

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
JUNE 19, 2014
9:00 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Peggy Burks, Clerk III
Porshia Goldwire, Administrative Aide
Lori Grossfeld, Clerk III
Sharon Ragoonan, Code Compliance Manager
Jeri Pryor, Clerk of Special Magistrate, Supervisor
Rhonda Hasan, Assistant City Attorney
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Thomas Clements, Fire Inspector
Andre Cross, Code Enforcement Officer
Alejandro DelRio, Code Enforcement Officer
Dick Eaton, Senior Code Enforcement Officer
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Ursula Thime, Senior Code Enforcement Officer
Shelly Wright, Code Enforcement Officer

Respondents and Witnesses

CE13041248: Rafi Anac, manager
CT14051007: Courtney Crush, attorney
CE14041255: Tania Ouaknine, owner
CE14041759: Marie Gabriel, owner
CE13071966: Julian Siegel, owner
CE13081092: Michele Rubin, property manager
CE13100970: Eric Schwanenfeld, owner
CE14011813: Lesley Hicks, interested party
CE14020166: Susan Mason, company representative
CE13100098: Matthew Jelnek, property representative
CE13061272: Briere Justin, owner
CE14030718: Philip Callobre, maintenance manager
CE14011873: Larry Robbins, tenant
CE14010611: Sue King, bank representative
CE12081691: Pierre Petit-Frere, pastor

CE14011729: David Drimmer, tenant
CE14020150: Enrique Rubes, property manager
CE14042046: Steven David, property manager
CE13071177: Enrica Sgarlato, owner's daughter
CE14040167: Shandra Davis, owner
CE14031031: Patrick Sasso Jr., owner
CE14030426: John Fitch, owner's son

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: CT14051007

219 S Ftl Beach Blvd
EL-AD FL BEACH CR LLC

Certified mail sent to the owner was accepted on 5/29/14.

Dick Eaton, Senior Code Enforcement Officer, testified to the following violation:
47-22.3.R.

THERE ARE MULTIPLE NON-PERMITTED SIDEWALK/SANDWICH
BOARD SIGNS ON THIS PROPERTY AND ON THE PUBLIC SIDEWALK.

Officer Eaton 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.

Courtney Crush, attorney, requested time for the permits to be issued.

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: CE14031031

4280 Galt Ocean Drive # 21B
SASSO, PATRICK & MARGARET E

Certified mail sent to the owner was accepted on 5/31/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

BUILDING PERMIT #12090780 HAS EXPIRED

Inspector Oliva stated a Home Depot contractor had failed to call for final inspection to close out the permit. He recommended ordering compliance within 28 days or a fine of \$25 per day.

Patrick Sasso Jr., owner, said he had been in the hospital in May. He stated the contractor had refused to return his calls. He also said he had done some of the work himself.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

Case: CE14040167

3516 Jackson Blvd

SANDERS, BUFFY II & DAVIS-SANDERS, SHANDRA

Service was via posting on the property on 5/31/14 and at City Hall on 6/5/14.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THERE IS A REMAINING PORTION OF A CHAIN LINK FENCE ON THE FRONT AND WEST SIDE OF THIS OCCUPIED PROPERTY THAT HAS NOT BEEN REMOVED THAT WAS ATTACHED TO THE PORTION OF THE FENCE THAT HAS BEEN REMOVED. THERE IS A WOODEN FENCE IN THE REAR OF THE PROPERTY THAT IS LEANING AND IN DISREPAIR.

Officer Bass 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.

Shandra Davis, owner, explained that someone had driven into the fence. The portion still standing was connected a neighbor's fence and was free-standing. Officer Bass said the front section that had the gate removed must be removed. She pointed out the section in a photo.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day would begin to accrue.

Case: CE13100970

833 N Victoria Park Rd

833 NORTH VICTORIA PARK LLC

This case was first heard on 12/5/13 to comply by 1/2/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$38,500 and the City was requesting the full fine be imposed.

Thomas Clements, Fire Inspector, confirmed the property was complied. He said the notification address had been changed prior to this owner's purchase of the property so he had not received proper notice.

Eric Schwanenfeld, owner, said as soon as he had seen the notice, he had complied the violations.

Ms. Flynn imposed no fine.

Case: CE13061272

1105 Northwest 5 Avenue
JUSTIN, BRIERE

This case was first heard on 11/7/13 to comply by 5/8/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$4,850 and the City was requesting the full fine be imposed.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the owner had done substantial work on the property.

Briere Justin, owner, said it had taken time to do the work and requested the fine be waived.

Ms. Flynn imposed a \$300 fine.

Case: CE14041255

519 Northwest 23 Avenue
PARISIAN MOTEL INC

Service was via posting on the property on 6/3/14 and at City Hall on 6/5/14.

Andre Cross, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR.

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.

Tania Ouaknine, owner, said she had been unaware of the fence's condition.

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: CE14011813

937 Northwest 8 Avenue

Request for extension

WAREHOUSE FLL 937 LLC

This case was first heard on 12/19/13 to comply by 6/19/14. Violations were as noted in the agenda. The property was not complied.

Andre Cross, Code Enforcement Officer, did not recommend an extension.

Lesley Hicks, interested party, said the owner had asked her to speak on his behalf. She stated she was meeting with a City Commissioner to discuss redeveloping the property.

Ms. Hasan said redevelopment should not affect removal of the trash. Officer Cross had explained to the owner that he must erect a concrete wall to screen the items currently stored outdoors or remove them. Ms. Hicks requested 30 days.

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

Case: CE14011729

1413 Southwest 17 Street
STONE, JONATHAN

Certified mail sent to the owner was accepted on 5/19/14.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
8-148(a)

THERE IS A BOAT CONVERTED FROM AN AIRPLANE THAT HAS A PLASTIC TARP ON THE FRONT AND HAS AREAS OF MISSING PAINT DOCKED BEHIND THIS PROPERTY. NO BOAT OR WATERCRAFT, WHICH IS FOUND TO BE OF UNSIGHTLY APPEARANCE OR IN DETERIORATED CONDITION, SHALL BE PERMITTED TO MOOR IN ANY WATERWAY WITHIN THE CITY, EXCEPT AT LICENSED MARINE FACILITIES FOR REPAIR.

Complied:
8-91.(b)

Officer Campbell presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$75 per day.

David Drimmer, tenant, stated he owned the boat. He said he was preparing the boat for paint and he anticipated the work could be completed within 42 days.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$75 per day would begin to accrue.

Case: CE13071177

2800 E Sunrise Blvd # 16E
PALMA SCOTTO LIV TR SCOTTO, PALMA TRUSTEE

This case was first heard on 9/19/13 to comply by 10/24/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,100 and the City was requesting the full fine be imposed.

Thomas Clements, Fire Inspector, stated the violation had existed 31 days and recommended imposing a \$520 fine.

Enrica Sgarlato, the owner's daughter, said she had hired someone to get a permit and change the door on the apartment. She stated the work had taken some time because the contractor had difficulty pulling the permit.

Ms. Flynn imposed a \$520 fine.

Case: CE14020166

955 S Federal Highway
SAPPHIRE INVESTMENT FUND LLC

This case was first heard on 3/6/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$33,600 fine, which would continue to accrue until the property complied.

Thomas Clements, Fire Inspector, said only the sprinkler service issue remained and it should be resolved later in the day.

Susan Mason, company representative, confirmed that the sprinkler issues would be rectified later in the day. She stated the owner had not been mailed notice of the violations. Inspector Clements stated he had spoken with the owner, who was aware of the problem, but no one had been present for a scheduled inspection.

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

Case: CE14020150

1619 Northwest 8 Avenue
LOGICORP ENTERPRISES INC

This case was first heard on 4/17/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$14,400 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the representative had contacted her for the first time the previous day.

Enrique Rubes, property manager, said they had not been notified of the violations and requested 35 days.

Ms. Hasan was concerned that the property was occupied.

Ms. Flynn granted a 35-day extension for violations 47-20.20.H., 9-280(g), 9-280(h)(1) and 9-305(b) and a 14-day extension for 9-280(b) and 9-280(f), during which time no fines would accrue.

Case: CE14030426

6711 Northwest 22 Terrace
FITCH, ROBERT A

Certified mail sent to the owner was accepted on 5/30/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

THE FOLLOWING ARE EXPIRED PERMITS:
ALTERATION PERMIT 09011562
PLUMBING PERMIT 09011566
BUILDING PERMIT 0901169

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$25 per day.

John Fitch, owner's son, said he had already started on renewing the permits.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

Case: CE13081092

Request for extension

700 Northwest 13 Street
VASTGO REALTY LLC

This case was first heard on 12/19/13 to comply by 6/19/14. Violations were as noted in the agenda. The property was not complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the owner had considered applying for a variance but the Zoning Administrator had indicated this request would probably not be granted so the owner was considering other ways to comply.

Michele Rubin, property manager, requested more time to convert the property back to its original state. She confirmed no one was living in the garage.

Ms. Flynn granted a 63-day extension during which time no fines would accrue.

Case: CE13041248

201 Hendricks Isle
HENDRICKS 201 LLC

This case was first heard on 2/6/14 to comply by 5/22/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,350 fine, which would continue to accrue until the property complied.

Adam Feldman, Senior Code Enforcement Officer, recommended an extension of 133 days.

Rafi Anac, manager, said they had already submitted permits to redevelop the property.

Ms. Flynn granted a 133-day extension during which time no fines would accrue.

Case: CE13100098

1104 Northwest 6 Avenue
OSHU 1 LLC

This case was first heard on 2/6/14 to comply by 3/13/14 and 5/15/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the representative had informed her they were working on the property.

Matthew Jelnek, property representative, asked to speak with Ms. Hasan. Ms. Flynn heard other cases while Mr. Jelnek discussed this case with Ms. Hasan.

Upon returning to the case, Mr. Jelnek presented documents into evidence. He requested time to allow the leases to expire on September 30, 2014, when they would take action to comply the violations. Ms. Hasan was concerned that the unpermitted unit was occupied. She objected to an extension.

Mr. Jelnek recalled that Ms. Flynn had indicated in February that fines would not be imposed today; this hearing was to provide an update. Since then, Mr. Jelnek said they had consulted two attorneys regarding obtaining a change of use or a variance.

Mr. Jelnek said he could not process an eviction within 28 days and Ms. Flynn said, "I would have expected between February and now that you would have tried to work something out with the tenant, explained the situation to the tenant and tried to come to some kind of agreement."

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE14042046

2711 Northeast 20 Court
ABBATE, JOHN P

Service was via posting on the property on 6/3/14 and at City Hall on 6/5/14.

Shelly Wright, Code Enforcement Officer, testified to the following violation:
47-34.4.A.1.

THERE IS A BOAT TRAILER PARKED ON THE RIGHT OF Way
IN FRONT OF THIS RESIDENTIAL PROPERTY. THIS IS A
RECURRING VIOLATION; PRIOR CASES CE13120618,
CE14031178 & CE14040144. THIS CASE WILL BE TAKEN
BEFORE THE SPECIAL MAGISTRATE FOR A FINDING OF
FACT, REGARDLESS OF WHETHER THE VIOLATION IS COMPLIED.

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

Steven David, property manager, said they had given the tenant a notice to move.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE13071966

608 Southwest 12 Avenue
ASHTON HOLDINGS & DEVELOPMENT LLC

This case was first heard on 9/19/13 to comply by 10/17/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$122,000 fine, which would continue to accrue until the property complied.

Thomas Clements, Fire Inspector, said the owner had not been aware that fines were accruing but he was now being diligent to comply. He recommended a 91-day extension.

Julian Siegel, owner, agreed with Inspector Clements' recommendation.

Ms. Flynn granted a 91-day extension during which time no fines would accrue.

Case: CE12081691

1317 Northeast 4 Avenue
AGAPE CHURCH OF GOD INC

This case was first heard on 10/4/12 to comply by 11/1/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$426,600 and the City was requesting the full fine be imposed.

Thomas Clements, Fire Inspector, confirmed all violations were complied. He said inspectors had differences of opinion regarding what must be done to comply. He had conferred with the inspector who would be inspecting the property in the next few years and reached an agreement with the owner on work that must be done. He recommended no fine be imposed.

Pierre Petit-Frere, pastor, said he was pleased God had sent Inspector Clements his way.

Ms. Flynn imposed no fine.

Case: CE14010611

1300 Northwest 2 Avenue
WELLS FARGO BANK
% ALDRIDGE CONNERS LLP

This case was first heard on 4/3/14 to comply by 4/24/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$8,200 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, reported the property was boarded up but the certificate had not been issued yet.

Sue King, bank representative, said she needed to talk to the Building Official about why the board-up had not passed inspection and added that they had received bids for sod. She requested 35 days.

Ms. Flynn granted a 35-day extension during which time no fines would accrue.

Case: CE14030718

1135 Northwest 7 Avenue
TIITF/HRS-YOUTH SERV BROWARD CHILDREN SHELTER

Certified mail sent to the owner was accepted on 6/2/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:
24-28(a)

THE DUMPSTER AREA IS NOT BEING MAINTAINED IN A
SANITARY CONDITION. THERE IS TRASH IN THE ENCLOSURE AREA.
THE LIDS ARE NOT BEING KEPT CLOSED ON THE DUMPSTER.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR.

Officer Gottlieb presented photos of the property and the case file into evidence, and said the owner was working to comply the violations. She recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Philip Callobre, maintenance manager, said he had hired a fencing contractor, who was applying for the permit. He requested 3 weeks.

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

Case: CE14011873

1217 Northwest 19 Avenue
HSBC BANK USA NA TRUSTEE
%OCWEN LOAN SERVICING LLC

This case was first heard on 4/3/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,600 fine, which would continue to accrue until the property complied.

Larry Robbins, tenant, said he had contacted the insurance company and the bank, but neither had acted to repair the roof. He said during foreclosure, the bank had incurred the violations.

Ms. Flynn imposed the \$9,600 fine, which would continue to accrue until the property complied.

Case: CE14010234

Stipulated agreement

724 Riviera Isle
TURNER, BEVERLY, BEVERLY TURNER TR

Violation:

47-34.1.A.1.

THIS PROPERTY, LOCATED IN RS-8 ZONING, IS BEING UTILIZED FOR OUTSIDE STORAGE. THE ITEMS BEING STORED OUTSIDE INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING; WOOD, PAINT, PAINT THINNERS, STACKS OF CARDBOARD BOXES, FIVE GALLON BUCKETS, WINDOW SCREENS, PLASTIC CONTAINERS, INTERIOR DOORS, CEILING TILES, INDOOR CARPET THAT IS ROLLED UP IN A TARP, AN A/C/ UNIT THAT IS NOT INSTALLED AND OTHER MISCELLANEOUS ITEMS THAT ARE NOT SPECIFIC TO OUTDOOR USE. THERE IS ALSO A BOAT THAT IS NOT ON A TRAILER BEING STORED ON THE GRASS AREA ADJACENT TO THE

SEAWALL/DOCK AREA. THE BOAT IS FILLED WITH WATER, PLANT MATERIAL, DIRT AND HAS MILDEW. THE MAJORITY OF THE ITEMS THAT ARE BEING STORED OUTSIDE, ARE STREWN ABOUT THE REAR AND NORTH SIDE OF THE PROPERTY AND VISIBLE FROM THE NEIGHBORING PROPERTIES.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$25 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 91 days or a fine of \$25 per day would begin to accrue.

Case: CE14031409

2208 Southwest 14 Street
ANDERSON, EVE A

Service was via posting on the property on 5/28/14 and at City Hall on 6/5/14.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:
47-34.4.C.1.

RECREATIONAL VEHICLE PARKED AT THE PROPERTY IS
BEING USED FOR LIVING OR SLEEPING.

Complied:
25-7(a)

Officer DelRio 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.

Ms. Hasan was concerned that there were extension cords running from the RV to the property and recommended a \$500 per day fine.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$500 per day would begin to accrue.

Case: CE14032066

1643 Northeast 14 Avenue
POINSETTIA COURT OF SUNRISE INC

Certified mail sent to the owner was accepted on 5/30/14.

Ursula Thime, Senior Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE FENCE AT THIS VACANT PROPERTY IS IN DISREPAIR,
THERE ARE AREAS OF THE FENCE IN WHICH THE SUPPORT

POST ARE LEANING AND IN DISREPAIR.

Officer Thime 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.

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

Case: CE14042220

20 Compass Isle
CAMSAN BAY COLONY INC

Certified mail sent to the owner was accepted on 5/30//14.

Ursula Thime, Code Enforcement Officer, testified to the following violation:
18-11(b)

THE POOL AT THIS VACANT LOT IS FILLED WITH GREEN STAGNANT WATER AND HAS TRASH AND DEBRIS CONSISTING OF FALLEN PALM FRONDS. THE POOL IS UNSANITARY, UNSIGHTLY, AND IN THIS CONDITION POSES A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Officer Thime presented photos of the property and the case file into evidence, and said owner had pulled a permit to demolish the pool. She recommended ordering compliance within 21 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$25 per day would begin to accrue.

Case: CE14030022

1826 Southwest 29 Street
PROVENZALE, ANTHONY & PROVENZALE, DOMINIC

Service was via posting on the property on 5/30/14 and at City Hall on 6/5/14.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
9-280(b)

THERE IS A LARGE CRACK AND DEPRESSION IN THE EAST WALL OF THIS PROPERTY. AN AIR CONDITIONING UNIT HAS BEEN ILLEGALLY INSTALLED THROUGH THE WALL. ALL EXTERIOR BUILDING WALLS SHALL BE STRUCTURALLY SOUND, WEATHER AND WATER TIGHT, RODENT PROOF AND MAINTAINED IN A SECURE AND ATTRACTIVE MANNER.

Officer Campbell presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$75 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$75 per day would begin to accrue.

Case: CE14051636

1471 Northwest 21 Street
LAROC, JEAN

Certified mail sent to the owner was accepted on 5/30/14.

Thomas Clements, Fire Inspector, testified to the following violation:

NFPA 1:13.6.8.1.3.8.1

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

Complied:

NFPA 1:13.6.9.3.1.1.1

Inspector Clements 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: CE14051420

516 Northwest 21 Terrace
NY INVESTMENT GROUP LLC

Service was via posting on the property on 6/3/14 and at City Hall on 6/5/14.

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

18-12(a)

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED AGAIN AND DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE PROPERTY COMES INTO COMPLIANCE OR NOT, AS THE VIOLATION HAS NOT BEEN IN COMPLIANCE. THE PROPERTY WAS FIRST CITED ON JULY 09, 2013 UNDER CASE NUMBER CE13070469 FOR OVERGROWTH AND CITED AGAIN ON SEPTEMBER 27, 2013 UNDER CASE NUMBER CE13091737 FOR OVERGROWTH. DUE TO THE RECURRING NATURE OF THIS VIOLATION THE CITY IS REQUESTING THAT THE MAGISTRATE FINDS THAT THE VIOLATION DID EXIST. IF THE VIOLATION OCCURS AGAIN THE PROPERTY OWNER IS SUBJECT TO BE CITED AS

A REPEAT VIOLATOR.

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.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE14050185

951 Alabama Avenue
BOUQUET, WILSON EST

Service was via posting on the property on 5/31/14 and at City Hall on 6/5/14.

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

THERE IS AN ACCUMULATION OF OVERGROWN GRASS, WEEDS
AND TRASH ON THE EXTERIOR OF THIS PROPERTY.

Officer Bass 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: CE14050366

1040 Southwest 22 Terrace
MCKINNEY, ALI J

Service was via posting on the property on 5/31/14 and at City Hall on 6/5/14.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:
47-34.4 B.1.

THERE IS A COMMERCIAL VEHICLE PARKED ON THE FRONT
LAWN OF THIS RESIDENTIAL ZONED PROPERTY.

Officer Bass 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: CE14051263

1407 Southwest 10 Street
NIES, SHAWN

Service was via posting on the property on 5/31/14 and at City Hall on 6/5/14.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-11(a)

THE POOL AT THIS OCCUPIED PROPERTY IS FILLED WITH GREEN STAGNANT WATER, THE POOL IN THIS CONDITION ENDANGERS THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY. THIS IS A RECURRING VIOLATION AT THIS PROPERTY. THE PROPERTY WAS PREVIOUSLY CITED UNDER VIOLATION 18-11(a) CASE NUMBERS CE11060345 ON 6/6/11, CE11080800 ON 8/9/11, CE12052009 ON 5/24/12, CE13090371 ON 9/8/13 AND CURRENT CASE CE14051263 ON 5/20/14. THIS CASE WILL GO FORWARD TO SPECIAL MAGISTRATE HEARING FOR A FINDING OF FACTS REGARDLESS OF COMPLIANCE.

Officer Bass 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: CE14041759

551 Southwest 38 Avenue
GABRIEL, MARIE DARLIE & GABRIEL, PATRICK

Service was via posting on the property on 5/31/14 and at City Hall on 6/5/14.

Violation:
9-280(h)(1)

THE CHAIN LINK FENCE AT THIS PROPERTY IS IN DISREPAIR AND NOT BEING MAINTAINED.

The City had a stipulated agreement with the owner to comply within 14 days or a fine of \$50 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 14 days or a fine of \$50 per day would begin to accrue.

Case: CE14041822

350 Northwest 17 Place
CONSTANT, ERMANE

Certified mail sent to the owner was accepted on 5/30/14.

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

THERE IS OVERGROWTH, TRASH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE OF THIS OCCUPIED DUPLEX. THIS IS A REPEAT VIOLATION OF CASE # CE12071412, WHERE THE SPECIAL MAGISTRATE FOUND IN FAVOR OF THE CITY. THIS CASE WILL BE PRESENTED TO 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, stated the violation was complied as of 6/17/14 and requested imposition of a \$5,100 fine for the 51 days the property was out of compliance.

Ms. Flynn found in favor of the City and imposed a \$5,100 fine for the 51 days the property was out of compliance.

Case: CE14031043

4280 Galt Ocean Drive # PHL
MARCHESE, NICOLA & NATALIE

Service was via posting on the property on 6/3/14 and at City Hall on 6/5/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

PLUMBING PERMIT #11080559 HAS EXPIRED

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

Case: CE14031046

4280 Galt Ocean Drive # 16K
PLAZA SOUTH CONDO ASSN INC
% MIRZA

Certified mail sent to the owner was accepted on 5/29/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

PLUMBING PERMIT #10050283
PLUMBING PERMIT #06031945
MECHANICAL DUCT PERMIT #05070865

BUILDING PERMIT #05041557
BUILDING PERMIT #04051221
PLUMBING PERMIT #03081366
BUILDING PERMIT #03081363
BUILDING PERMIT #03081214
HAVE EXPIRED

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day would begin to accrue.

Case: CE14031051

4280 Galt Ocean Drive # 11B
DAVID W STEFFEN TR STEFFEN, DAVID W

Certified mail sent to the owner was accepted on 6/2/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

MECHANICAL PERMIT #09021704 HAS EXPIRED

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

Case: CE14031081

4280 Galt Ocean Drive # 18M
MRUVKA, MURRAY & SHAHIN

Certified mail sent to the owner was accepted on 6/2/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

ELECTRICAL PERMIT #03091767
BUILDING PERMIT #03081676
HAVE EXPIRED

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

Case: CE14040143

637 W Evanston Cir
PETIT, DESTIN & MANCOEUR, GINA

Personal service was made to the owner on 6/3/14. Service was also via posting at City Hall on 6/5/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

THIS PROPERTY WAS REROOFED IN 2005 AND THE PERMIT#
05061342 HAS EXPIRED FOR THE SECOND TIME.

Inspector Oliva recommended ordering compliance within 28 days or a fine of \$175 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$175 per day would begin to accrue.

Case: CE14011651

1204 Northeast 11 Avenue
DELOS SANTOS, BENITO B

This case was first heard on 4/3/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,600 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$1,600 fine.

Case: CE14011880

3005 N Atlantic Blvd
SANTINI, ANN MARIE H/E SANTINI, ROBERTA

This case was first heard on 4/17/14 to comply by 4/27/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Dick Eaton, Senior Code Enforcement Officer, said the property manager had indicated to him that he would take care of the violations in February but he had not. The owner had been close to compliance in March but still had not resolved the problem with the pool.

Ms. Flynn imposed the \$5,200 fine, which would continue to accrue until the property complied.

Case: CE14020601

3005 N Atlantic Blvd
SANTINI, ANN MARIE H/E SANTINI, ROBERTA

This case was first heard on 8/16/07 to comply by 9/20/07. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,600 fine, which would continue to accrue until the property complied.

Case: CE13120818

1520 Southwest 27 Court
LEVON INTERNATIONAL LLC

This case was first heard on 3/20/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$18,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$18,000 fine, which would continue to accrue until the property complied.

Case: CE14022185

1301 Southwest 30 Street
NAOR, ERIC & SHAULI, YOSSI & SCHMIDT, T ETAL

This case was first heard on 4/17/14 to comply by 4/27/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a 10,400 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,400 fine, which would continue to accrue until the property complied.

Case: CE14030309

811 Southwest 28 Avenue
KEATON, MICHELE & WALDEN, JOHN

This case was first heard on 4/17/14 to comply by 4/27/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,600 fine, which would continue to accrue until the property complied.

Case: CE14031385

2790 Southwest 2 Court

SRP SUB LLC

This case was first heard on 4/17/14 to comply by 4/27/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,300 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$2,300 fine.

Case: CE14021046

1407 Southwest 10 Street
NIES, SHAWN

This case was first heard on 4/17/14 to comply by 4/27/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,500 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$1,500 fine.

Case: CE10121501

1510 Southeast 15 Street # 207
SCHREIBER, FRED

This was a requested to vacate the Order dated 2/3/11.

Ms. Flynn vacated the Order dated 2/3/11.

Case: CE13110076

1100 Northwest 5 Avenue
WELLS FARGO BANK NA

This case was first heard on 3/20/14 to comply by 4/24/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,550 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$6,550 fine, which would continue to accrue until the property complied.

Case: CE13111167

1321 Northwest 2 Avenue
TUCKER, LEOLA

This case was first heard on 4/3/14 to comply by 5/8/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,700 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13120207

1519 Northwest 11 Court
DALLAND PROPERTIES LP

This case was first heard on 4/17/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,800 fine, which would continue to accrue until the property complied.

Case: CE14011562

2017 Northwest 10 Avenue
COLFIN AI-FL 3 LLC

This case was first heard on 4/17/14 to comply by 5/1/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,700 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$3,700 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:

CE14031441	CE13101554	CE14042231	CE14020315
CE14030021	CE14051611	CE14051621	CE14051630
CE14051640	CE14050187	CE14050205	CE14050206
CE14050235	CE14050472	CE13121317	CE14010728
CE11111674			

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:

CE14032090	CE14030501	CE14041214	CE12090395
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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:

CE14011278

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:

CE14032138 CE14011404

Respondent Non-Appearance

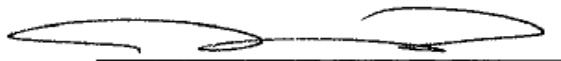
Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None.

There being no further business, the hearing was adjourned at 10:44 A.M.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services