



**SPECIAL MAGISTRATE
VIRTUAL HEARING
ROSE ANN FLYNN PRESIDING
JUNE 29, 2023
9:00 A.M.**

CITY OF FORT LAUDERDALE

Staff Present:

Nadine Blue, Code Compliance Supervisor
Crystal Green-Griffith, Administrative Assistant
Katrina Jordan, Code Manager
Joy Nichols, Administrative Assistant
Antonio Wood, Administrative Assistant
Rhonda Hasan, Assistant City Attorney
Wanda Acquavella, Code Compliance Officer
Marco Aguilera, Code Compliance Officer
Stephanie Bass, Code Compliance Supervisor
Gustavo Caracas, Code Compliance Officer
Leonard Champagne, Sr. Code Compliance Officer
Julio Davila, Code Compliance Supervisor
Edward Eason, Code Compliance Officer
Bovary Exantus, Code Compliance Officer
Patrice Jolly, Senior Code Compliance Officer
Dorian Koloian, Senior Code Compliance Officer
Robert Krock, Code Compliance Officer
Amy Kwiatkowski, Code Compliance Supervisor
Rachel Moore, Code Compliance Officer
Berstein Saimbert, Code Compliance Officer
Fitzgerald Simmons, Code Compliance Officer
Jani Thelusma, Code Compliance Officer

Respondents and witnesses

CE22110275: David Padilla	CE23040025: Dean Walcott
CE22020894; CE22020816: Kristy Armada Esq.	CE22110106: Freddie and Tracy Myrick
CE22110512: Andrew Chiwra	CE22080328: Roberto Morisseau
CE22110196: Samuel Hill Esq.	CE23010549: Thomas Lynch
CE22120843: Keith McIntosh	CE21100181: Tony McGee
CE23050674: Vesly Fortune	CE23050186; CE23050188: Frank Anzalone
CE23030335: Scott Miller	CE23010573: Dannielle Stack
CE22060132: Laura McLaren	CE23031061: Antony Spalding
CE21050457: Sandra Strong	CE23021015: Kate Numa
CE23050204; CE23050664: Gary Holck	CE23020152: Joanne Coates
CE22080529: Michael Jones	

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: CE22080529

1071 NW 54 ST
MLJ1071 LLC

Service was via posting at the property on 6/15/23 and at City Hall on 6/15/23.

Dorian Koloian, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **COMPLIED 11/26/22**
THERE IS AN ACCUMULATION OF LEAVES ON THIS PROPERTY AND/OR ITS SWALE.
THIS IS A REPEAT VIOLATION: CASE CE19081283 AND THE CASE WILL BE

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PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING OR NOT.

47-21.11.A.

THERE ARE BARE AREAS OF GROUND COVER ON SWALE AREA.

47-20.20.(H)

THERE ARE PARKING FACILITIES THAT ARE NOT MAINTAINED AT THIS PROPERTY. THERE ARE MISSING PARKING LINES ON THE OFF-STREET PARKING AREA. THE OFF-STREET PARKING AREA IS HEAVILY STAINED. THIS IS A REPEAT VIOLATION: CASE CE19081283 AND WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING OR NOT.

Officer Koloian presented the case file into evidence and recommended ordering compliance with H 47-21.11.A. within 28 days or a fine of \$100 per day, imposing a fine of \$2,800 for the repeat violation of 47-20.20.(H), which would continue to accrue at \$200 per day until the violation was in compliance, and imposing a fine of \$1,000 for the repeat violation of 18-12.(a).

Michael Jones said the charges were accurate, but explained the pavement was buckling due to tree roots. He had a contractor to repave, and they had informed him it would take 30-60 days to pull a permit. Mr. Jones said he now had the funds for the work, and requested there be no fines unless he did not have the work done. Officer Koloian said for repeat violations, fines began when the violation was noted. Mr. James stated if he had to pay the fines, he could not afford to have the work done. Stephanie Bass, Code Compliance Supervisor, said Mr. Jones could return for a lien reduction hearing.

Ms. Flynn found in favor of the City and ordered compliance WITH 47-21.11.A. within 28 days or a fine of \$100 per day, imposed a fine of \$2,800 for the repeat violation of 47-20.20.(H), which would continue to accrue at \$150 per day until the violation was in compliance, and imposed a fine of \$1,000 for the repeat violation of 18-12.(a).

Case: CE22080328

REQUEST FOR EXTENSION

1620 NW 7 ST
MORISSEAU, ROBERTO

This case was first heard on 3/14/23 to comply by 4/11/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$8,600 and the City was requesting the full fine be imposed.

Bernstein Saimbert, Code Compliance Officer, recommended imposition of the fines. He noted that a tenant had caused the issues and the owner had been responsible to address them.

Roberto Morrisseau said the home had been flooded in April and he had lost all the sod he put down that day. He stated the tenant had refused to remove trash and his car from the property. Officer Saimbert confirmed that Mr. Morrisseau had been addressing the problems when the property was flooded. He said administrative costs totaled \$847.

Ms. Flynn imposed \$900 for the time the property was out of compliance.

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

Case: CE22020816

ORDERED TO REAPPEAR

409 NE 3 ST
CHIP HOLDINGS LLC

This case was first heard on 4/12/22 to comply by 5/10/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$13,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Gustavo Caracas, Code Compliance Officer, stated both properties were still being used as a parking lot.

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Kristy Armada Esq., the owner's attorney, said the site plan approval process had been stayed, and explained that this owner had a legal easement with the property adjacent to the west to use a driveway, but that adjacent property owner was disputing the easement rights with his own site plan application. The neighboring property owner had recently indicated he intended to sue regarding the easement. Ms. Armada's client could not develop the parking lot without site plan approval. Officer Caracas stated to comply, the owner must cease using the lot as a parking lot and put the sod back. Ms. Armada stated that if her client ceased the use, that would create an argument for the adjacent property owner that her client had abandoned the easement, and they did not want to do that. Ms. Flynn stated this could go on for years. Ms. Armada said without parking, the restaurant could not operate.

Ms. Hasan advised Ms. Armada to file an emergency declaratory judgment action instead of waiting for the neighbor. Ms. Armada said she was not waiting for the neighbor; she did not want conflicting litigation. She added they did not intend to wait forever and she understood that the litigation was coming any day now.

Ms. Flynn imposed the \$13,200 fine, which would continue to accrue until the property was in compliance.

Case: CE22020894

ORDERED TO REAPPEAR

405 NE 3 ST
CHIP HOLDINGS LLC

This case was first heard on 4/12/22 to comply by 5/10/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$13,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$13,200 fine, which would continue to accrue until the property was in compliance.

Case: CE22110196

800 SE 3 AVE
THIRD AVE CONDO ASSN OF FT LAUD INC

This case was first heard on 3/14/23 to comply by 5/16/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$1,750 and the City was requesting the full fine be imposed.

Gustavo Caracas, Code Compliance Officer, confirmed the property was in compliance.

Samuel Hill Esq., president of the condominium association, described his efforts to comply, and said there had been a misunderstanding about the front parking lot. Officer Caracas stated City costs totaled \$764.

Ms. Flynn imposed \$900 for the time the property was out of compliance.

Case: CE23030335

901 SUNRISE LN
SAND KASTLE LLLP

Service was via posting at the property on 6/18/23 and at City Hall on 6/15/23.

Robert Krock, Code Compliance Officer, testified to the following violation(s):

VIOLATION: 6-51.(1) **COMPLIED**
THERE IS ARTIFICIAL LIGHT THAT IS ILLUMINATING THE INCORPORATED
BEACHES OF FORT LAUDERDALE EXTERIOR LIGHTS ARE NOT SHIELDED AND/OR IN
AMBER. THIS IS A RECURRING VIOLATION AND WILL BE PRESENTED TO THE
SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

Officer Krock presented the case file into evidence, and said the violation was now in compliance. He requested Ms. Flynn find the violation had existed as cited.

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Scott Miller asked for clarification regarding a repeat violation. Stephanie Bass, Code Compliance Supervisor, explained that fines would begin accruing on the date the violation was noted.

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

Case: CE23010549

1640 SW 29 AVE

LYNCH, THOMAS F

Service was via posting at City Hall on 6/15/23 and by the respondent's appearance.

Marco Aguilera, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-1. **COMPLIED**

THERE IS UNPERMITTED OUTDOOR STORAGE OF ITEMS INCLUDING BUT NOT LIMITED TO BUCKETS, FUEL CANS, BOXES, VEHICLE PARTS AND OTHER MISCELLANEOUS ITEMS AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

9-280(h) **COMPLIED**

THERE IS AN ACCESSORY STRUCTURE VIOLATION AT THIS PROPERTY. THE MAILBOX IS DIRTY/STAINED AND IN NEED OF CLEANING AND/OR PAINTING.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

18-4.(c) **COMPLIED**

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY. A WHITE GMC PICK UP FL TAG N255SN EXP 12-20 AND A BLACK UTILITY TRAILER FL TAG Z20HWL EXP 03-21.

18-12.(a) **COMPLIED**

THERE IS OVERGROWTH ON THIS PROPERTY AND/OR ITS SWALE.

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

Thomas Lynch agreed to comply.

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

Case: CE23010573

2449 WHALE HARBOR LN

STACK, DANNIELLE

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Marco Aguilera, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-304(b) **COMPLIED**

THE DRIVEWAY AT THIS PROPERTY IS IN DISREPAIR. DRIVEWAY HAS CRACKS AND HOLES AND IS NOT IN A SMOOTH AND WELL GRADED CONDITION.

9-313.(a) **COMPLIED**

PROPERTY IS NOT IDENTIFIED BY APPROVED ADDRESS NUMBERS.

9-280(h) **COMPLIED**

THERE IS AN ACCESSORY STRUCTURE VIOLATION AT THIS PROPERTY. THE MAILBOX IS DIRTY/STAINED.

18-1. **COMPLIED**

THERE IS UNPERMITTED OUTDOOR STORAGE INCLUDING BUT NOT LIMITED TO FANS, JUGS, BAGS AND OTHER ITEMS IN THE CARPORT AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

9-305(b) **COMPLIED**

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER IN THE SWALE AND DRIVEWAY AREA.

9-306

THE EXTERIOR OF THE BUILDING HAS NOT BEEN MAINTAINED. STRUCTURAL PARTS OF THE CARPORT INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR.

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

Dannielle Stack said the roofer would get a permit and this may take longer than 28 days.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day.

Case: CE23050674

CITATION

834 NE 14 AVE
RAO, MERCY

This case was cited on 5/21/23 to comply by 5/21/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$400 and the City was requesting the full fine be imposed. No appeal had been received.

Robert Krock, Code Compliance Officer, said this was an irreversible noise violation.

Vesly Fortune said he had not filed an appeal. He said he no longer allowed one-night stays at the property.

Ms. Flynn imposed the \$400 fine.

Case: CE22060132

VACATE OIF 5/25/23 & REIMPOSE

912 NW 13 ST
MC LAREN, HEADLEY

This case was first heard on 10/27/22 to comply by 11/17/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$4,200 and this was a request to vacate the Order Imposing the Fine dated 5/25/23 and to reimpose the fine.

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Bovary Exantus, Code Compliance Officer, recommended imposition of the fines.

Laura McLaren said she had been out of the country at the time of this violation and did not travel back for a while because her fiancé had been murdered and her brother had died.

Officer Exantus said City costs totaled \$1,250.

Ms. Flynn vacated the Order Imposing the Fine dated 5/25/23 and imposed a fine of \$500.

Case: CE22110106

REQUEST FOR EXTENSION

1526 NW 12 ST

MYRICK, FREDDIE L & TRACY L

This case was first heard on 5/25/23 to comply by 6/29/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Bovary Exantus, Code Compliance Officer, said he had been in contact with the owners, and they were making progress.

Freddie Myrick said he had been unemployed when cited. He described their progress and requested a couple more weeks to comply. Officer Exantus agreed to 28 days. Ms. Flynn reminded Mr. Myrick that the vehicles and trailer must be registered and driveable.

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

Case: CE23021015

2700 W BROWARD BLVD

101 SW 27TH AVE LLC

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

47-21.11.A.

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE AREAS OF DEAD AND/OR MISSING GROUND COVER, DEAD SHRUBS/PLANTS/TREES.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

Kate Numa agreed to comply. She noted that new plans must be approved by the City.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$100 per day, per violation.

Case: CE21050457

981 NW 16 AVE

STRONG, SANDRA

This case was first heard on 10/11/22 to comply by 12/13/22. 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.

Patrice Jolly, Sr. Code Compliance Officer, recommended imposition of the fines.

Sandra Strong described her efforts to comply and said the main reason for the delay was finances.

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Officer Jolly stated City costs totaled \$1,289.

Ms. Flynn imposed \$1,500 for the time the property was out of compliance.

Case: CE22110275

330 CAROLINA AVE

PADILLA, DAVID

Service was via posting at the property on 6/14/23 and at City Hall on 6/15/23.

Rachel Moore, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 47-34.4.C.1. **RESCINDED**

THERE IS AN RV/MOBILE HOME PARKED AND/OR BEING STORED AT THIS RS-6.7 – Irregular Residential SINGLE FAMILY ZONED PROPERTY FOR THE PURPOSE OF LIVING OR SLEEPING WHILE PARKED OR STORED WITHIN THE CITY IS NOT PERMITTED.

9-304(b)

THERE ARE RECREATIONAL VEHICLES PARKED ON THE GRASS/LAWN AREA. THIS IS A REPEAT VIOLATION PER CASE NUMBERS CE19070548 AND CE21031005. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

18-4.(c) **COMPLIED**

THERE IS A DERELICT VEHICLE ON THE PROPERTY. BLACK HONDA CIVIC WITH AN EXPIRED TAG. 10/22. THIS IS A REPEAT VIOLATION PER CASE NUMBERS CE19070548 AND CE21031005. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND ITS SWALE. THIS IS A REPEAT VIOLATION PER CASE NUMBERS CE19070548 AND CE21031005. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE CHIPPED AND MISSING PAINT. THIS IS A REPEAT VIOLATION PER CASE NUMBERS CE19070548 AND CE21031005. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

9-308(a)

THE ROOF IS NOT IN GOOD REPAIR AND IS NOT WEATHER OR WATERTIGHT. THERE IS A BLUE TARP COVERING THE ROOF.

47-39.A.1.b.(9)(e)1.

THERE ARE TWO RECREATIONAL VEHICLES IMPROPERLY PARKED ON THE PROPERTY.

47-39.A.1.b.(6)(b)

THERE IS ILLEGAL LAND USE ON THIS RS-6.7 ZONING DISTRICT. THERE ARE ITEMS BEING STORED OUTSIDE IN THE FRONT, SIDE AND BACK OF THE PROPERTY. THERE ARE ITEMS SUCH AS BUT NOT LIMITED TO APPLIANCES, BUCKETS, HOSES, FURNITURE, GLASS WINDOWS AND OTHER MISCELLANEOUS ITEMS. THIS IS A REPEAT VIOLATION, PER CASE NUMBERS CE19070548 AND CE21031005. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE

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REGARDLESS OF COMPLIANCE.

Officer Moore presented the case file into evidence. She recommended imposing fines of for repeat violations 9-304(b), 18-4.(c), 18-12.(a), 9-306, 47-39.A.1.b.(6)(b), and 47-39.A.1.b.(6)(b) retroactive to the date they were found, on 11/15/22, for a total of \$93,000 and continuing fines for those that were still in violation, and recommended ordering compliance with 9-308(a), and 47-39.A.1.b.(9)(e)1. within 28 days or a fine of \$25 per day, per violation.

David Padilla said he did not understand much because he did not speak a lot of English. He stated there was an insurance claim regarding the roof. He described his efforts to comply. Julio Davila, Code Compliance Supervisor, acted as interpreter for Mr. Padilla. Supervisor Davilla agreed to have a Spanish speaker visit the property and go over the issues. Officer Moore stated Code Officer Manuel Garcia had explained the violations to Mr. Padilla. Supervisor Padilla recommended imposition of the fines for the repeat violations.

Ms. Flynn found in favor of the City and imposed fines of for repeat violations 9-304(b), 18-4.(c), 18-12.(a), 47-39.A.1.b.(6)(b), 9-306, and 47-39.A.1.b.(6)(b) retroactive to the date they were found, on 11/15/22, for a total of \$93,000 and continuing fines for those that were still in violation, and recommended ordering compliance with 9-308(a), and 47-39.A.1.b.(9)(e)1. within 28 days or a fine of \$25 per day, per violation.

Case: CE22110512

729 NW 20 AVE

EL VIGNOBLE LLC

This case was first heard on 3/30/23 to comply by 4/27/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$7,000 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Patrice Jolly, Sr. Code Compliance Officer, said four violations remained and recommended imposition of the fine. He said he needed access into the gated area to determine if some violations were in compliance.

Andrew Chiwra said he had understood at a previous hearing that some of these violations were in compliance, per the previous compliance officer. He requested someone meet him at the property to discuss what still needed to be done. Officer Jolly agreed to meet Mr. Chiwra.

Ms. Flynn imposed the \$7,000 fine, which would continue to accrue until the property was in compliance.

Case: CE23040025

CITATION

1345 NW 8 AVE

WALCOTT, ARLENE; WALCOTT, DEAN P

This case was cited on 4/1/23 to comply by 4/1/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$500 and the City was requesting the full fine be imposed. No appeal had been received.

Fitzgerald Simmons, Code Compliance Officer, testified regarding the noise violation.

Dean Walcott said he had sent an email with a packet of information. He said he had evicted the tenant.

Katrina Jordan, Code Manager, confirmed no appeal had been filed but Mr. Walcott had provided documents for this hearing.

Ms. Flynn imposed the \$500 fine.

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Case: CE23050664

4850 NE 25 AVE
SPEC LAND LLC

CITATION

This case was cited on 5/20/23 to comply by 5/20/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$600 and the City was requesting the full fine be imposed. No appeal had been received.

Gary Holck, property manager, stated he had not filed an appeal.

Katrina Jordan, Code Manager, advised Mr. Holck that this was the third violation, so the property would be scheduled for a suspension hearing at the next available date.

Ms. Flynn imposed the \$600 fine.

Case: CE23050204

1631 NE 59 PL
SPEC LAND LLC

CITATION

This case was cited on 5/5/23 to comply by 5/5/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$600 and the City was requesting the full fine be imposed. No appeal had been received.

Gary Holck, property manager, stated he had not filed an appeal.

Ms. Flynn imposed the \$600 fine.

Case: CE23031061

2554 GULFSTREAM LN
SPALDING, ANTONY A

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Marco Aguilera, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 47-39.A.1.B(12)(D)

THERE IS A VESSEL DOCKED AT THE REAR OF THIS PROPERTY THAT EXTENDS INTO THE WATERWAY MORE THAN 33 PERCENT OF THE WIDTH OF THE WATERWAY WHEN MEASURED FROM THE RECORDED PROPERTY LINE. VESSEL EXTENDS 22 FEET INTO THE WATERWAY AND THE MAXIMUM PERMISSIBLE IS 19.85.

18-4.(c) **COMPLIED**

THERE IS A DERELICT VESSEL DOCKED AT THE REAR OF THE PROPERTY. A WHITE SAILBOAT NOT BEARING ANY PROPER REGISTRATION.

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

Antony Spalding said he had sent builder's specifications and photos that he said proved the boat was not too large.

Mr. Spalding's connection was spotty so Ms. Flynn heard other cases while he reconnected. Upon returning to the case, Mr. Spalding said there had been multiple complaints, to which Code had responded but had ultimately been dismissed because there was no violation. Officer Aguilera said the issue was where the vessel was located in the waterway, not its actual width.

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

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Case: CE23050188

CITATION APPEAL

2070 SW 31 AVE
ECBD INVESTMENTS LLC

Marco Aguilera, Code Compliance Officer, testified that the property had been cited on 5/5/23 to comply by 5/5/23 with a one-time fine of \$500. The City was requesting the full amount.

VIOLATION: 47-21.15.A ONE TIME FINE \$500
MULTIPLE TREES WERE REMOVED FROM THE PROPERTY WITHOUT FIRST OBTAINING
A TREE REMOVAL PERMIT FROM THE CITY OF FORT LAUDERDALE.

Frank Anzalone said he had uploaded his documents. He stated not all tree removals require a permit, and his licensed tree removal person had indicated a permit was not needed for the types of trees he had removed. Ms. Flynn stated the question was whether the trees removed were on the list of those not needing a permit. Officer Aguilera said the letter did not include a Certified Arborist's number, so the contractor was not a Certified Arborist who identified tree species. Mr. Anzalone noted the City code did not state that the letter must list the trees removed, only that they be of certain species to qualify for not needing a permit.

Ms. Hasan said the letter was insufficient proof because it did not identify how many and what species of trees were removed.

Ms. Flynn continued the case and asked Mr. Anzalone to provide a list of the trees removed from the property. She ordered the respondent to attend the 7/27/23 hearing.

Case: CE23050186

CITATION APPEAL

2080 SW 31 AVE
JONES, ROGER & TRUDIE

Marco Aguilera, Code Compliance Officer, testified that the property had been cited on 5/5/23 to comply by 5/5/23 with a one-time fine of \$500. The City was requesting the full amount.

VIOLATION: 47-21.15.A ONE TIME FINE \$500
MULTIPLE TREES WERE REMOVED FROM THE PROPERTY WITHOUT FIRST OBTAINING
A TREE REMOVAL PERMIT FROM THE CITY OF FORT LAUDERDALE.

Ms. Flynn continued the case and asked Mr. Anzalone to provide a list of the trees removed from the property at the 7/27/23 hearing.

Case: CE22120843

820 ARIZONA AVE
KING MC INVESTMENTS PROPERTIES LLC

Service was via posting at the property on 6/14/23 and at City Hall on 6/15/23.

Rachel Moore, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-363 **COMPLIED**
FAILURE TO REGISTER THE RESIDENTIAL RENTAL DWELLING(S) WITHIN THE
CITY. THE FREE APPLICATION HAS NOT BEEN SUBMITTED OR IS INCOMPLETE.

9-308(b) **COMPLIED**
THERE IS DEBRIS, TRASH OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON
THE ROOF TO INCLUDE STAINS.

47-39.A.1.b.(6)(b) **COMPLIED**

THERE ARE ITEMS BEING STORED IN THE BACK YARD OF THE PROPERTY, SUCH AS LADDERS, BOARDS AND OTHER UNKNOWN ITEMS AT THIS RS-6.7 – Irregular Residential ZONED PROPERTY.

18-1. **COMPLIED**

THERE ARE VARIOUS ITEMS SUCH AS PLASTIC BINS, PLANKS, DRESSER DRAWERS, VACUUM CLEANER AND OTHER UNKNOWN ITEMS STORED IN THE CARPORT AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS IS A REPEAT VIOLATION, PER CASE NUMBER CE20050605. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING A FINDING OF FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

Sec. 24-27.(b) **COMPLIED**

THERE IS (ARE) CONTAINERS LEFT ROADSIDE OVERNIGHT AFTER COLLECTION DAY AND NOT PULLED BACK TO AN APPROVED LOCATION. TRASH PICK UP WAS ON FRIDAY, BUT THE CARTS WERE LEFT OUT OVERNIGHT.

Officer Moore presented the case file into evidence and said the violations were now in compliance and requested Ms. Flynn impose a fine of \$36,000 for the repeat violation of 18-1.

Keith McIntosh said the tenant was responsible for the violations and stated he would ensure this did not happen again. He requested a fine reduction. Officer Moore said Mr. McIntosh had worked with her and the tenant to comply.

Ms. Flynn found in favor of the City and imposed a fine of \$1,500 for the repeat violation of 18-1.

Case: CE21100181

2016 NW 13 AVE
HALLMAN, JACK E & WILLIE D

This case was first heard on 8/25/22 to comply by 10/27/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$1,575 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Bovary Exantus, Code Compliance Officer, recommended imposition of the fine.

Tony McGee said they had finally received the permit and the roof work would begin the following week.

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

Case: CE23020006

1601 NW 7 PL
EREL, NATAN; EREL, HAGIT

Service was via posting at the property on 6/13/23 and at City Hall on 6/15/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-313.(a)

THIS PROPERTY IS NOT IDENTIFIED BY APPROVED ADDRESS NUMBERS. THERE ARE MISSING NUMBERS.

9-305(b) **COMPLIED**

THE LANDSCAPE AT THIS PROPERTY AND ITS SWALE IS NOT BEING MAINTAINED IN A NEAT AND WELL-KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE19020091. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATIONS COMPLY.

9-304(b) **COMPLIED**

THE ASPHALT DRIVEWAY OF THIS PROPERTY IS NOT BEING MAINTAINED AS REQUIRED. THERE ARE SECTIONS THROUGHOUT THE SURFACE WHICH HAVE CRACKS OR POTHoles AND IS STAINED WITH DIRT/OIL. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE19020091. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATIONS COMPLY.

9-280(h)(1)

THE CHAIN LINK FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THERE IS A GATE WHICH IS NOT ATTACHED TO THE STRUCTURE AND IS LEANING. THERE ARE SECTIONS WHICH ARE NOT SECURED TO THE SUPPORT POSTS OR HAVE DAMAGED/BENT AREAS. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE19020091. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATIONS COMPLY OR NOT.

18-12.(a) **COMPLIED**

THERE IS OVERGROWTH, TRASH, RUBBISH, LITTER AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE19020091. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATIONS COMPLY OR NOT.

Officer Jolly presented the case file into evidence and recommended ordering compliance with 9-313.(a) within 10 days and with 9-280(h)(1) within 28 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-313.(a) within 10 days and with 9-280(h)(1) within 28 days or a fine of \$100 per day, per violation.

Case: CE23010086

1124 NW 17 ST

POWELL, NATHAN & MARGO

Service was via posting at the property on 6/15/23 and at City Hall on 6/15/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **COMPLIED**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-308(a)

THERE ARE MULTIPLE BROKEN AND MISSING ROOF TILES. THE ROOF IS NOT IN GOOD REPAIR AND IS NOT WEATHER OR WATERTIGHT.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

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9-304(b)

THERE ARE VEHICLES PARKED ON THE GRASS/LAWN AREA.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

Officer Exantus presented 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.

Case: CE23010101

1409 SW 1 ST

TURNER, STEVEN L

Service was via posting at the property on 6/15/23 and at City Hall on 6/15/23.

Edward Eason, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING THE WALLS, FASCIA, FRONT DOOR AND THE ROOF ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT. THIS IS A RECURRING VIOLATION OF CASE NUMBER CE21010345 AND WILL BE BROUGHT TO A HEARING WHETHER IT COMES INTO COMPLIANCE OR NOT.

47-34.1.A.1.

THERE IS ILLEGAL LAND USE OCCURRING AT THIS ZONED RML-25 RESIDENTIAL PROPERTY. OUTDOOR STORAGE IS OBSERVED INCLUDING BUT NOT LIMITED TO FURNITURE, BUCKETS, CONCRETE BLOCKS IN CARPORT AND FRONT LAWN. THIS IS A RECURRING VIOLATION OF CASE NUMBER CE21010345 AND WILL BE BROUGHT TO A HEARING WHETHER IT COMES INTO COMPLIANCE OR NOT.

9-304(b)

THE DRIVEWAY IS NOT BEING MAINTAINED IN A SMOOTH WELL-GRADED CONDITION OR FREE OF WEEDS. THIS IS A RECURRING VIOLATION OF CASE NUMBER CE21010345 AND WILL BE BROUGHT TO A HEARING WHETHER IT COMES INTO COMPLIANCE OR NOT.

18-12.(a)

THERE IS OVERGROWTH ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A RECURRING VIOLATION OF CASE NUMBER CE21010345 AND WILL BE BROUGHT TO A HEARING WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Eason presented the case file into evidence and recommended ordering compliance with 47-34.1.A.1. and 18-12.(a) within 10 days and with 9-306 and 9-304(b) within 28 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 47-34.1.A.1. and 18-12.(a) within 10 days and with 9-306 and 9-304(b) within 28 days or a fine of \$50 per day, per violation.

Case: CE23030834

3134 NE 9 ST

3134 NE 9TH LLC

Service was via posting at the property on 6/15/23 and at City Hall on 6/15/23.

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Robert Krock, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 6-51.(3) **COMPLIED**

THERE IS ARTIFICIAL LIGHT THAT IS ILLUMINATING THE INCORPORATED BEACHES OF FORT LAUDERDALE. THE COMMERCIAL SIGNAGE AT THIS PROPERTY CAN BEEN SEEN FROM THE BEACH.

6-51.(2) **COMPLIED**

THERE IS ARTIFICIAL LIGHT THAT IS ILLUMINATING THE INCORPORATED BEACHES OF FORT LAUDERDALE. THERE ARE INTERIOR LIGHTS THAT CAN BE SEEN FROM THE BEACH. THEY ARE NOT SHIELDED AND/OR IN AMBER. DECORATIVE LIGHTS SHALL BE TURNED OFF DURING SEA TURTLE SEASON. THIS IS A RECURRING VIOLATION: CASE NUMBER CE22080016. THIS CASE WILL PROCEED TO SPECIAL MAGISTRATE WHETHER OR NOT IT IS COMPLIED PRIOR TO THE HEARING TO OBTAIN A FINDING OF FACT.

Officer Krock presented the case file into evidence and said the violations were now in compliance. He requested Ms. Flynn find the violations had existed as cited.

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

Case: CE23050666

CITATION

1950 NE 60 ST
MILESTONE REALTY INVESTMENTS LLC

This case was cited on 5/20/23 to comply by 5/20/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$200 and the City was requesting the full fine be imposed. No appeal had been received.

Ms. Flynn imposed the \$200 fine.

Case: CE23050655

CITATION

1728 NE 16 AVE 1 2
WOLL, JUSTIN

This case was cited on 5/20/23 to comply by 5/20/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$800 and the City was requesting the full fine be imposed. No appeal had been received.

Ms. Flynn imposed the \$800 fine.

Case: CE22120206

1161 IROQUOIS AVE
FELIX, CHRISTELA C; ROSS, TIMOTHY MIKE

Service was via posting at the property on 6/14/23 and at City Hall on 6/15/23.

Rachel Moore, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-308(b) **COMPLIED**

THERE IS STAINS, DEBRIS, TRASH OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

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9-304(b)

THE DRIVEWAY WAS OBSERVED AS HAVING POTHOLES THROUGHOUT AND NOT MAINTAINED AS REQUIRED BY CODE.

18-12.(a)

THERE IS TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THE PALM TREE LEAVES ARE PILED IN THE CORNER OF THE DRIVEWAY.

Sec. 24-7(b) **COMPLIED**

THERE IS BULK TRASH ON THE RIGHT OF WAY NOT ON SCHEDULED DATE AND TIME, WHICH IS THE 2ND TUESDAY OF EACH MONTH.

Officer Moore presented the case file into evidence and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

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

Case: CE23020152

3108 SW 12 PL

COATES, J W

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-280(h)(1) **COMPLIED**

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. MULTIPLE FENCE POSTS HAVE BEEN ERECTED, BUT NO SECTIONS HAVE BEEN ATTACHED. THE FENCE IS INCOMPLETE.

47-39.A.1.b.(6)(b) **COMPLIED**

THERE IS OUTDOOR STORAGE CONSISTING OF BUT NOT LIMITED TO A MATTRESS, DOG CRATE, PILLOWS, AND OTHER ITEMS. THIS IS NON-PERMITTED LAND USE IN A RS-8 ZONED RESIDENTIAL PROPERTY PER ULDR REGULATIONS.

9-306 **COMPLIED**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

9-304(b) **COMPLIED**

THERE ARE VEHICLES PARKED ON THE GRASS AND THE DRIVEWAY IS FADED AND WORN. THE DRIVEWAY APRON HAS POTHOLES ON THE SURFACE WITH GRASS GROWING THROUGH IT.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 28 days or a fine of \$100 per day.

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

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Case: CE23020551

729 NW 19 AVE

FISCHETTI, RAPHAEL B

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND/OR MISSING, PEELING PAINT. THE DRIP EDGE OF THE ROOF IS STAINED.

9-305(b) **COMPLIED**

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 28 days or a fine of \$100 per day.

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

Case: CE23020541

500 SW 31 AVE

BAF ASSETS LLC

Service was via posting at the property on 6/17/23 and at City Hall on 6/15/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-306 **COMPLIED 5/17/23 \$13,350 fine**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296, WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO BEFORE THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296 WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO BEFORE THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE.

9-304(b)

THE DRIVEWAY IS FADED WITH CRACKS IN THE SURFACE. THERE ARE ALSO VEHICLES PARKING ON THE LAWN/GRASS. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296 WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO BEFORE THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE.

18-1. **COMPLIED 5/17/23 \$13,350 fine**

THERE IS ROOFED OUTDOOR STORAGE IN THE CARPORT AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE, INCLUDING BUT NOT LIMITED TO: SUITCASES

AND OTHER ITEMS. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296 WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO BEFORE THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE.

47-34.1.A.1. COMPLIED 5/17/23 \$13,350 fine

THERE IS ILLEGAL LAND USE OCCURRING AT THIS PROPERTY. ITEMS BEING STORED CONSIST OF BUT NOT LIMITED TO; FISH TANKS, DOG KENNELS AND OTHER ITEMS IN THE YARD. THIS IS NOT PERMITTED IN AN RS-8 ZONED RESIDENTIAL PROPERTY PER ULDR REGULATIONS. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296 WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE.

18-12.(a) COMPLIED 5/17/23 \$13,350 fine

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A REPEAT VIOLATION: SEE CASE CE19032296 WHICH WAS PREVIOUSLY HEARD AND THE MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

Sec. 24-27(f) COMPLIED

THERE ARE TRASH CARTS WITH THEIR LIDS OPEN AT THIS LOCATION. TRASH CANS ARE OVERFILLED BEYOND CAPACITY.

24-7(b) COMPLIED

THERE IS A BULK TRASH VIOLATION AT THIS PROPERTY CONSISTING OF, BUT NOT LIMITED TO: BAGS OF CLOTHING, SHOES AND OTHER ITEMS.

Officer Jolly presented the case file into evidence and recommended imposing a fine of \$13,500 each for repeat violations 9-306, 18-1., 47-34.1.A.1. and 18-12(a); and continuing the fine of \$150 per day each for violation 9-305(b) and 9-304(b), which would continue to accrue until they were in compliance.

Ms. Flynn found in favor of the City and imposed a fine of \$13,500 each for repeat violations 9-306, 18-1., 47-34.1.A.1. and 18-12(a); and continued the fine of \$150 per day each for violations 9-05(b) and 9-304(b), which would continue to accrue until they were in compliance.

Case: CE23050264

550 BAYSHORE DR 402

MCLANEY, KYLE; MENDES, MIELLE AUGUSTA

Service was via posting at the property on 6/14/23 and at City Hall on 6/15/23.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATION: 15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL, WITHOUT THE REQUIRED CERTIFICATE OF COMPLIANCE FROM THE CITY. THIS IS A REPEAT VIOLATION OF CASE NUMBER CE23030252 AND WILL BE SCHEDULED FOR A HEARING BEFORE THE SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE.

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Officer Champagne presented the case file into evidence and said the violation was now in compliance. He requested Ms. Flynn find the violation had existed as cited and that future violations would incur a fine of \$500 per day.

Ms. Flynn found in favor of the City that the violation had existed as cited and future violations would incur a fine of \$500 per day.

Case: CE22050234

610 SW 31 AVE
OSBORNE, ESSIE MAE

This case was first heard on 1/11/23 to comply by 2/8/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$3,500 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Rachel Moore, Code Compliance Officer, said the family had been approved for assistance repairing the property. She recommended a 119-day extension.

Ms. Flynn granted a 119-day extension, during which time no fines would accrue and ordered the respondent to attend the 10/26/23 hearing.

Case: CE22080543

2305 NW 6 PL
MMR FLORIDA LLC

This case was first heard on 10/27/22 to comply by 12/8/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$3,300 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$3,300 fine,.

Case: CE22080562

2316 NW 7 ST
PIERCE, LEWIS & SHARAYA

This case was first heard on 3/30/23 to comply by 4/27/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$3,150 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$3,150 fine, which would continue to accrue until the property was in compliance.

Case: CE22100101

131 SW 31 AVE
CANNELLA, JANICE

This case was first heard on 3/30/23 to comply by 4/9/23 and 4/27/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$7,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$7,200 fine, which would continue to accrue until the property was in compliance.

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Case: CE22110013

649 W EVANSTON CIR
EGGLESTON, STACY; EGGLESTON, JASON RICHARD

This case was first heard on 3/30/23 to comply by 4/27/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$3,150 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$3,150 fine, which would continue to accrue until the property was in compliance.

Case: CE22120463

CITATION

3009 E LAS OLAS BLVD
BROOKLYN 46TH LLC

This case was cited on 12/16/22 to comply by 1/6/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$5,700 and the City was requesting the full fine be imposed. No appeal had been received.

Ms. Flynn imposed the \$5,700 fine,.

Case: CE23030056

VACATE ORDER OF 5/25/2023

2612 KEY LARGO LN
ITSHAR LLC

This was a request to vacate the order dated 5/25/23.

Ms. Flynn vacated the order dated 5/25/23.

Case: CE22110379

ORDERED TO REAPPEAR

817 NW 1 ST
817 NW 1ST STREET LLC

This case was first heard on 3/30/23 to comply by 6/29/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Ms. Flynn did not grant an extension.

Staff entered the complied, closed, withdrawn and rescheduled cases listed on page 33 into the record 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:

None

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:

CE23030360 CE21100122

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:

CE22070565

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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 12:33 P.M.


Special Magistrate

ATTEST:


CLERK, SPECIAL MAGISTRATE