600 Southwest 24th Avenue

Mr. McKelligett announced that service was via posting on the property on 11/19/07 and at City Hall on 12/6/07.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:
9-329(b)

THE BUILDINGS, DOORS AND WINDOWS HAVE BEEN BOARDED
WITHOUT FIRST OBTAINING A CITY ISSUED BOARD-UP
CERTIFICATE.

Officer Rich described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$25 per day.

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

Case: CE07101361

Erica Fluke & Geovanny Encarnacion
3120 Northwest 69th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 12/5/07.

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

18-27(a)

THERE IS LAWN/PLANT/TREE OVERGROWTH PRESENT ON THIS PROPERTY.

9-280(b)

THERE ARE BUILDING COMPONENTS ON THE HOME ON THIS PROPERTY THAT ARE IN DISREPAIR. SPECIFICALLY, THE METAL GARAGE DOOR HAS LARGE DENTS IN IT AND THE FRONT DOOR GLASS WINDOW IS BROKEN/SHATTERED.

Officer Viscusi described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day, per violation. Officer Viscusi stated the owner had informed him the property was in foreclosure, but research had not revealed any new entity as the owner.

Judge Purdy found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07100865

Luxury Home Developers LLC
704 Southwest 9th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/30/07 and certified mail sent to the registered agent was accepted on 11/30/07.

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

18-27(a)

THE PROPERTY IS OVERGROWN. THERE IS TRASH AND LITTER ON THE PROPERTY. THE PROPERTY IS NOT BEING MAINTAINED.

Officer Ackley described efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day.

Case: CE07091159

Suzette Delva
2169 Northeast 62nd Street

Mr. McKelligett announced that service was via posting on the property on 11/27/07 and at City Hall on 12/6/07.

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

18-27(a)

THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.

47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED. THE PROPERTY IS COVERED WITH WEEDS AND HAS AREAS OF DEAD OR MISSING GRASS.

9-280(h)

THE POOL IS NOT BEING MAINTAINED. THE WATER IS GREEN, CREATING A BREEDING PLACE FOR MOSQUITOES.

Officer Gottlieb described efforts to notify the owner of the violations, presented 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 47-21-8.A within 28 days or a fine of \$50 per day and with 9-280(h) within 14 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$50 per day, with 47-21-8.A within 28 days or a fine of \$50 per day and with 9-280(h) within 14 days or a fine of \$100 per day.

Case: CE07100046

Stipulated Agreement

Sheldon Shore

1473 Northeast 56th Street

Violation:

47-21.8.A.

THE PROPERTY IS COVERED WITH STONES AND IS MISSING THE REQUIRED LIVING GROUND COVER.

Complied:

18-27(a)

THE HEDGES ARE OVERGROWN AND ARE NOT BEING MAINTAINED IN AN ATTRACTIVE MANNER.

9-313(a)

THE HOUSE NUMBERS ARE NOT VISIBLE FROM THE ROADWAY.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply 47-21.8.A within 12 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City, accepted the stipulated agreement and ordered compliance with 47-21.8.A within 12 weeks or a fine of \$25 per day.

Case: CE07090314

Kenneth Fagioli
813 Southwest 19th Street

Mr. McKelligett announced that service was via posting on the property on 11/30/07 and at City Hall on 12/6/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
9-306

THE EXTERIOR OF THE STRUCTURE IS NOT BEING
MAINTAINED. THE FASCIA HAS MISSING AND PEELING
PAINT.

Complied:
18-27(a)

THERE IS OVERGROWTH ON THE PROPERTY.

9-281(b)

THERE IS AN INOPERABLE WHITE FORD PICK-UP IN THE
DRIVE.

Officer Eaton described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance with 9-306 within 21 days or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-306 within 21 days or a fine of \$25 per day.

Case: CE07101252

Jeffrey & Michele Hanft
201 Southeast 22nd Street

Stipulated agreement

Violation:
9-280(b)

THERE ARE BOARDED AND DAMAGED WINDOWS ON THIS
PROPERTY.

Complied:
24-27(b)

THE GARBAGE RECEPTACLES ARE STORED AT THE FRONT OF
THE PROPERTY.

9-306

THE EXTERIOR OF THIS STRUCTURE IS IN DISREPAIR AND
HAS AREAS OF MISSING STUCCO.

9-313(a) F

THE HOUSE NUMBERS ARE IN DISREPAIR AND MISSING
NUMERALS.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply 9-280(b) within 49 days or a fine of \$50 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 9-280(b) within 49 days, by 2/7/08, or a fine of \$50 per day.

Case: CE07090348

Denise & Louis Monfort
2409 Northwest 21st Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 12/1/07.

Mr. Leonard Champagne, Code Enforcement Officer, testified to the following violations:
9-280(b)

INSIDE WALLS OF PROPERTY HAVE HOLES AND THE DOORS
AND DOOR FRAMES ARE ROTTED OUT FROM TERMITE
DAMAGE.

9-280(f)

SEWAGE WASTE IS BACKING UP INTO TOILET AND
BATHTUB.

9-280(g)

THE ELECTRIC STOVE IS NOT IN WORKING CONDITION.

9-304(b)

THE TWO GRAVEL DRIVES ARE NOT WELL-GRADED.

9-306

THE EXTERIOR WALLS OF THE PROPERTY HAS CHIPPED,
DIRTY AND MISSING PAINT.

9-276(b)(3)

THE PROPERTY HAS TERMITES.

Officer Champagne described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 84 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 84 days or a fine of \$25 per day, per violation.

Case: CE07091082

Kenneth Shell
2160 Northwest 30th Way

Mr. McKelligett announced that service was via posting on the property on 11/16/07 and at City Hall on 12/6/07.

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

18-27(a)

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

24-27(b)

THERE ARE TRASH/LAWN RECEPTACLES ON THE FRONT LAWN
OF THE PROPERTY.

9-304(b)

THE DRIVEWAY ON THE SOUTH SIDE OF THE PROPERTY IS
IN DISREPAIR AND IS NOT WELL-GRADED.

9-306

THE FASCIA BOARDS AND EXTERIOR WALLS OF THE
STRUCTURE DO NOT HAVE ANY PAINT.

Officer Champagne described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day, per violation.

Case: CE07100566

Woodrow Green

1040 Northwest 23rd Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 12/3/07.

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

9-280(b)

THE CARPORT STRUCTURE IS IN DISREPAIR.

9-304(b)

GRAVEL DRIVEWAY IS NOT WELL-GRADED.

9-306(b)

THE FASCIA BOARD IS IN DISREPAIR WITH SOME PARTS
BEING ROTTED OUT AND THE EXTERIOR WALLS ARE DIRTY,
STAINED AND HAVE CHIPPED AND MISSING PAINT.

Officer Champagne described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day, per violation.

Case: CE07101128

Alan & Sharon Wentnick
2669 Northwest 24th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 12/3/07.

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

THERE IS AN UNLICENSED, INOPERABLE GOLD OLDSMOBILE
PARKED ON THE PROPERTY.

Officer Champagne described his efforts to notify the owner of the violations, 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 to tow the vehicle.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day with the right to tow the gold Oldsmobile.

Case: CE07081997

Carol Palacios
3141 Southwest 20th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/29/07.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-304(b)

THERE ARE VEHICLES PARKING/STORED ON THE LAWN ALL
THE TIME. DRIVEWAY IS IN DISREPAIR AND NEEDS TO
BE RESURFACED, PATCHED AND/OR SEALED.

9-306

EXTERIOR OF STRUCTURE IS IN DISREPAIR AND IS IN
NEED OF MAINTENANCE.

9-308(b)

ROOF IS NOT MAINTAINED AND IT NEEDS PAINT.

Officer Quintero described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance within 49 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 49 days or a fine of \$25 per day, per violation.

Case: CE07090119

Jean & Claudette Rigaud
3759 Southwest 17th Street

Mr. McKelligett announced that service was via posting on the property on 11/16/07 and at City Hall on 12/6/07.

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

9-280(b)

THERE ARE BUILDING PARTS NOT MAINTAINED ON THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO WINDOWS, CEILING ROOF IN THE CARPORT.

9-280(g)

THERE ARE ELECTRICAL FIXTURES IN DISREPAIR ON THIS PROPERTY.

9-280(h)(1)

THERE IS AN RVC FENCE IN DISREPAIR AT WEST SIDE OF THIS PROPERTY.

9-306

THERE IS EXTERIOR OF STRUCTURE NOT MAINTAINED, INCLUDING, BUT NOT LIMITED TO CARPORT ENCLOSURE AND COLUMNS, STAINS ON WALLS. ETC.

Complied:

18-27(a)

THERE IS GRASS/PLANT OVERGROWTH ON PROPERTY AND SWALE. ALSO THERE IS TRASH, RUBBISH AND DEBRIS ON PROPERTY, INCLUDING, BUT NOT LIMITED TO INSIDE CARPORT, FRONT AND BACK YARDS AND SWALE.

9-281(b)

THERE ARE TWO (2) VEHICLES UNLICENSED, INOPERABLE IN STORAGE INSIDE OF THE CARPORT. THE ONLY TAG VISIBLE IS FROM BLACK/DISCOVERY/#V90XDE 11/04.

Withdrawn:

9-278(c)

THERE IS A WINDOW WITH A BOARD AT EAST SIDE OF PROPERTY OBSTRUCTING LIGHT AND VENTILATION TO THE OUTDOORS.

Officer Quintero described his efforts to notify the owner of the violations, presented photos of the property and the case file and recommended ordering compliance with 9-280(b), 9-280(g), 9-280(h)(1) and 9-306 within 49 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b), 9-280(g), 9-280(h)(1) and 9-306 within 49 days or a fine of \$25 per day, per violation.

[The court recessed from 10: 20 to 10:50]

Case: CE07071652

Request for extension

The Isles at Coral Ridge
Condo Association Inc
1400 Northeast 56th Street

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Adam Feldman, Code Enforcement Officer, stated one section remained out of compliance, and recommended imposition of a \$1,300 fine. He stated and the owner was present to request additional time.

Mr. Steven Kates, property manager, explained he had hired an engineer to create a drawing for the fence repair. He said they had already secured the other portions of the fence, but had experienced problems finding a contractor to perform such a small job. Mr. Kates requested additional time to comply. He estimated the cost to make the remaining repair would be \$500 to \$1,000. Officer Feldman recommended imposing the existing \$1,300 fine and granting a 49-day extension.

Judge Purdy granted a 49-day extension to 2/7/08 and did not impose the existing fine.

Case: CE07031625

Hearing to impose fine

Ilene Richmond Living Trust,
H.W. Vreeland Living Trust, et al
2941 East Las Olas Boulevard

Mr. McKelligett announced that this case was first heard on 7/19/07 to comply by 10/18/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting no fine be imposed [reduced from \$4,850].

Judge Purdy imposed no fine.

Case: CE07040981

Request for extension

Venice Isle Tower Condo Association
155 Isle of Venice

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Ms. Ursula Thime, Code Enforcement Officer, explained that the owner was having problems obtaining the permit and the association had requested an extension on 11/31/07.

Mr. Alan Vordermeier, property manager, stated they had a contract with Broward Piling to do the work, and plans were submitted to the FLDEP. The FLDEP had requested minor changes to the plans, which were made and resubmitted. Mr. Vordermeier presented copies of the contract and deposit check and requested 63 more days to comply.

Judge Purdy granted a 63-day extension to 2/21/08.

Case: CE06100446

Hearing to impose fine

1223 Northeast 15TH Avenue LLC

1223 Northeast 15th Avenue

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 8/23/07. Time to comply had been extended from 9/6/07 to 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$650 fine.

Ms. Aretha Davis, Code Enforcement Officer, confirmed the property was complied as of 10/30/07. She explained that the fines had accrued between the original deadline and the date Mr. Lanigan appeared to request an extension.

Mr. Thomas Lanigan, owner, explained he had requested more than the 77 days allowed in the original stipulated agreement, but this had not been granted. He explained that the addition of two parking spaces had triggered an overall review of the landscaping and resulted in the City's request to perform much more work than Mr. Lanigan had anticipated. He had decided to go back to the property's original configuration rather than add the parking spaces.

Mr. Lanigan stated he had made his best efforts to comply, and had sent several requests for extensions to the City, explaining progress on the project. He presented copies of correspondence sent to the City regarding this. Mr. Lanigan asked Judge Purdy to consider not imposing the fine.

Officer Davis confirmed that Mr. Lanigan had made an effort to comply, and stated the fine had accrued because he had begun work without a permit. She noted that he would have been aware of the additional requirements if he had applied for a permit. Officer Davis reported she had visited the property 24 times, and attended 3 hearings regarding this case, representing \$1,353 in administrative costs.

Judge Purdy imposed a \$325 fine.

Case: CE06121060

Hugh & Elva Barger

5510 Northeast 18th Avenue

Ordered to reappear
Request for extension

Mr. McKelligett announced that this case was first heard on 6/21/07 to comply by 9/13/07. Time to comply had been extended from 10/18/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$850 fine which would continue to accrue until the property complied.

Ms. Ingrid Gottlieb, Code Enforcement Officer, confirmed that there was one violation that was still not complied. She stated the owner was present to request additional time.

Ms. Elva Barger, owner, explained she had experienced family financial problems recently, and said she would hire someone to paint the house. Officer Gottlieb recommended a 63-day extension.

Judge Purdy granted a 63-day extension to 2/21/08.

Case: CE06111585
EL-AD FL Beach LLC
2939 Banyan Street

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 2/15/07 to comply by 5/17/07. Time to comply had been extended from 7/5/07 to 9/6/07 and from 10/18/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$14,950 fine.

Mr. Mario Sotolongo, Code Enforcement Officer, presented photos of the property showing progress.

Mr. John Aurelius, attorney, requested a special hearing regarding the fine imposition to allow him to bring witnesses to testify. He stated the request for fine imposition was a shock to him, since they had worked to comply the property.

Officer Sotolongo stated some of the delays had been caused by the wait to obtain permits, but noted that the case had been open for almost one year.

Mr. Aurelius said he had been working with Inspector Lovingshimer prior to his death. He agreed that delays had been caused by difficulties obtaining permits and finding contractors. He reiterated his request for a special hearing.

Ms. Wald reminded Judge Purdy that this was a Massey hearing to determine only if fines should be imposed, not to re-litigate the case.

Mr. Aurelius stated the parking lots had been opened at the request of the City Manager during the Super Bowl, and the City had promised that if this was done, and the lessee cleaned up the beach, the City would work with him regarding the violations.

Judge Purdy gave Mr. Aurelius the choice to either grant his request for a continuance, or impose a fine of \$1,250 to cover administrative costs. Mr. Aurelius opted for the continuance.

Judge Purdy continued the case

Case: CE06080035

Ordered to reappear

Kygo LLC
597 South Andrews Avenue

Mr. McKelligett announced that this case was first heard on 1/4/07 to comply by 3/1/07. Time to comply had been extended from 4/19/07 to 8/16/07, from 8/17/07 to 10/18/07 and from 10/19/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$4,800 fine which would continue to accrue until the property complied.

Ms. Hope Calhoun, attorney, explained that the owner had been trying to get a permit for the parking lot, but had realized this would not be possible. The owner had notified the parking operator to close the business, but the lease agreement required 60 days' notice. She requested a 63-day extension.

Mr. Leonard Ackley, Code Enforcement Officer, did not object to the extension.

Judge Purdy granted a 63-day extension to 2/21/08.

Case: CE07090491

Request for extension

Port St. Lucie Projects LLC
3050 Northwest 68th Street

Mr. McKelligett announced that this case was first heard on 10/4/07 to comply by 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Sal Viscusi, Code Enforcement Officer, said Mr. Ballesteros had phoned to request an extension on December 5. Officer Viscusi stated no permit applications had been submitted as yet. He advised Mr. Ballesteros to provide proof he was being diligent regarding compliance. Officer Viscusi recommended at least a 90-day extension.

Mr. Christian Ballesteros, representative of the owner, requested the extension.

Judge Purdy granted a 98-day extension to 3/27/08.

Case: CE07050476

Request for extension

Joseph Vrechek Revocable Trust
515 Idlewyld Drive

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 12/5/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Ms. Ursula Thime, Code Enforcement Officer, stated and the owner was present to request additional time.

Mr. Joseph Vrechek, owner, reported he had received estimates in excess of \$25,000 to repair the roof, which he could not afford. He was investigating an alternative repair process he believed he could afford. Mr. Vrechek requested a 90-day extension.

Judge Purdy granted a 91-day extension to 3/20/08.

Case: CE06091445

Ordered to reappear

Nancy Sacks
3408 North Ocean Boulevard

Mr. McKelligett announced that this case was first heard on 4/5/07 to comply by 7/5/07. Time to comply had been extended from 7/6/07 to 10/4/07, from 10/5/07 to 12/6/07 and from 12/7/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Mario Sotolongo, Code Enforcement Officer, explained that a new owner had purchased the property in July and the new owner was "doing a great job" working to comply the property.

Mr. Gavin Banta, attorney, said the new owner had consulted the City prior to purchasing it and was working with it to comply. He requested a 90-day extension. Officer Sotolongo recommended a 42-day extension.

Judge Purdy granted a 42-day extension to 1/31/08.

Case: CE06110572

Hearing to impose fine

Kevin & Deena Court
6800 Northwest 26th Terrace

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 6/21/07. Time to comply had been extended from 6/22/07 to 7/5/07, from 8/16/07 to 10/18/07 and from 11/15/07 to 11/29/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,050 fine.

Mr. Sal Viscusi, Code Enforcement Officer, confirmed that the property was complied as of 11/30/07. He recommended imposing the full fine amount.

Mr. Kevin Court, owner, said he believed the property was complied as of 6/21/07 when he attended that hearing and spoke with Officer Torres. He explained he had been putting an addition on the house, but had stopped to repair the stucco and paint.

Judge Purdy imposed a \$250 fine.

Case: CE06091641

Request for extension

Etoe Hart
740 Northwest 20th Avenue

Mr. McKelligett announced that this case was first heard on 6/21/07 and was continued to 10/18/07 to comply by 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Sal Viscusi, Code Enforcement Officer, reported the property was not complied and no permit had been issued. Code Enforcement Supervisor Pingitore had recommended no extensions be granted. Officer Viscusi explained that the original owner had died and left several heirs, and the family was still performing research to determine who would inherit the house. Officer Viscusi recommended a 91-day extension.

Ms. Gladys Hart, wife of one of the owners, hoped they could comply within 91 days.

Judge Purdy granted a 91-day extension to 3/20/08.

Case: CE06011397

Hearing to impose fine

Ragazza D'Lauderdale LLC
918 Northwest 4th Avenue

Mr. McKelligett announced that this case was first heard on 7/6/06 to comply by 8/5/06. Time to comply had been extended from 9/6/06 to 10/7/06 and from 12/6/06 to 1/5/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting no fine be imposed [reduced from \$2,300].

Judge Purdy imposed no fine.

Case: CE06061380

Ordered to reappear
Hearing to impose fine

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

Mr. McKelligett announced that this case was first heard on 1/18/07 to comply by 2/15/07. Time to comply had been extended from 3/15/07 to 5/17/07, from 5/18/07 to 8/16/07 and from 8/17/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,025 fine.

Judge Purdy imposed a \$2,025 fine.

Case: CE07050904

Hearing to impose fine

Clifford Moncur, Gail Williams &
B. Brown, et al
2420 Southwest 5th Place

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/15/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$450 fine.

Judge Purdy imposed a \$450 fine.

Case: CE07071493

Hearing to impose fine

Glenn Wright Construction & Development Inc.
6540 Northeast 20th Terrace

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/11/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$800 fine.

Judge Purdy imposed an \$800 fine.

Case: CE07080809

Hearing to impose fine

Evian Cuellar & Cecilio Matias
701 Northeast 17th Court

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/15/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$850 fine which would continue to accrue until the property complied.

Judge Purdy imposed an \$850 fine.

Case: CE07081611

Hearing to impose fine

Lynn Delano
1301 North Andrews Avenue

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/15/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,050 fine.

Judge Purdy imposed a \$1,050 fine.

Case: CE07090213

Hearing to impose fine

American Home Mortgage
351 Northwest 17th Place

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/15/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,100 fine.

Judge Purdy imposed a \$3,100 fine.

Case: CE07091440

Hearing to impose fine

Kenneth Holmes
2401 Northwest 19th Street

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/15/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,400 fine.

Judge Purdy imposed the \$1,400 fine.

Case: CE07081529

Request for extension

Michael Vaillant
308 Southeast 15th Street

Mr. McKelligett announced that this case was first heard on 11/15/07 to comply by 11/29/07. Mr. McKelligett recited violations, compliance dates and potential fines. Mr. McKelligett stated the owner had not appeared to request additional time and the case would be scheduled for a Massey Hearing.

Case: CE07091280

Request for extension

Diane Alexander
2313 Northwest 14th Court

Mr. McKelligett announced that this case was first heard on 11/15/07 to comply by 11/29/07 and 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the owner had not appeared to request additional time and the case would be scheduled for a Massey Hearing.

Case: CE07061551

Ordered to reappear

New River Condo Association Inc
451 Northwest 23rd Avenue

Mr. McKelligett announced that this case was first heard on 8/16/07 to comply by 9/20/07. Time to comply had been extended from 9/21/07 to 12/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the owner had not appeared to request additional time and the case would be scheduled 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:

CE07091314

CE07011707

CE07091203

CE07100757

CE07081637	CE07100508	CE07090837	CE07091345
CE07101324	CE07050317	CE07100156	CE07100925
CE07090189	CE07091126	CE07090541	CE07101586
CE07110713	CE07091288	CE07100570	CE07100796
CE07100908	CE07101448	CE07081771	CE07110281
CE07040123	CE07041244	CE07061806	CE07081996
CE07081610			

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:


CE07110610	CE07100020	CE07090121	CE07040052
CE07061354	CE07090436	CE07100709	CE07070811
CE07070812	CE07060581	CE07061871	

There being no further business, the hearing was adjourned at 12:17 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate