

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
ROSE-ANN FLYNN PRESIDING
MARCH 20, 2008
9:00 A.M. –11:39 A.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Cheryl Pingitore, Code Enforcement Supervisor
Leonard Ackley, Code Enforcement Officer
Stephanie Bass, Code Enforcement Officer
Peggy Burks, Code Enforcement Supervisor
Mark Campbell, Code Enforcement Officer
Thomas Clements, Fire Inspector
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
Todd Hull, Code Enforcement Officer
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Compliance Officer
William Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Tuchette Torres, Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Kimberly Williams, Code Enforcement Officer

Also Present:

CE07081691: Rick Lentz, owner
CE08011764, CE08011767: Raymond Dettman, neighbor; Michael Ramos, neighbor;
Erik Levin, former owner; Gary Nesbitt, attorney
CE07110471: Larry Ingram, owner
CE07100941: Virgil Bolden, owner; Dwight McKinzie, contractor
CE07071652: Steve Kates, property manager
CE07101616: Kay Smitherman, owner's representative
CE07041007: Pamela Abrell, owner
CE08011343: Susan Loman, owner
CE06111136: Arturo Bengochea, architect
CE08021560: William Morey, owner's agent

CE07010199: Christian Wright Gaidry, owner's grandson
CE06091641: Gladys Hart, daughter-in-law of the 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: CE07101616

Hearing to impose fine

David Weinshank
1472 Northeast 53 Court

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 2/14/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$800 fine [reduced from \$15,500].

Ms. Ingrid Gottlieb, Code Enforcement Officer, requested the reduction because of the current water restrictions.

Ms. Kay Smitherman, owner's representative, apologized for missing the first hearing; she said she had not received the first notice. Ms. Smitherman reported she would be maintaining the property while Mr. Weinshank was away.

Ms. Flynn imposed a \$400 fine.

The following cases for the same owner were heard together:

Case: CE08011764

Park Lane NE Developers LLC
704 Southeast 20 Street

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 2/22/08.

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

THIS VACANT BUILDING HAS BROKEN WINDOWS/DOORS
ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR.

Officer Eaton said an inspector had been called to the property pursuant to a complaint that vagrants were inhabiting the vacant and abandoned property. The owner had not followed Officer Eaton's instruction to board the property. Officer Eaton 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 board the property.

Officer Eaton informed Ms. Flynn that the property had changed hands, and the new contractor had applied for demolition permits for both properties.

Mr. Gary Nesbitt, attorney, said his client had closed on the property the previous week and things were in the works to demolish the property. Mr. Nesbitt requested more than 14 days. He said they intended to demolish the property instead of boarding it up. Officer Eaton opposed this, stating the owner had the opportunity to board the property and had not done so. He noted that the preparation for demolition had already been done.

Mr. Raymond Dettman, neighbor, said he had toured the buildings in February, and described the state they were in. He stated no one had done anything at the property until the previous day, and the properties had been a "big problem".

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day, with the right to board the property.

Case: CE08011767

Park Lane NE Developers LLC
708 Southeast 20 Street

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 2/22/08.

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

THIS VACANT BUILDING HAS BROKEN WINDOWS/DOORS
ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR.

Officer Eaton 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 board the property.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day, with the right to board the property.

Case: CE07061779

Stipulated agreement

Robert Mcallister
541 East Dayton Circle

Violations:

9-280(b)

THE WINDOWS AND DOORS ARE NOT WEATHER AND WATER
TIGHT. THERE ARE ONE OR MORE BROKEN WINDOWS AND
DOORS ON PROPERTY.

9-306

THE EXTERIOR WALLS OF STRUCTURE ARE STAINED AND DISCOLORED.

BCZ 39-275.(9)(c)

THERE IS AN ELECTRICAL CONNECTION ATTACHED TO RV STORED ON PROPERTY.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply 9-280(b) and 9-306 within 63 days or a fine of \$25 per day, per violation, and BCZ 39-275(9)(c) within 14 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 9-280(b) and 9-306 within 63 days or a fine of \$25 per day, per violation, and BCZ 39-275(9)(c) within 14 days or a fine of \$25 per day.

Case: CE08010122

Affordable Dream Houses I
2418 Andros Lane

Mr. McKelligett announced that service was via posting on the property on 3/3/08 and at City Hall on 3/6/08.

Ms. Barbara Urow Code Enforcement Officer, testified to the following violation:

9-306

THERE ARE AREAS OF MISSING, CHIPPING, PEELING PAINT ON EXTERIOR WALLS. AWNINGS ON EXTERIOR WINDOWS ARE IN DISREPAIR.

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

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

Case: CE08011610

HGMC Finance Inc
3644 Southwest 21 Street

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 3/4/08.

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

18-1

THE POOL AT THIS LOCATION IS FILLED WITH GREEN, STAGNANT WATER. IN ITS PRESENT CONDITION, THE

POOL IS UNSIGHTLY AND UNSANITARY AND MAY FURNISH A BREEDING PLACE FOR MOSQUITOES THAT COULD ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING PROPERTIES.

9-280(f)

PLUMBING IS NOT BEING MAINTAINED, IN THAT THE POOL PUMP IS NOT OPERATIONAL CAUSING THE WATER IN THE POOL TO BECOME GREEN AND STAGNANT.

9-280(g)

THE ELECTRICAL IS NOT BEING MAINTAINED WHICH IS CAUSING THE POOL PUMP TO BE NON-OPERATIONAL.

Officer Feldman stated he had received a letter from the property owner saying he had hired a contractor to repair the pool equipment. The pool had been cleaned, but the equipment was not yet operational. Officer Feldman presented photos of the property and the case file and recommended ordering compliance with all violations within 14 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with all violations within 14 days or a fine of \$25 per day, per violation.

Case: CE06111136

Quarterdeck Properties LLC
2933 East Las Olas Boulevard

Hearing to impose fine
Ordered to reappear

Mr. McKelligett announced that this case was first heard on 2/15/07 to comply by 4/19/07. Mr. McKelligett listed extensions to the compliance deadline the Board had granted since the case was first heard, and violations, compliance dates and potential fines and stated the City was requesting imposition of a \$7,850 fine.

Mr. Adam Feldman, Code Enforcement Officer, testified that the property was complied as of 3/17/08.

Mr. Arturo Bengochea, architect, explained they were working through the problem. They were pursuing a parking reduction but had complied the property in the meantime

Ms. Flynn imposed a \$1,500 fine

Case: CE08011343

Susan Loman
2824 Southwest 14 Street

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

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

THERE ARE CARS AND BOATS STILL PARKED ON THE LAWN
OF THIS PROPERTY.

Officer Cross presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$25 per day.

Ms. Susan Loman, owner, explained that the car belonged to a tenant. She agreed to remove the boat and install gravel on the parking area.

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

Case: CE07101396

Alnise & Luckner Laneaut
1100 Northeast 2 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/20/08.

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

THE AIR CONDITIONING UNIT IN APARTMENT 2 IS
LEAKING WATER. THE BATHTUB IN APARTMENT 2 IS NOT
DRAINING PROPERLY.

Complied:
18-27(a)
9-280(d)
9-280(g)

Supervisor Pingitore said she had been unable to contact the complainant/tenant the previous day to confirm compliance with the last violation. She presented photos of the property and the case file and recommended ordering compliance with 9-280(f) within 14 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(f) within 14 days or a fine of \$25 per day.

Case: CE07101327

Glenmore Barchan
5230 Northeast 18 Avenue

Mr. McKelligett announced that service was via posting on the property on 2/25/08 and at City Hall on 3/6/08.

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

18-1

THE POOL IS FILLED WITH GREEN, STAGNANT AND UNCIRCULATING WATER. IT IS UNSIGHTLY AND UNSANITARY AND MAY FURNISH A BREEDING PLACE FOR MOSQUITOES AND COULD ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING PROPERTIES.

24-27(b)

THERE ARE TRASH BINS IN FRONT OF THE HOUSE.

Complied:

18-27(a)

47-21.8.A.

9-280(h)(1)

9-304(b)

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 18-1 within 14 days or a fine of \$100 per day and with 24-27(b) within 14 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-1 within 14 days or a fine of \$100 per day and with 24-27(b) within 14 days or a fine of \$25 per day.

Case: CE07120610

Stipulated agreement

GRP Loan LLC

1790 Northeast 49 Street

Violations:

47-21.8.A.

THERE ARE LARGE AREAS OF EXPOSED DIRT WHICH ARE SUBJECT TO EROSION. THE REMAINDER OF THE PROPERTY IS COVERED WITH WEEDS.

9-308(a)

THE ROOF IS IN DISREPAIR AND IS PARTIALLY COVERED WITH A TARP.

9-313(a)

THE HOUSE NUMBERS ARE NOT VISIBLE FROM THE STREET.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply all violations within 8 weeks or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with all violations within 8 weeks or a fine of \$50 per day, per violation.

Case: CE08010422

5100 Realty LLC
5100 North Federal Highway

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/29/08 and certified mail sent to the registered agent was accepted on 2/29/08.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
47-22.9

THERE ARE SEVERAL UNPERMITTED SIGNS ON THE
PROPERTY.

Complied:
17-10(3)

Officer Gottlieb explained the owner was in the process of obtaining a permit for the one remaining sign on the property. She presented photos of the property and the case file and recommended ordering compliance with 47-22.9 within 6 weeks or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 47-22.9 within 42 days or a fine of \$50 per day.

Case: CE07121199

Claudia Bolivar
1019 Northwest 14 Court

Mr. McKelligett announced that service was via posting on the property on 2/25/08 and at City Hall on 3/6/08.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:
18-1

THE POOL AT THIS LOCATION IS FILLED WITH GREEN,
STAGNANT WATER. THE POOL IN THIS CONDITION IS A
BREEDING PLACE FOR MOSQUITOES AND ENDANGERS THE
PUBLIC HEALTH, SAFETY AND WELFARE OF THE
COMMUNITY.

9-280(h)(1)

THE CHAIN-LINK FENCE ON THE PROPERTY IS IN
DISREPAIR. THE RAILINGS ARE BENT AND THE FENCE IS
FALLING DOWN.

Complied:
9-280(h)(2)

Officer Torres explained attempts made to notify the owner of the violations. She presented photos of the property and the case file and recommended ordering

compliance with 18-1 and 9-280(h)(1) within 10 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-1 and 9-280(h)1 within 10 days or a fine of \$100 per day, per violation.

Case: CE07120585

Eglise Baptiste Bethanie De Ftl
2200 Northwest 12 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/22/08.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE CHAIN-LINK FENCE ON THE PROPERTY HAS BENT
RAILINGS AND MISSING PIECES.

Officer Torres described efforts made to contact the owner regarding the violations. The owner had promised to repair the fence within 60 days. She presented photos of the property and the case file and recommended ordering compliance with 9-280(h)(1) within 63 days or a fine of \$25 per day.

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

Case: CE08010430

Phillip Cummings
1440 Northwest 22 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/27/08.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:
9-276(c)(3)

THE BUILDING HAS AN INFESTATION OF ROACHES THAT IS
A NUISANCE TO THE TENANTS.

9-280(b)

THE WINDOW IN THE LAUNDRY ROOM ON THE PROPERTY HAS
A MISSING LATCH WHICH IS UNABLE TO OPEN AND SHUT
PROPERLY.

9-306

THE BUILDING AND THE STAIRWAYS ARE DIRTY AND
STAINED.

Complied:

18-1
9-280(g)
9-281(b)
9-280(f)

Officer Torres stated the City had received a complaint regarding the property. The property manager had promised to comply on one of her visits, but the property was not yet in compliance. The property manager had shown up to the hearing this morning, but was unable to testify because he lacked proper identification. Officer Torres presented photos of the property and the case file and recommended ordering compliance with 9-276(c)(3), 9-280(b) and 9-306 within 10 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-276(c)(3), 9-280(b) and 9-306 within 10 days or a fine of \$100 per day, per violation.

Case: CE07120759

LinPro Commerce Center Property
3541 Northwest 53 Court

Mr. McKelligett announced that service was via posting on the property on 2/26/08 and at City Hall on 3/6/08.

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

18-27(a)

THERE IS GRASS/PLANT/TREE OVERGROWTH PRESENT ON THIS PROPERTY. THE PROPERTY IS LITTERED WITH TRASH, RUBBISH AND DEBRIS.

47-19.5.E.7.

THERE IS A CHAIN-LINK FENCE ON THIS COMMERCIAL/INDUSTRIAL PROPERTY THAT IS IN GENERAL DISREPAIR. THIS FENCE ALSO HAS LARGE SECTIONS THAT ARE DOWN, DAMAGED AND UNEVEN/UNLEVEL.

47-21.13 A.

THERE ARE NUMEROUS DEAD/FALLEN TREES ON THIS PROPERTY.

Officer Viscusi explained that this was a strip of land separating a trailer park and a commerce center on the border of Fort Lauderdale and Tamarac. He described attempts made to contact the owner regarding the violations, presented photos of the property and the case file and recommended ordering compliance with all violations within 35 days or a fine of \$50 per day, per violation.

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

Case: CE08020198

Stipulated agreement

Howard McDonald
3280 Northwest 63 Street

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

THERE IS LAWN/PLANT OVERGROWTH PRESENT AND TRASH,
RUBBISH AND DEBRIS LITTERING THIS PROPERTY (PALM
FRONDS).

Complied:
24-27(b)

Mr. McKelligett announced that the officer had a stipulated agreement with the owner. Officer Viscusi explained the property was currently in foreclosure. He presented photos of the property and the case file, and stated he had a stipulated agreement with the owner to comply 18-27(a) within 2 weeks or a fine of \$25 per day.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 2 weeks or a fine of \$25 per day.

Case: CE07110030

C. & Hattie Bynes
1061 Northwest 25 Avenue

Mr. McKelligett announced that service was via posting on the property on 2/27/08 and at City Hall on 3/6/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-280(g)

THERE ARE BROKEN AND INOPERABLE EXTERIOR
ELECTRICAL LIGHT FIXTURES ON THE BUILDING. THE
LIGHT FIXTURES ARE MISSING GLOBES AND BULBS AND
THEY HAVE NOT BEEN MAINTAINED IN A SAFE OR
ACCEPTABLE CONDITION.

9-280(h)(1)

THE CHAIN-LINK FENCE HAS BENT RAILS AND IS IN
GENERAL DISREPAIR.

9-306

THERE IS PEELING AND MILDEW STAINED PAINT ON THE
BUILDING. THE PAINT ON THE FRONT DOOR IS PEELING
AND HAS NOT BEEN MAINTAINED IN AN ATTRACTIVE OR
ACCEPTABLE MANNER. THERE IS ROTTING FASCIA BOARD
AND SOFFIT ON THE BUILDING. THE FRONT PORCH
SUPPORTS ARE RUSTY AND ARE NOT STRUCTURALLY SOUND.

Complied:

18-27(a)

24-27(b)

Withdrawn:

9-280(b)

Officer Quintero explained he had learned from a tenant that the owner was deceased. He had spoken with the owner's niece and recommended she attend this hearing, but she had not. He presented photos of the property and the case file and recommended ordering compliance 9-280(g), 9-280(h)(1) and 9-306 within 49 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(g), 9-280(h)(1) and 9-306 within 49 days or a fine of \$50 per day, per violation.

Case: CE07111277

Ruby Ferguson

2448 Northwest 21 Street, Apartment A

Mr. McKelligett announced that service was via posting on the property on 2/27/08 and at City Hall on 3/6/08. Certified mail sent to the owner's attorney was accepted on 3/3/08.

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

18-27(a)

THERE IS GRASS/PLANT OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS VACANT RENTAL PROPERTY, BACK AND FRONT YARDS.

9-280(b)

THERE ARE BUILDING PARTS NOT MAINTAINED ON THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO A WINDOW WITH BROKEN GLASS AND DOOR LOOSE FROM THE FRAME AT WEST SIDE.

9-280(h)(1)

THERE IS A CHAIN-LINK FENCE IN DISREPAIR AT SOUTH/WEST SIDE OF THIS PROPERTY BACK YARD, MISSING TOP RAILS, POSTS AND LINK FENCE AND SCREEN LEANING ON THE SIDE.

9-328(a)

THERE IS A REAR VACANT APARTMENT ON THIS RENTAL PROPERTY THAT HAS A BROKEN GLASS WINDOW AND A STORAGE DOOR REMOVED FROM THE FRAME THAT ALLOWS UNAUTHORIZED ACCESS TO THE INTERIOR, CREATING A HAZARD TO THE COMMUNITY.

Complied:

9-279(f)
9-281(b)

Officer Quintero stated the property was vacant. He presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 9-280(b) and 9-280(h)(1) within 14 days or a fine of \$50 per day, per violation, and with 9-328(a) within 14 days or a fine of \$100 per day, with the right to board the building.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 9-280(b) and 9-280(h)(1) within 14 days or a fine of \$50 per day, per violation, and with 9-328(a) within 14 days or a fine of \$100 per day, with the right to board the building.

Case: CE07120631

2600 Northwest 20th Court Trust
2600 Northwest 20 Court

Mr. McKelligett announced that service was via posting on the property on 2/27/08 and at City Hall on 3/6/08.

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

THE BUILDING DOORS AND WINDOWS HAVE BEEN BOARDED.
PROPERTY OWNER HAS NOT APPLIED FOR, NOR HAS HE
COMPLETED ALL STEPS FOR THE ISSUANCE OF A BOARDING
CERTIFICATE.

Officer Quintero reported the property was vacant and had been boarded by the City twice. He presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$100 per day.

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

Case: CE08011626

Joyce Williams
2240 Northwest 30 Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/22/08.

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

THIS VACANT AND UNOCCUPIED BUILDING HAS BEEN LEFT
IN AN UNSECURED STATE. THERE ARE DOORS AND
WINDOWS OPEN AND UNSECURED THAT ALLOWS

UNAUTHORIZED ACCESS TO THE INTERIOR, CREATING A
HAZARD TO THE COMMUNITY.

Officer Quintero reported the property was vacant. He 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 board the building.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day with the right to board the building.

Case: CE08010423

Top Dog Real Estate Holdings
3063 Northwest 19 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/22/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-278(e)

THERE ARE STORE FRONT WINDOWS COVERED WITH BOARDS
ON THIS COMMERCIAL PROPERTY AND OBSTRUCTING LIGHT
AND VENTILATION TO THE OUTDOORS.

9-306

EXTERIOR OF STRUCTURE IS NOT MAINTAINED ON THIS
COMMERCIAL PROPERTY. THERE IS DIRTY PAINT ON
FRONT WALL.

BCZ 39-215.(f)

THE PARKING LOT IS NOT BEING MAINTAINED ON THIS
COMMERCIAL PROPERTY. IT NEEDS TO BE RESURFACED,
RE-STRIPED AND WHEEL STOPS REPAIRED, REPLACED AND
MAINTAINED.

Complied:

18-27(a)

47-20.20

9-313(a)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 9-278(e), 9-306 and BCZ 39-215(f) within 49 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-278(e), 9-306 and BCZ 39-215(f) within 49 days or a fine of \$25 per day, per violation.

Case: CE07100856

Rufus & Carolyn Terry
1621 Northwest 18 Avenue

Mr. McKelligett announced that service was via posting on the property on 2/25/08 and at City Hall on 3/6/08.

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

18-27(a)

THERE ARE AREAS OF OVERGROWN LAWN ON THIS PROPERTY WHICH IS NOT BEING MAINTAINED.

47-21.8

THERE ARE AREAS OF DEAD AND MISSING GROUND COVER ON THIS PROPERTY.

9-281(b)

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

9-328(a)

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

Officer Cross reported the property was vacant and "looks a mess." He presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-281(b) within 14 days or a fine of \$50 per day, per violation, with 9-328(a) within 28 days or a fine of \$50 per day, and with 47-21.8 within 91 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a) and 9-281(b) within 14 days or a fine of \$50 per day, per violation, with 9-328(a) within 28 days or a fine of \$50 per day and with 47-21.8 within 91 days or a fine of \$50 per day.

Case: CE07120289

Keith, Franklyn & Noreen Bryan
1630 Southwest 30 Terrace

Mr. McKelligett announced that service was via posting on the property on 2/25/08 and at City Hall on 3/6/08.

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

9-304(b)

THERE ARE CARS AND BOATS PARKED ON THE LAWN AT THIS PROPERTY.

BCZ 39-275(6)(b)

THERE IS OUTSIDE STORAGE OF TIRES, LADDERS, GAS

TANKS AND OTHER MISCELLANEOUS ITEMS STORED ON THIS
PROPERTY.

Complied:

18-27(a)

9-281(b)

BCZ 39-572.(b)

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 9-304(b)BCZ 39-275(6)(b) within 14 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-304(b) and BCZ 39-275(6)(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE07120961

George Hershewe

2621 Southwest 15 Court

Mr. McKelligett announced that service was via posting on the property on 2/26/08 and at City Hall on 3/6/08.

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

18-27(a)

THE LAWN ON THIS PROPERTY IS OVERGROWN AND IS NOT
BEING MAINTAINED.

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

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

Case: CE07081691

Rick Lentz

500 Southwest 11 Street

Hearing to impose fine

Ordered to reappear

Mr. McKelligett announced that this case was first heard on 11/15/07 to comply by 1/3/08. Time to comply had been extended from 2/21/08 to 3/20/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$960 fine [reduced from \$2,400].

Mr. Rick Lentz, owner, asked that no fine be imposed. He had been unable to hire someone who could or would complete the work and had eventually done it himself. Mr. Lentz said he could not afford the fine.

Mr. Leonard Ackley, Code Enforcement Officer, confirmed that after Mr. Lentz hired someone to do the work it was not completed, and that Mr. Lentz had suffered recent health problems.

Ms. Flynn imposed a \$100 fine.

Case: CE07110898

Walter & Kathleen Morgan
2240 Northeast 15 Court

Mr. McKelligett announced that service was via posting on the property on 3/3/08 and at City Hall on 3/6/08.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:
9-306

EXTERIOR WALLS ARE DIRTY WITH AREAS OF CHIPPING
PAINT AND MILDEW STAINS.

9-328(a)

ON THIS VACANT PROPERTY THERE ARE MULTIPLE WINDOWS
WHICH ARE OPEN ALLOWING ACCESS TO THE INTERIOR OF
THE PROPERTY.

Complied:

18-27(a)

9-280(h)(1)

Officer Davis had spoken with the property representative, Mr. Leonard, who informed her the building would be power washed and he would allow her access to confirm that the property was now in compliance with 9-328(a). She presented photos of the property and the case file and recommended ordering compliance with 9-306 and 9-328(a) within 14 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-306 and 9-328(a) within 14 days or a fine of \$100 per day, per violation.

Case: CE08010409

William Meredith
1144 Northeast 16 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/20/08.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
9-280(b)

THERE ARE WINDOW PANES WHICH ARE BROKEN AND/OR
MISSING.

Complied:
18-27(a)
Withdrawn:
FBC 105.1

Officer Davis presented photos of the property and the case file and recommended ordering compliance with 9-280(b) within 14 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(b) within 14 days or a fine of \$100 per day.

Case: CE08011091

1301 16th LLC
1305 Northeast 16 Terrace

Mr. McKelligett announced that service was via posting on the property on 2/20/08 and at City Hall on 3/6/08.

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

THERE IS RUBBISH, TRASH, DEBRIS AND LITTER
SCATTERED ALL OVER THE PROPERTY.

9-280(b)

THERE IS AT LEAST ONE BROKEN WINDOW ON THE
PROPERTY. THE WINDOW PANE AND THE WINDOW FRAME IN
THE REAR OF THE BUILDING IS IN DISREPAIR. THE
WINDOW FRAME HAS BEEN PRIED AWAY FROM THE BUILDING
ITSELF.

9-328(a)

THERE IS AT LEAST ONE BROKEN WINDOW AND ONE OPEN
DOOR ALLOWING ACCESS TO THE INTERIOR OF THIS
VACANT PROPERTY.

Complied:
47-21.8 A.

Officer Davis noted there had been repairs made to some windows at the property. She informed Ms. Flynn that a representative for the property had assured her that the property would comply. There had been some progress, but the property was not in full compliance. Officer Davis presented photos of the property and the case file and stated the neighbors were concerned about the number of vagrants that entered the property. She recommended ordering compliance with 18-27(a), 9-280(b) and 9-328(a) within 14 days or a fine of \$200 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 9-280(b) and 9-328(a) within 14 days or a fine of \$200 per day, per violation.

Case: CE08011508

Steven Leeds
2617 Northeast 27 Way

Mr. McKelligett announced that certified mail sent to the owner was accepted on 2/22/08.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
18-1

THE POOL AT THIS VACANT PROPERTY WHICH IS CURRENTLY UNDERGOING EXTENSIVE REMODELING, CONTAINS DIRTY, STAGNANT WATER. THE CONDITION OF THE POOL IS A BREEDING GROUND FOR MOSQUITOES AND OTHER INSECTS. THE CITY OF FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Complied:
18-27(a)

Officer Davis reported a considerable amount of water had been drained from the pool, but what remained was green and must be treated. She presented photos of the property and the case file and recommended ordering compliance with 18-1 within 10 days or a fine of \$200 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-1 within 10 days or a fine of \$200 per day.

Case: CE07021560

Hearing to impose fine

Chesed LLC
3880 North Federal Highway

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 11/1/07. Mr. McKelligett listed extensions to the compliance deadline the Board had granted since the case was first heard, recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,050 fine.

Ms. Ingrid Gottlieb, Code Enforcement Officer, explained there had been a communication problem between herself and the company office. She requested imposition of a \$562 fine for administrative costs only.

Mr. William Morey, the owner's agent, explained they had not understood exactly where the repairs should have been made, and this had delayed compliance.

Ms. Flynn imposed a \$562 fine.

[Court was in recess from 10:30 – 10:50]

Case: CE07100941

Request for extension

Virgil & Rosa Bolden
1227 Northwest 6 Street

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 3/13/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated fines had accrued to \$300.

Mr. Dwight McKinzie, contractor, reported he had submitted plans for a permit to renovate the building. He estimated plans would be approved in a month or so.

Mr. Virgil Bolden, owner, stated the building posed no danger to the public; it was secure. He presented photos of the property to Ms. Flynn.

Mr. Andre Cross, Code Enforcement Officer, confirmed that the contractor was waiting for the permit to be issued. He recommended a 63-day extension.

Ms. Flynn granted a 63-day extension.

Case: CE07110471

Hearing to impose fine

Larry Ingram
889 Northwest 16 Avenue

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 2/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,900 fine.

Mr. Larry Ingram, owner, explained he had been out of work for four years due to an injury and was on dialysis. He stated he had been unable to afford the work sooner.

Mr. Andre Cross, officer, confirmed that once he met with Mr. Ingram and explained what must be done, the work had been done quickly.

Ms. Flynn imposed a \$75 fine.

Case: CE07071652

Hearing to impose fine

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

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 12/6/07. Time to comply had been extended from 12/20/07 to 2/7/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$5,400 fine which would continue to accrue until the property complied.

Mr. Steve Kates, property manager, reported they had applied for a building permit for the fence. He was checking on the progress of the application, and found that the application had been returned for revisions. Mr. Kates had re-submitted the application a few days previous. He requested another 30 days to complete the work with a permit.

Mr. Adam Feldman, Code Enforcement Officer, objected to any extension. He explained that the permit application had only been submitted two days prior to the last hearing and the neighbors were concerned about the property.

Mr. Kates explained that he had not understood that a series of drawings would be needed for the application; this was why the application had not been submitted sooner. He noted that they had secured the opening in the fence and installed screening plants the day after the hearing.

Ms. Flynn granted a 21-day extension.

Case: CE06091641

Request for extension

Etoe Hart

740 Northwest 20 Avenue

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 12/20/07. Time to comply had been extended from 12/21/07 to 3/20/08. Mr. McKelligett recited violations, compliance dates and potential fines. The owner was requesting an extension.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, explained that the case was begun in 2006. She stated there was still no permit on file for the board-up of the building, and the owner had received 89 days of extensions. She said she was sympathetic to Ms. Hart's efforts to obtain possession of the property. Supervisor Pingitore said Ms. Hart could pull the permit herself.

Ms. Gladys Hart, daughter-in-law of the owner, said she had been informed at a previous hearing that she could not pull the permit herself, since she was not the owner. Ms. Hart informed Supervisor Pingitore that she was near the end of the genealogy search and after the heirs were contacted, she would put the house up for sale. Once she had a contract, she would petition the court to name her the legal representative of the property so she could sell it.

Ms. Flynn advised Ms. Hart to determine if she was legally able to pull the permit, and return to request an extension and report the status of the case.

Ms. Flynn granted a 14-day extension.

Case: CE07010199

Request for extension

Frank Plati & Marcelene Gaidry
5421 Northeast 21 Terrace

Mr. McKelligett announced that this case was first heard on 11/15/07 to comply by 11/29/07 and 12/13/07. Time to comply had been extended from 1/17/08 to 3/6/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,875 which would continue to accrue until the property complied. The owner was requesting an extension.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said she had spoken with the owner, who was experiencing a legal issue with the roof contractor.

Mr. Christian Wright Gaidy, the owner's grandson, presented a letter from his attorney describing the issue with the contractor. Mr. Gaidry explained that the contractor had installed the tile incorrectly three times. He presented photos of the property and a copy of his landscape permit application to Ms. Flynn. Mr. Gaidry thought the roof situation would take 90 days to get some relief from the contractor and the landscaping should be complete in a week or so. He could not estimate how long it might take to have the roof work completed.

Ms. Flynn granted a 91-day extension for 9-308(a) and a 28-day extension for 18-27(a) and 47-21.8 A.

Case: CE07041007

Hearing to impose fine
Ordered to reappear

Cass Abrell
1509 Northeast 1 Avenue

Mr. McKelligett announced that this case was first heard on 8/2/07 to comply by 11/1/07. Mr. McKelligett listed extensions to the compliance deadline the Board had granted since the case was first heard, recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$260 fine [reduced from \$1,175].

Ms. Cheryl Pingitore, Code Enforcement Supervisor, confirmed that Ms. Abrell had been in constant communication with her inspectors as the case progressed.
Ms. Flynn imposed a \$260 fine.

Case: CE06121060

Hearing to impose fine

Hugh & Elva Barger

5510 Northeast 18 Avenue

Mr. McKelligett announced that this case was first heard on 6/21/07 to comply by 9/13/07. Mr. McKelligett listed extensions to the compliance deadline the Board had granted since the case was first heard, recited violations, compliance dates and potential fines and stated the City was requesting no fine be imposed [reduced from \$850].

Ms. Flynn imposed no fine.

Case: CE07040981

Hearing to impose fine

Venice Isle Tower Condo A
155 Isle of Venice

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 12/6/07. Time to comply had been extended from 12/20/07 to 2/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting no fine be imposed [reduced from \$650].

Ms. Flynn imposed no fine.

Case: CE07050010

Hearing to impose fine

Julina Dorval
700 Southwest 16 Avenue

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 9/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$54,300 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$54,300 fine.

Case: CE07060882

Hearing to impose fine

Jorge Cimitier & Beverly Lewis
353 Southwest 19 Avenue

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 9/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$45,250 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$45,250 fine.

Case: CE07061772

Hearing to impose fine

Riverside Condo Association Of Broward

1540 Southwest 5 Place

Mr. McKelligett announced that this case was first heard on 8/16/07 to comply by 9/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$23,850 fine

Ms. Flynn imposed the \$23,850 fine.

Case: CE07070114

Hearing to impose fine

Charlotte & Joseph Deverteuil
307 Southwest 11 Avenue

Mr. McKelligett announced that this case was first heard on 10/4/07 to comply by 10/18/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$9,750 fine.

Ms. Flynn imposed the \$9,750 fine.

Case: CE07101404

Hearing to impose fine

Leroy & Doris Coutain
1601 Northwest 16 Street

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 2/17/08 and 2/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,675 fine.

Ms. Flynn imposed the \$2,675 fine.

Case: CE07070379

Hearing to impose fine

Donna Zappin & Edmund Lackner
5811 Northeast 14 Road

Mr. McKelligett announced that this case was first heard on 12/6/07 to comply by 2/14/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,700 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,700 fine.

Case: CE07110150

Hearing to impose fine

Gloria Marin
6815 Northwest 29 Avenue

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 2/14/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$4,250 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,250 fine.

Case: CE07111299

Hearing to impose fine

Loretta & William Smith
409 Northwest 15 WY

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 1/31/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,100 fine.

Ms. Flynn imposed the \$1,100 fine.

Case: CE07110470

Hearing to impose fine

A. E. & Annie Williams
909 Northwest 16 Terrace

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 2/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$675 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$675 fine.

Case: CE07120339

Hearing to impose fine

Ricardo Eugene
1204 Southwest 2 Court

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 2/17/08 and 2/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$4,450 which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,450 fine.

Case: CE07060442

Request for extension

Drago Juana
511 Southwest 19 Street

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/25/07 and 11/22/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,750 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,750 fine.

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:

CE08011391	CE08010739	CE08020043	CE07061424
CE07101664	CE08010880	CE07110695	CE07121372
CE07100686	CE08011426	CE07120203	CE08010570
CE08011618	CE08010333	CE07120662	CE07121183
CE08010713	CE08011182	CE07111115	CE07111116
CE08010732	CE08020468		

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:

CE07080717	CE07110475	CE07041638	CE07101024
CE08020275	CE08010733	CE08011614	CE08011483
CE07120741	CE07101419	CE08011083	CE08010128
CE08021232			

Cases Rescheduled

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

CE07090601	CE07120711	CE07120745	CE08010124
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Cases Withdrawn

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

CE07120220

There being no further business, the hearing was adjourned at 11:39 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperee, Prototype Services