

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
DECEMBER 19, 2013
9:00 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Deanna Bojman, Clerk III
Peggy Burks, Clerk III
Lori Grossfeld, Clerk III
Skip Margerum, Code Enforcement Supervisor
Jorge Maura, Detective
Ginger Wald, Assistant City Attorney
Stephanie Bass, Code Enforcement Officer
Leonard Champagne, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Dick Eaton, Senior Code Enforcement Officer
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Linda Holloway, Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Wilson Quintero Jr., Code Enforcement Officer
Maria Roque, Code Enforcement Officer
Ron Tetreault, Fire Inspector
Richard Thompson, Building Inspector

Respondents and Witnesses

CE13050145: Raphael Sopher, owner
CE13090799: Terrence Gilday, engineer
CE11080619: Edmund Waterman, owner; Enrique Senior, contractor
CE13081092: Jerome Boralevi, owner; Hendrikus Mikkers, owner
CE11102013; CE13050817: Claire Clark, owner; Goran Dragoslavic, owner
CE13110767: Claire Clark, owner; Goran Dragoslavic, owner; Anthony Dixon, tenant
CE13100419: Robert Vathauer, owner
CE13021296: Paul Vigil, owner
CE13111485: Clifford Glansen, owner
CE12050914: Bernard Diesen, owner
CE13100829; CE13100830: Marcelo Guillermo, owner
CE13070444: Sainricles Mertilus, owner
CE13040935: Flavio Principe, owner
CE12041356: Virginia Zoske, owner
CE13090477: Corey Greene, owner

CE13040603: Darindra Persaud, owner

CE11100683: Erika Espinosa-Contreras, owner; Rosa Pagan, 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: CE13110767

1407 Northwest 13 Court

COMMUNITY 8 PROPERTIES LLC

Certified mail sent to the owner was accepted on 11/27/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THIS SINGLE FAMILY RENTAL RESIDENTIAL DWELLING, ZONED RS-8, IS BEING USED FOR THE PURPOSE OF OUTDOOR STORAGE INCLUDING, BUT NOT LIMITED TO, STORAGE OF APPLIANCES AND METAL PARTS. THE PROPERTY IS ALSO BEING USED AS A METAL JUNK BUSINESS, IN THAT THE REAR YARD AND CARPORT ARE UTILIZED FOR SORTING/STORING DISMANTLED PARTS AND APPLIANCES. OUTDOOR STORAGE IS A NON-PERMITTED LAND USE IN RS-8 ZONING PER ULDR TABLE 47-5.11. THIS IS A RECURRING VIOLATION OF SEVERAL CASES CITED THAT WERE COMPLIED PRIOR TO THE SPECIAL MAGISTRATE HEARING. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE SCHEDULED FOR THE SPECIAL MAGISTRATE HEARING, WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Quintero stated the property had been cited five times for the same violation. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 7 days or a fine of \$250 per day.

Goran Dragoslavic, owner, said the tenant had an appliance business and he had informed him he must keep the property clean.

Anthony Dixon, tenant, said he tried to move the items as soon as they came in. Ms. Flynn advised him to find another location at which to take deliveries.

Ms. Flynn found in favor of the City and ordered compliance within 7 days or a fine of \$250 per day would begin to accrue.

Case: CE13081092

700 Northwest 13 Street
VASTGO REALTY LLC

Certified mail sent to the owner was accepted on 11/21/13. Service was also via posting at City Hall on 12/5/13.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THERE IS OUTSIDE STORAGE ON THIS RESIDENTIAL
PROPERTY. THE GARAGE STRUCTURE AT THIS DUPLEX
PROPERTY HAS BEEN CONVERTED TO A THIRD DWELLING.
THIS IS NOT A PERMITTED USE IN RD-15 ZONING.

Complied:

18-1.
47-19.2 EE.
9-280(f)

Officer Gottlieb stated the owners had purchased the property under the assumption that it was a tri-plex. She presented photos of the property and the case file into evidence.

Jerome Boralevi, owner, confirmed that the Broward County tax records showed this was a tri-plex and they were being charged for a tri-plex by Fort Lauderdale utilities. They had done a lot of work to renovate the house as three units and all work had been permitted. Mr. Boralevi said research revealed that the bathroom for the third unit had been permitted in 1963.

Officer Gottlieb said the owner could apply for a variance or remove the unpermitted kitchen and convert the third unit to storage. Ms. Wald explained the variance process to Mr. Boralevi. She estimated it would take three months to get on the Board of Adjustment agenda.

Ms. Flynn found in favor of the City and ordered compliance within 182 days or a fine of \$50 per day would begin to accrue.

Case: CE12050914

1124 Northwest 15 Court
DIESEN, BERNARD N

This case was first heard on 7/23/12 to comply by 8/27/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$23,000 fine, which would continue to accrue until the property complied.

Bernard Diesen, owner, said he had waited for the City to determine where his sewer connection should be. He estimated it would take 45 days to complete work.

Ms. Flynn granted a 49-day extension during which time no fines would accrue and made the extension retroactive, removing the accrued fines.

Case: CE11080619

627 North Federal Highway
WATERMAN, EDMUND

This case was first heard on 9/1/11 to comply by 11/3/11. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$123,000 and the City was requesting a \$1,080 fine be imposed.

Richard Thompson, Building Inspector, confirmed that the property was complied and recommended reduction of the fine to \$1,080.

Edmund Waterman, owner, thanked the City for the reduction.

Ms. Flynn imposed a \$1,080 fine.

Case: CE11102013

711 Southwest 15 Avenue
LUMAX USA LLC

This case was first heard on 4/19/12 to comply by 5/17/12. Violations were as noted in the agenda. The property was complied, fines had accrued to \$13,425 and the City was requesting the full fine be imposed.

George Oliva, Building Inspector, confirmed the property was complied and recommended reduction of the fine to \$260 to cover administrative costs.

Goran Dragoslavic, owner, thanked the City for the fine reduction.

Ms. Flynn imposed a \$260 fine.

Case: CE13090477

2158 Northwest 6 Court
CHURCH OF NEW LIFE CHRISTIAN FELLOW INC.

Service was via posting on the property on 11/26/13 and at City Hall on 12/5/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violations:
18-12(a)

THERE ARE PLANTS, TREES OVERGROWN AGAINST THE SCREENING WALL AND GROWING INTO THE COMMERCIAL PROPERTY AT THE SOUTH SIDE, ALSO PLANT, TREE DEBRIS, TRASH, RUBBISH AND DEBRIS ON THE VACANT LOT AT THE WEST SIDE, VISIBLE FROM THE RIGHT OF Way , STREET.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THIS RESIDENTIAL PROPERTY LOT AT THE WEST SIDE OF THE BUILDING VISIBLE FROM THE RIGHT OF WAY, INCLUDING BUT NOT LIMITED TO CAR PARTS AND TIRES, COMMERCIAL VEHICLES, TRAILERS, WHICH IS A NON-PERMITTED LAND USE IN RS-8 ZONING PER ULDR TABLE 47-5.11,

9-304(b)

THERE ARE NUMEROUS VEHICLES BEING PARKED/STORED ON GRASS COVERED SURFACES AT THE WEST SIDE OF THIS DWELLING, INCLUDING BUT NOT LIMITED TO A COUPLE TRAILERS, PICK UP TRUCK, WHITE PASSENGER VEHICLE AND A WHITE VAN.

Officer Quintero presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation.

Corey Greene, owner, said this was illegal dumping at the property and they needed to remove it themselves. He said they were working to comply and requested 14 days.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13090799

Request for extension

350 Southeast 2 Street
350 LAS OLAS PLACE CONDO ASSN

This case was first heard on 11/7/13 to comply by 12/5/13. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$3,000.

Terrence Gilday, engineer, said the test and balance test had been completed.

Ron Tetreault, Fire Inspector, recommended a 63-day extension.

Ms. Flynn granted a 63-day extension, during which time no fines would accrue, and made the extension retroactive, removing the accrued fines.

Case: CE13050145

Vacate order of 10/17/13

207 Northwest 7 Avenue

SOPHER INVESTMENTS INC

This was a request to vacate the Order dated 10/17/13.

Ms. Flynn vacated the Order dated 10/17/13.

Case: CE13040935

1408 Northwest 3 Avenue
PHD DEVELOPMENT LLC

This case was first heard on 10/17/13 to comply by 11/14/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,300 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, stated the property manager indicated the remaining violations could be complied within 14 days.

Flavio Principe, owner, said they were working on compliance.

Ms. Flynn granted a 14-day extension during which time no fines would accrue.

Case: CE12041356

1712 Southwest 9 Street
ZOSKE, VIRGINIA M H/E
GELLER, ADAM H/E ETAL

This case was first heard on 8/27/12 to comply by 11/26/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$20,400 and the City was requesting the full fine be imposed.

Virginia Zoske, owner, said it had taken time to afford the repairs.

Ms. Flynn imposed no fine.

Case: CE13070444

1400 Northeast 2 Avenue
MERTILUS, SAINRICLES & MERTILUS, BERNADETTE

Certified mail sent to the owner was accepted on 11/29/13. Service was also via posting at City Hall on 12/5/13.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
18-12(a)

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

9-280(b)

THERE IS A BROKEN WINDOW ON THE STRUCTURE.

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-308(a)

THERE IS EVIDENCE OF A ROOF LEAK.

Complied:

9-308(b)

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance with 9-308(a) within 63 days or a fine of \$25 per day and with the remaining violations within 28 days or a fine of \$25 per day, per violation.

Sainricles Mertilus, owner, said he would clean up the property and repair the fence. He requested two months.

Ms. Flynn found in favor of the City and ordered compliance with 9-308(a) within 63 days or a fine of \$25 per day and with the remaining violations within 28 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13100419

801 Northwest 1 Street

VATHAUER, ROBERT L & VATHAUER, KENNET

Certified mail sent to the owner was accepted on 11/29/13.

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

18-4(c)

THERE IS AN UNLICENSED/INOPERABLE VEHICLE BEING
STORED ON THE PROPERTY INCLUDING BUT NOT LIMITED
TO A BLACK FORD ESCORT. THE VEHICLE DESCRIBED HAS
AN EXPIRED LICENSE TAG AND IS INOPERABLE.

Officer Cross presented photos of the property and the case file into evidence, stated the violation was now complied, and requested a finding of fact that the violation had existed as cited.

Robert Vathauer, owner, said the tenant had complied the violation.

Ms. Flynn found the violation had existed as cited.

Case: CE13050817

921 Northeast 16 Terrace

COMMUNITY 8 PROPERTIES LLC

This case was first heard on 8/1/13 to comply by 10/31/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$200 and the City was requesting the full fine be imposed.

Dick Eaton, Senior Code Enforcement Officer, confirmed the property was complied and recommended no fine be imposed.

Goran Dragoslavic, owner, thanked the City for the fine reduction.

Ms. Flynn imposed no fine.

Case: CE13111485

1050 Northwest 55 Street
HAVEN ASSOCIATES INC

Service was via posting on the property on 12/4/13 and at City Hall on 12/5/13.

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 1:1.12.1 - ATF

WORK HAS BEEN DONE THAT REQUIRES A PERMIT.

NFPA 101:7.9.1.1

EMERGENCY LIGHTING IS NOT PROVIDED IN ACCORDANCE WITH THE CODE.

NFPA 1:14.14.1.2.1

EXIT SIGN(S) IS(ARE) NOT PROVIDED AT THE(ALL) REQUIRED EXIT(S).

NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

Inspector Tetreault recommended ordering compliance within 182 days or a fine of \$150 per day, per violation.

Clifford Glansen, owner, agreed to comply.

Ms. Flynn found in favor of the City and ordered compliance within 182 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11100683

528 Southwest 24 Avenue

ZABALA, PEDRO & ESPINOZA, ERIKA

This case was first heard on 6/6/13 to comply by 7/18/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

George Oliva, Building Inspector, said there had been no effort at compliance.

Inspector Oliva translated for Erika Espinosa-Contreras, owner. She explained that her husband was in jail and she could not do any of the work. He would get out of jail June 1, 2014 and Ms. Espinosa-Contreras requested an extension until then.

Ms. Flynn granted a 175-day extension during which time no fines would accrue.

Case: CE13040603

3081 Northwest 19 Street
TULARAM-PERSAUD, DEVI

This case was first heard on 7/18/13 to comply by 8/22/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$8,250 and the City was requesting a \$467 fine be imposed.

Dick Eaton, Senior Code Enforcement Officer, confirmed the property was complied and requested imposition of a \$709 fine for administrative costs.

Darmindra Persaud, owner, said he had recently purchased the property and made a significant investment. He requested no fine be imposed.

Ms. Flynn imposed no fine.

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

Case: CE13100829

1208 Northwest 3 Street
FADI INVESTMENT CORP

Service was via posting on the property on 12/6/13 and at City Hall on 12/5/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT
THE PROPERTY INCLUDING BUT, NOT LIMITED TO PAPERS,
CUPS, BOTTLES AND MISCELLANEOUS ITEMS.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Marcelo Guillermo, owner, reported on work already done at the property and said they were working on the parking area.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

Case: CE13100830

1208 Northwest 3 Street
FADI INVESTMENT CORP

Service was via posting on the property on 12/6/13 and at City Hall on 12/5/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
47-20.20.H.

THE PARKING AREA IS IN DISREPAIR. OVER HALF OF THE
PARKING AREA IS BROKEN UP AND IS NOT IN A HARD
DUST FREE SURFACE AND IS NOT IN A GOOD OPERATING
CONDITION. ALSO THE PARKING AREA IS IN NEED OF RESTRIPING.

Complied:
9-306

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day would begin to accrue.

Case: CE13021296

1017 Southwest 4 Street
JPOJ FAMILY TR

This case was first heard on 7/18/13 to comply by 8/1/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,350 and the City was requesting the full fine be imposed.

Dick Eaton, Senior Code Enforcement Officer, stated administrative costs were \$939.

Paul Vigil, owner, said tenants had not paid \$10,000 in rent, had damaged the property and not allowed him access to make repairs.

Ms. Flynn imposed no fine.

Case: CE13081463

5596 Bayview Drive

GALLANT, GLENN M

Service was via posting on the property on 11/26/13 and at City Hall on 12/5/13.

Maria Roque, Code Enforcement Officer, testified to the following violation:
8-91.(c)

THE DOCK AT THIS PROPERTY IS IN DISREPAIR THE WOOD
HAS DETERIORATED AND AREAS OF THE DOCK HAVE
COLLAPSED.

Officer Roque presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day would begin to accrue.

Case: CE13100473
1531 Northeast 15 Avenue
ZALEWSKI, MACIE J

Service was via posting on the property on 11/26/13 and at City Hall on 12/5/13.

Maria Roque, Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS OVERGROWTH OF GRASS/PLANT/WEED, TRASH AND
DEBRIS ON THIS PROPERTY.

Officer Roque presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE13080450
1024 Northwest 6 Street
CONE, WILLIAM J & ELECTA C

Stipulated agreement

Violations:
9-306

EXTERIOR WALLS, FASCIA AND/OR SOFFITS ARE DIRTY
AND STAINED WITH AREAS OF FADED OR CHIPPING PAINT.

9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS INDUSTRIAL
PROPERTY THAT ARE IN DISREPAIR OR NOT BEING
MAINTAINED. THEY INCLUDE, BUT ARE NOT LIMITED TO

WINDOW FRAMES AND DOORS.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$200 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 91 days or a fine of \$200 per day, per violation, would begin to accrue.

Case: CE13080451

Stipulated agreement

1018 Northwest 6 Street
CONE, WILLIAM J & ELECTA C

Violations:

9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS INDUSTRIAL PROPERTY THAT ARE IN DISREPAIR OR NOT BEING MAINTAINED. THEY INCLUDE, BUT ARE NOT LIMITED TO WINDOW FRAMES, DOORS AND STAIR RAILINGS.

9-306

EXTERIOR WALLS, FASCIA AND/OR SOFFITS ARE DIRTY AND STAINED WITH AREAS OF FADED OR CHIPPING PAINT.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$200 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 91 days or a fine of \$200 per day, per violation, would begin to accrue.

Case: CE13100507

Stipulated agreement

3221 Davie Blvd
FRAM DAVIE ONE INC

47-20.20.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THE STRIPING AND SURFACE MARKINGS ARE FADED OR MISSING. THE ASPHALT SURFACE HAS CRACKS AND OIL STAINS.

The City had a stipulated agreement with the owner to comply within 21 days or a fine of \$100 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 21 days or a fine of \$100 per day would begin to accrue.

Case: CE13100538

701 North Federal Highway
FORT LAUDERDALE US 1 LLC

Certified mail sent to the owner was accepted on 11/26/13. Service was also via posting at City Hall on 12/5/13.

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

9-305(b)

LANDSCAPING NOT MAINTAINED. WEEDING IS NOT BEING DONE TO PRESENT A NEAT AND WELL-KEPT APPEARANCE.

9-306-

THERE IS GRAFFITI, DIRTY, CHIPPED AND MILDEW STAINED PAINT ON THE BUILDING AND FACADES. THERE ARE HOLES AND OPENINGS THAT ARE NOT IMPERVIOUS TO THE ELEMENTS.

9-307(a)

THERE IS A DOOR ON THE REAR OF THE PROPERTY THAT IS IN DISREPAIR AND NOT SECURED IN A TIGHT-FITTING AND WATERPROOF MANNER.

Officer Champagne presented photos of the property and the case file into evidence, and recommended ordering compliance with 9-306 within 10 days or a fine of \$100 per day and with the remaining violations within 10 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-306 within 10 days or a fine of \$100 per day and with the remaining violations within 10 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13100751

724 Northwest 17 Street
SHUTTS, JASON ALBERT

Service was via posting on the property on 11/23/13 and at City Hall on 12/5/13.

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

18-12(a)

THERE IS OVERGROWTH AND LITTER ON THE PROPERTY AND

SWALE. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE MAY BE BROUGHT BEFORE THE SPECIAL MAGISTRATE, EVEN IF THE VIOLATION IS BROUGHT INTO COMPLIANCE PRIOR TO THE HEARING.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

Case: CE13100303

Stipulated agreement

1513 Northwest 8 Avenue
PRUDEN, ADAM KIRK

Violations:

18-12(a)

THERE IS TRASH, LITTER, DIRT AND DEBRIS ON THE PROPERTY AND SWALE OF THIS RENTAL DUPLEX PROPERTY.

47-20.20.H.

THE PARKING LOT IS IN DISREPAIR. THE ASPHALT IS CRUMBLING, THERE ARE POTHOLES, DIRT AND DEBRIS.

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE AREAS OF MISSING GRASS, WHERE THERE IS BARE DIRT, AND CARPETING BEING USED IN PLACE OF LIVING GROUND COVER.

The City had a stipulated agreement with the owner to comply 18-12(a) within 14 days or a fine of \$50 per day, and the remaining violations within 28 days or a fine of \$50 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 18-12(a) within 14 days or a fine of \$50 per day, and with the remaining violations within 28 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13082174

1528 Northwest 8 Avenue
POLANCO, JEAN CLAUDY

Service was via posting on the property on 11/21/13 and at City Hall on 12/5/13.

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

18-12(a)

THERE IS TRASH, LITTER, DIRT AND DEBRIS ON THE PROPERTY AND SWALE OF THIS DUPLEX PROPERTY.

47-20.20.H.

THE PARKING LOT IS DIRTY AND THE STRIPES AND SEALCOAT HAVE FADED.

47-34.1.A.1.

THERE IS FURNITURE AND OTHER ITEMS BEING STORED OUTDOORS.

9-278(g)

THERE ARE WINDOWS MISSING THE REQUIRED SCREENS.

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-304(b)

THERE ARE VEHICLES PARKING ON A DIRT SURFACE.

9-305(b)

THERE IS GRASS MISSING ON THE PROPERTY AND SWALE, AND THERE IS BARE DIRT.

Complied:

9-306

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

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

Case: CE13100749

1501 Northwest 24 Avenue
DALLAND PROPERTIES LP

Certified mail sent to the owner was accepted on 11/21/13. Service was also via posting at City Hall on 12/5/13.

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

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR. THE

TOP RAIL IS DISCONNECTED, AND THE FENCE IS UNEVEN.

9-304(b)

THE DRIVEWAY IS IN DISREPAIR, AND HAS POTHOLES AND WEEDS GROWING THROUGH THE PAVEMENT.

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

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13081985

1323 Northwest 15 Avenue
1323 Northwest 15 AVENUE INC

Service was via posting on the property on 11/25/13 and at City Hall on 12/5/13.

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

9-280(h)(1)

CHAIN LINK FENCE IN DISREPAIR, THERE IS A SECTION BY THE ENTRANCE THAT HAS A POLE IN DISREPAIR AND IS FALLING TO ONE SIDE.

9-304(b)

THE DRIVEWAY ON THIS SINGLE FAMILY RESIDENCE IS IN DISREPAIR, ALLOWING VEGETATION TO GROW THROUGHOUT THE MISSING ASPHALT AREAS. THE DRIVEWAY IS NOT IN A HARD DUST-FREE CONDITION. THERE ARE AREAS OF THE DRIVEWAY THAT ARE MISSING OR WORN THROUGH AND THERE IS GRASS GROWING THROUGH IT.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE LARGE AREAS OF MISSING GROUND COVER, WHERE THERE IS BARE DIRT.

Complied:

18-4(c)

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

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

Case: CE13091318

1301 Northwest 12 Street
SMITH, LORETTA L & WILLIAM L
% PRUDENTIAL CALIFORNIA REALTY

Certified mail sent to the owner was accepted on 11/29/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-306

THE EXTERIOR OF THE STRUCTURE IS NOT BEING MAINTAINED.
EXTERIOR WALLS AND OTHER SURFACES ARE UNATTRACTIVE, DIRTY
AND STAINED.

Complied:
9-279(f)
9-280(g)

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

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

Case: CE13100163

Stipulated agreement

2012 Northwest 12 Avenue
JACKSON, DWAN L

Violations:
9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS PROPERTY
THAT ARE IN DISREPAIR OR NOT BEING MAINTAINED.
THEY INCLUDE, BUT ARE NOT LIMITED TO WINDOWS
COVERED WITH WOOD, THEY ARE NOT REASONABLY
WEATHERPROOF AND WATERTIGHT, AND DO NOT MEET
BUILDING REQUIREMENTS, FASCIA BOARDS, SOFFITS, ETC.

9-306

EXTERIOR WALLS AND OTHER SURFACES ARE
UNATTRACTIVE, DIRTY AND STAINED.

Complied:
18-4(c)

The City had a stipulated agreement with the owner to comply within 35 days or a fine of \$25 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 35 days or a fine of \$25 per day, per violation, would begin to accrue.

Case: CE13090749

529 Northwest 16 Avenue
GLASS, OLIVER C JR

Service was via posting on the property on 11/26/13 and at City Hall on 12/5/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
9-307(a)

THERE IS A BROKEN WINDOW IN FRONT OF THE ABOVE
VACANT PROPERTY AND IS IN NEED OF REPLACING.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would begin to accrue.

Case: CE13111487

111 Southwest 23 Street # B
HARRINGTON, WILLIAM J & MARIE

Certified mail sent to the owner was accepted on 12/3/13.

Ron Tetreault, Fire Inspector, testified to the following violations:
NFPA 1:13.6.2

FIRE EXTINGUISHER(S) IS/ARE NOT PROVIDED IN ACCORDANCE WITH
THE CODE.

NFPA 1:13.6.8.1.3.8.1

THE FIRE EXTINGUISHER(S) IS/ARE NOT MOUNTED ACCORDING TO
THE CODE.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:11.1.10

THERE IS/ARE MISSING ELECTRICAL COVER(S).

Inspector Tetreault recommended ordering compliance within 49 days or a fine of \$150 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE13111491

633 Northeast 17 Terrace
1025 PARK LLC

Certified mail sent to the owner was accepted on 11/29/13. Service was also via posting at City Hall on 12/5/13.

Ron Tetreault, Fire Inspector, testified to the following violation:
MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

Complied:

NFPA 1:13.6.9.3.1.1.1

FLORIDA STATUTES 633.027

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$150 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$150 per day would begin to accrue.

Case: CE13111521

924 Northeast 17 Terrace # RPP

924 Northeast 17 TERRACE LLC

Service was via posting on the property on 12/21/13 and at City Hall on 12/5/13.

Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:13.6.9.3.1.1.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND
TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12
MONTHS.

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$150 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$150 per day would begin to accrue.

Case: CE13111524

925 Northeast 17 Terrace

SCHULTZ, DONALD & MARYLYN

Service was via posting on the property on 12/2/13 and at City Hall on 12/5/13.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:13.6.9.3.1.1.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND
TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12
MONTHS.

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$150 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$150 per day would begin to accrue.

Case: CE13051560

412 Southeast 22 Street
VENTER, TAMMY

This case was first heard on 9/19/13 to comply by 10/3/13. Violations were as noted in the agenda.

The property was not complied and the City was requesting imposition of a \$1,875 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,875 fine, which would continue to accrue until the property was complied.

Case: CE13090128

1206 Northwest 4 Avenue
KING, EDDIE JAMES EST

This case was first heard on 11/7/13 to comply by 11/21/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$800 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$800 fine.

Case: CE13060114

1106 Wyoming Avenue
DENIS, HYPOLITE

This case was first heard on 9/19/13 to comply by 11/7/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,000 fine, which would continue to accrue until the property was complied.

Case: CE13090745

406 Southwest 22 Terrace
GUIDO, SALVADOR

This case was first heard on 11/7/13 to comply by 11/21/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,300 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,300 fine, which would continue to accrue until the property was complied.

Case: CE13091735

601 E Evanston Circle
BLANEY, DAVID R

This case was first heard on 11/7/13 to comply by 11/17/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$75 0 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$750 fine.

Cases Complied

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:

CE13110495	CE13100629	CE13100637	CE13110372
CE13091800	CE13091801	CE13110177	CE13091447
CE13101374	CE13101392	CE13101393	CE13101395
CE13111484	CE13111489	CE13111488	CE13111490
CE13111495	CE13111498	CE13111503	CE13111511
CE13111513	CE13111508	CE13111516	CE13111520
CE13111525	CE13090877		

Cases Closed

The below listed cases were closed. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE13111517 CE13111519

Cases Withdrawn

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:

CE13080871

Cases Rescheduled

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


CE13071455 CE13060673

There being no further business, the hearing was adjourned at 10:23 A.M.



Special Magistrate

ATTEST:



Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services