



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE HEARING  
1<sup>st</sup> FLOOR COMMISSION CHAMBERS  
FORT LAUDERDALE CITY HALL  
ROSE ANN FLYNN PRESIDING  
FEBRUARY 11, 2020  
9:00 A.M.**

**Staff Present:**

Francyne Webber, Administrative Assistant  
Yvette Ketor, administrative Assistant  
Tasha Williams, Administrative Assistant  
Victoria Mack, Administrative Assistant  
Rhonda Hasan, Assistant City Attorney  
Mario Carrasquel, Building Inspector  
Alejandro DelRio, Building Inspector  
Leonardo Martinez, Building Inspector  
Jorge Martinez, Building Inspector  
Robert Masula, Building Inspector  
George Oliva, Chief Building Inspector  
Joe Pasquariello, Assistant Building Official  
Jose Saragusti, Building Inspector

**Respondents and witnesses**

CE19041276: Charles Snyder, owner; Melanie Edwards, property manager  
CE14100874; CE19061391: John Brown, owner  
CE19061388: James Wickham, owner  
CE19060743: Herbert William, attorney  
CE19041393: Ariel Dabakaroff, property manager  
CE19081128: Felipe Colon Diaz, power of attorney  
BE-20010090: Andrew Schein, attorney  
CE19050315: Vodregue Mergilles, owner  
CE19042368: Courtney Crush, attorney, Pavel Tomasz Plata, owner's son-in-law  
CE19080085: Carlos Marin, owner  
ENF-BLD-1910006: Randy Rosa, attorney  
CE19080429: Lindsay Raphael, attorney; Bryan McLean, property manager  
CE19060972: Frank Losada, contractor

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.

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**Case: CE14100874**

94 HENDRICKS ISLE

94-96 HENDRICKS ISLE LLC

This case was first heard on 4/16/15 to comply by 6/4/15. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$82,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jorge Martinez, Building Inspector, recommended a 35-day extension.

John Brown, owner, requested 35 days.

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

**Case: CE19061391**

74 FIESTA WAY

BROWN,JOHN A

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Mario Carrasquel, Building Inspector, reported the case was complied as of 1/20/20 and recommended reducing the fines to \$545 to cover administrative costs.

John Brown, owner, agreed.

Ms. Flynn imposed a fine of \$545 for the time the property was out of compliance.

**Case: CE19080429**

3700 GALT OCEAN DR

ROYAL AMBASSADOR CONDO ASSN INC

Service was via posting at the property on 1/14/20 and at City Hall on 1/28/20.

George Oliva, Chief Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2017) 110.15

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD COUNTY BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH: THE REQUIRED 40 YEARS BUILDING SAFETY INSPECTION REPORTS OR THE 10 YEARS RECERTIFICATION INSPECTION REPORTS PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE SENT TO YOU.

Chief Oliva presented the case file into evidence and recommended ordering compliance within 180 days or a fine of \$100 per day.

Lindsay Raphael, attorney, agreed to the 180 days. She said the reports had been provided within the 90 days stated on the first notice and they had assumed that they would be granted 180 automatically to make any needed corrections. Chief Oliva said the process was dictated by Broward County Board of Rules and Appeals and the City must comply.

Ms. Flynn Found in favor of the City and ordered compliance within 180 days or a fine of \$100 per day.

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**Case: CE19060743**

828 NW 12 AVE

FEDERAL APARTMENTS LTD PRTNR

% GREYSTONE SERVICING CORP

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,150 and the City was requesting a \$225 fine be imposed.

Jorge Martinez, Building Inspector, recommended reducing the fines to \$225 to cover administrative costs.

Herbert William, attorney, agreed.

Ms. Flynn imposed a fine of \$225 for the time the property was out of compliance.

**Case: BE-20010090**

1721 SE 17 ST

WILSON HARBOR BEACH LLC

Personal service was made on 1/23/20. Service was also via posting at City Hall on 1/28/20.

Mario Carrasquel, Building Inspector, testified to the following violation(s):

VIOLATIONS: 47-2.2.Q

THE SIGHT TRIANGLE AT THIS INTERSECTIONS HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS. NEW MONUMENT INSTALLED BY THE BUILDING ENTRANCE.

Inspector Carrasquel presented the case file into evidence and recommended ordering compliance within 91 days or a fine of \$100 per day.

Andrew Schein, attorney, agreed to comply but requested a delay of the finding of fact to allow them time to determine if the violation did, in fact, exist.

Ms. Hasan stated if the violation was found not to exist, the original order could be vacated. She said the City had been meeting with the respondent to discuss ways to comply and the possibility that the violation did not exist had never been raised.

Chief Oliva stated the adjacent condominium association had complained that the plant material and sign blocked the view of oncoming traffic when exiting the property. Inspector Carrasquel referred to the photos and confirmed the sightline was blocked. Mr. Schein stated he would not be doing his job if he admitted to a violation when they needed to examine DOT design standards and engineering drawings. Chief Oliva reported the City had a drawing from the engineer who designed the monument sign depicting the sight triangle.

Ms. Flynn Found in favor of the City and ordered compliance within 91 days or a fine of \$100 per day.

**Case: CE19061388**

733 NW 15 TER

WICKHAM,JAMES DAVID

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jorge Martinez, Building Inspector, recommended imposition of the fines.

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James Wickham, owner, said someone who had stayed with him had opened the permit and never done the work. Ms. Flynn advised Mr. Wickham to close the permit. Inspector Martinez recommended a 28-day extension.

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

**Case: CE19060972**

5200 NW 31 AVE

VILLAS AT LAKEVIEW CONDO ASSN IN

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Leonardo Martinez, Building Inspector, recommended a 42-day extension for the new management company address the violation.

Frank Losada, contractor, agreed.

Ms. Flynn granted a 42-day extension, during which time no fines would accrue.

**Case: CE19081128**

1605 SW 13 CT

GLOVER, JAMES NATHANIEL

Service was via posting at the property on 1/24/20 and at City Hall on 1/28/20.

Jorge Martinez, Building Inspector, testified to the following violation(s):

VIOLATIONS: 9-280(b)  
THERE ARE STRUCTURE BUILDING PARTS WHICH ARE IN DISREPAIR IN THE  
ENTRANCE PORCH. FOUNDATIONS, FLOORS, WALLS, ROOFS AND ALL OTHER  
BUILDING PARTS SHALL BE STRUCTURALLY SOUND.

Inspector Martinez presented the case file into evidence and recommended ordering compliance within 90 days or a fine of \$50 per day.

Felipe Colon Diaz, power of attorney, requested 180 days to deal with the insurance company.

Ms. Flynn Found in favor of the City and ordered compliance within 182 days or a fine of \$50 per day.

**Case: CE19080085**

3010 HOLIDAY DR

HARBOUR BEACH RESIDENCES LLC

Service was via posting at the property on 1/13/20 and at City Hall on 1/28/20.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: 28-155.(a)  
THE EXISTING FIRE BACKFLOW PREVENTION DEVICE HAS NOT BEEN TESTED FOR  
THE SUBSEQUENT RECERTIFICATION AS PER FLORIDA BUILDING CODE-  
PLUMBING (FBCP) (2014) 312.10.2, THE STATE OF FLORIDA ADMINISTRATIVE  
CODE (CHAPTER 62-555.360) AND CITY OF FORT LAUDERDALE MUNICIPAL CODE  
OF ORDINANCES (CHAPTER 25-153, 28-155).  
CCN:3B64-J9AL

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Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$50 per day.

Carlos Marin, owner, agreed.

Ms. Flynn Found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.

**Case: CE19041276**

1 N FTL BEACH BLVD 2003

SNYDER, CHARLES B

CHARLES B SNYDER REV TR

This case was first heard on 9/10/19 to comply by 10/22/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,350 and the City was requesting the full fine be imposed.

Alejandro DelRio, Building Inspector, recommended reducing the fines to \$225 to cover administrative costs.

Charles Snyder, owner, agreed.

Ms. Flynn imposed a fine of \$225 for the time the property was out of compliance.

**Case: ENF-BLD-19100065**

3131 SW 2 AVE

JAS MARINE SERVICE INC

Service was via posting at the property on 1/15/20 and at City Hall on 1/28/20.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2017) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE:

PM-18081010 (INSTALL APPROX 102LF X 8FT CHAINLINK FENCE, 2 ROLLING GATES)

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$50 per day.

Ms. Flynn Found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.

**Case: CE19042368**

2400 SEA ISLAND DR

GZELLA, MIROSLAW

This case was first heard on 9/10/19 to comply by 10/22/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,800 and the City was requesting the full fine be imposed.

Jose Saragusti, Building Inspector, recommended reducing the fines to \$1,275 to cover administrative costs.

Courtney Crush, attorney, requested the fine reduction.

Ms. Flynn imposed a fine of \$275 for the time the property was out of compliance.

**Case: CE19050315**

1840 SW 37 WAY

MERGILLES, VODREGUE & MERGILLES, AGATHE

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda.

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The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jose Saragusti, Building Inspector, recommended imposition of the fine.

Vodregue Mergilles, owner, said there had been an unpaid insurance claim for the damages and he had spent his own money to make the repairs. He requested 90 days. Inspector Saragusti agreed.

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

**Case: CE19041393**

1139 NW 9 AVE

IAD HOLDINGS LLC

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,150 and the City was requesting the full fine be imposed.

Alejandro DelRio, Building Inspector, recommended reducing the fines to \$225 to cover administrative costs.

Ariel Dabakaroff, property manager, agreed.

Ms. Flynn imposed a fine of \$225 for the time the property was out of compliance.

**Case: CE19080533**

336 N BIRCH RD, # 12G

PATRICK L VACCARIELLO TR VACCARIELL

Service was via posting at the property on 1/28/20 and at City Hall on 1/28/20.

Leonardo Martinez, Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2 017) 105.3.2.1

THE FOLLOWING PERMIT(S) WAS LEFT TO EXPIRE:

18121570 MACRPLL # 12G AC 2 TON RHEEM SPLIT SYSTEM REPLACEMENT.

Inspector Martinez presented 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.

**Case: CE19041764**

1406 NW 8 AVE

MODEL 36 GANG LLC

Service was via posting at the property on 1/27/20 and at City Hall on 1/28/20.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2017) 105.3.2.1

THE FOLLOWING PERMIT(S) WERE LEFT TO EXPIRE:

14031128 BROOFRPL REROOF FLAT 2480 SF

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$50 per day.

Ms. Flynn Found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.

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**Case: CE19080298**

1241 NE 17 AVE  
MATHER, ROSE MARIE

Service was via posting at the property on 1/13/20 and at City Hall on 1/28/20.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2017) 105.3.2.1  
THE FOLLOWING PERMIT(S) WAS LEFT TO EXPIRE:  
18052358 BWINDOWS REPLACE 7 WINDOWS/1 DOOR W/IMPACT

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$50 per day.

Ms. Flynn Found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.

**Case: CE19060961**

511 SE 5 AVE, # 2023  
RICH, ALEX I

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Leonardo Martinez, Building Inspector, recommended imposition of the fines.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19051777**

3034 NW 69 CT, # 4D  
BONI FL LLC

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jose Saragusti, Building Inspector, recommended imposition of the fines.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19061566**

829 PONCE DE LEON DR  
PETERSON, JOSEPH D

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jorge Martinez, Building Inspector, reported the property was in compliance and recommended reducing the fines to \$225 to cover administrative costs.

Ms. Flynn imposed a fine of \$225 for the time the property was out of compliance.

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**Case: CE19060063**

1625 SE 10 AVE, # 202  
PRIMAK,PETER

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19060076**

1716 MIDDLE RIVER DR  
CLARK,HAMILTON WILLIAM

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19060299**

2764 NE 15 ST  
BRENNAN,PATRICIA A

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19051466**

2813 SW 13 CT  
DAUKSIS,JOSEPH  
JOSEPH & JANICE DAUKSIS REV TR

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19060271**

2456 BAYVIEW DR  
BLOEMHOF,ILAN

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Case: CE19061560**

815 SW 16 ST  
OKTAVEC,RAYMOND G & BARBARA C

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda.

The property was in compliance, fines had accrued to \$950 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE19070344**

2323 SW 19 AVE

PALMS AT RIVER OAKS LLC

This case was first heard on 11/12/19 to comply by 12/24/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property was in compliance.

**Complied, Closed, Withdrawn and Rescheduled Cases**

Ms. Flynn accepted page 13 of complied, closed, withdrawn and rescheduled cases as an exhibit.

**Cases Complied**

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

CE19081396

CE19091724

**Cases Rescheduled**

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

None

**Cases Closed**

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

None

**Cases Withdrawn**

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

None

**Cases with No Service**

The below listed cases had no service. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:


None

**Respondent Non-Appearance**

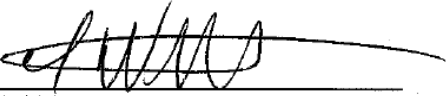
Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

There being no further business, the hearing was adjourned at 10:41 A.M.

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate