

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, February 28, 2019 at 5:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:00 PM on Thursday, February 28, 2019. Building Official Randall Clutter, Development Services Director Linda Connors, Code Inspector Robert Harrison, and Planner Jhanelle Campbell were present as well as Special Magistrate Clerk Kaliah Lewis to record the minutes.

II. SWEARING OF WITNESSES

The Special Magistrate administered the oath to all those who intended testifying.

III. OPENING STATEMENT

The Special Magistrate explained the procedures for the Hearing for Code Compliance.

IV. PUBLIC COMMENTS

The Special Magistrate spoke about public comments at this time or when a case was called. No one from the public wished to speak now.

V. CODE CASES

Special Magistrate Clerk Kaliah Lewis called the following code cases for which people might be in attendance and have signed in.

CONSTRUCTION EXTENSION

EXHIBIT A:

ITEM #V.69

***TAKEN OUT OF SEQUENCE**

Permit #:2019-CE-01

Property Owner: Ocean Treasure SFP LLC

Address/Folio: 4308 El Mar Drive

Planner Jhanelle Campbell testified that this is a request for a construction extension at 4308 El Mar Drive (Ocean Treasure Hotel). Dylan Tannenbaum, owner's representative, submitted an application before the deadline requesting additional time to complete construction beyond the six month deadline as outlined by the Town's Code. This is their first request. Ordinance 2015-20 gives the Special Magistrate the authority to review extension requests and grant an extension of up to twelve months to complete construction. The building permit was issued on August 28, 2018 and expires today (2/28/19). The request for a year's extension would expire February 28, 2020. Per the Building Official, this project is about 65% complete and delays were due to unforeseen construction issues and the need for additional approvals because of its location east of the Coastal Construction Control Line (CCCL). Staff is amenable to the twelve-month

extension; however, there are three conditions that Ms. Campbell read into the record. Any findings of noncompliance with any conditions of a permit or extension thereto, may result in revocation of the current extension. She explained how a finding of noncompliance may be established.

Dylan Tannenbaum, for the owner, testified that they are confident to be done in the next six to eight months but requesting a year to be safe. The Special Magistrate ordered a year's construction extension subject to the three specified conditions which were read into the record by Planner Campbell and were reiterated by the Special Magistrate who also spoke about how a finding of noncompliance may be established.

COMPLIED

ITEM #V.11

***TAKEN OUT OF SEQUENCE**

Case #: 18090002 – Nuisance
Property Owner: FDG South LLC
Address/Folio: 4116 North Ocean Drive
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(4)

Inspector Harrison testified that this property was brought into compliance twenty-one days after the compliance date was set. It was originally cited for roof debris on top of the building. Development Services Director Linda Connors testified that there is a \$100 Administrative Fee owed. Attorney Nectaria Chakas, on behalf of the property owner, explained that their demolition contractor removed the debris in December (before Christmas) and never told anyone. The Special Magistrate asked the Town if it was okay to accept this statement on behalf of the applicant and was told that it was his decision. The Special Magistrate accepted the attorney's statement and did not impose any fines but ordered the \$100 Administrative Fee due within one week, by March 7, 2019.

CERTIFICATION OF LIEN

ITEM #V.65

***TAKEN OUT OF SEQUENCE**

Case #: 18080002 – Property Maintenance
Property Owner: FDG South LLC
Address/Folio: 4640 El Mar Drive
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(f)

Inspector Harrison testified that the property was brought into compliance before the order date. The \$50 Administrative Fee is still owed. The Special Magistrate did not impose any fines but ordered the \$50 Administrative Fee due within one week, by March 7, 2019.

COMPLIED

ITEM #V.14

***TAKEN OUT OF SEQUENCE**

Case #: 18080008 – Vacation Rental
Property Owner: ATJ Max LLC
Address/Folio: 231 Hibiscus Ave
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-327(e)

Inspector Harrison testified that this property was cited for operating as a vacation rental without a vacation rental certificate. The property was brought into compliance on January 30th by passing inspection, shortly after the compliance date. There are a few days of fines that the property's

representative is here to mitigate. Ben Stone, property manager, explained about the e-mails going back and forth and trying to get everything needed for compliance. Inspector Harrison went over the fines/costs that are owed. He also went over the issued Short-Term Rental Certificate (1/24/19) and Vacation Rental Certificate and Business Tax Receipt (2/6/19) which were added into evidence by the Special Magistrate without objection as the Town's Composite Exhibit. Inspector Harrison testified that the total amount due is \$4,650 but explained that they worked diligently to come into compliance and there were some misunderstandings. The Special Magistrate did not impose any fines but ordered the outstanding \$50 Administrative Fee due within one week, by March 7, 2019.

CERTIFICATION OF LIEN

ITEM #V.67

***TAKEN OUT OF SEQUENCE**

Case #: 17060017 – Business Tax

Property Owner: SJM By The Sea LLC

Address/Folio: 256 E Commercial Blvd

Code Section(s): Chapter 12 – Licenses Section 12-2(a)

Inspector Harrison testified that this property was before the Special Magistrate previously. They were to finalize all the permits for the parking lot and as they did not, today is for certification of fine. Their permit failed a plumbing inspection on February 21, 2019. The compliance date was changed to February 26, 2019 at a previous hearing. Mike Dudas, owner, said his plumbing inspection is expected to complete the work tomorrow morning and then they are finished. Discussion ensued about extending the compliance date two weeks to March 14, 2019 and come back to the March Hearing. There is also \$150 Administrative Fee still outstanding. The Special Magistrate ordered a new compliance date of March 14, 2019 plus the outstanding \$150 Administrative Fee is due by March 14, 2019 and to come back to the March 28, 2019 Hearing.

ITEM #V.68

Case #: 18040035 – Zoning Violations

Property Owner: Ostrokolowicz, Todd

Address/Folio: 297 Tropic Drive

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-12(a)

Inspector Harrison testified that this is a new development in Town with a violation of time allowed for construction. They are running fines and at the previous hearing, this case was continued to today's hearing. There are still things that need to be done for the permit to get closed out. Mr. Harrison suggested continuing to the March hearing with the fines running in the background. Bernie Ostrokolowicz was present to represent the homeowner. The Special Magistrate ordered continuance to the March 28, 2019 Hearing.

ITEM #V.66

Case #: 16110001 – Landscape Violations

Property Owner: Brandt, Yann (previously Ulvic Properties Inc)

Address/Folio: 267 Capri Avenue

Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-480(a)

Inspector Harrison testified that this property was cited for nine trees removed without a permit. Marc Brandt, brother of the owner, Yann Brandt, testified that they are still working on the house and the outside pool, etc. It does not make sense to plant nine trees now. Randall Clutter, Building Official, testified that the contractor seems to be slow in getting

corrections made which has delayed the construction. Development Services Director Linda Connors testified that the Town would be satisfied if they would come in with a landscape plan and get it approved. The Town would work with them but they have not submitted anything for the Town to review. The Special Magistrate told Mr. Brandt that his brother should have the landscape plan submitted and approved by March 25, 2019 and the Town would work with them regarding the time to plant. This item is to return to the March hearing. The Special Magistrate ordered a landscape plan submitted and approved by March 25, 2019 and to return to the March 28, 2019 Special Magistrate Hearing. There was no Administrative Fee for today's hearing. He asked Mr. Brandt to tell his brother to work with his contractor to bring up the pace on the construction of the home.

OLD BUSINESS

ITEM #V.50

***TAKEN OUT OF SEQUENCE**

Case #: 18020015 – Property Maintenance
Property Owner: Anglin Fam Tr % Raymond Anglin
Address/Folio: 2 Commercial Blvd
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(1)

Inspector Harrison testified that this is the pier in Lauderdale-By-The-Sea. Today is a status hearing. There is a previous order to finish all repairs and close out all permits by March 26, 2019. The Special Magistrate wanted substantial progress reported at this hearing. Building Official Randall Clutter is not aware of any progress and he has not received any reports or requests for inspections. Spiro Marchelos spoke about the rain causing delay in the work which would begin this week coming up. The pier is partially open and it is safe. Their goal is to fully open the pier safely. He answered the Special Magistrate that 600 feet of the pier is open. The Special Magistrate said that the next hearing is March 28, 2019 and this will be on the agenda. He said the compliance date would remain as March 26, 2019.

ITEM #V.47

***TAKEN OUT OF SEQUENCE**

Case #: 18090005 – Property Maintenance
Property Owner: Neptune Garden Shop
Address/Folio: 254 Neptune Ave 1-2
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-36(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)

Inspector Harrison testified that this was cited for maintenance violations and the landscape still remains in poor condition. He showed his photos to the property's representative and then gave them to the Special Magistrate who entered them into evidence as the Town's Composite Exhibit without objection. The Town is recommending March 26, 2019 for compliance or a fine of \$100/day plus \$50 Administrative Fee for today's hearing. Dominick Savastana testified that he is a representative of the property. He cleaned up the property and permits would be applied for very soon. He answered the Special Magistrate that he would not be able to address the landscape within thirty days but he would continue to make improvements. The landscaping is scheduled to be done towards the end of the project. The Special Magistrate wants sod added and substantial improvement before the next hearing. Development Services Director Linda Connors said that if there are going to be substantial changes, they would need a landscape permit. She agrees with planting the sod before construction because they did not submit anything yet regarding construction. The Special Magistrate ordered by March 28, 2019 that sod

is to be planted or \$100/day fine plus \$50 Administrative Fee for today's hearing due March 28, 2019. This would return to the March 28, 2019 Hearing.

ITEM #V.48

Case #: 18010005 – Zoning Violations
Property Owner: Oefelein, Felicitas
Address/Folio: 4616 Bougainville Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-137 (c) (3)

ITEM #V.49

Case #: 18010004 – Building Code Violations
Property Owner: Oefelein, Felicitas
Address/Folio: 4616 Bougainville Dr. 1-3
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 –
Permits. Required

Code Inspector Harrison testified that for case #18010004 (item #49), it is here for a Status Hearing. The original violation was work without permits for conversion of a duplex into a triplex. The Town received the submittal of the site plan but the contractor would not add landscaping. Development Services Director Linda Connors met with Felicitas Oefelein, owner, after the last meeting because she was having problems with her contractor. The contractor was not going to change his plans for the landscaping that was required. As they did not get a landscape plan, Zoning could not approve the plan for construction. They decided to make landscaping a separate permit and made a note regarding this on the permit. She explained what was required for the landscape plan.

Ms. Connors described what the Town would need from the Special Magistrate in order to close the permit out. He would have to acknowledge, if he was comfortable doing so, this whole issue and ask Staff to close the permit out and then Staff can issue a violation for the landscape and give Ms. Oefelein time to go through the process to get the landscape complete. For the record, all that is really necessary is to plant what was previously there, one tree.

Felicitas Oefelein, owner, spoke about not knowing about the tree but she will do whatever needs to be done. For purposes of the order, Ms. Connors summarized that the Special Magistrate would acknowledge the situation and that the landscape plan would be separate from the existing permit. Because the landscape violation exists, the Town will cite for the landscape violation and give Ms. Oefelein ninety days to comply by planting a tree complying with the original plan. (The Town is just trying to get back to the plan that was originally approved but if she chooses, Ms. Oefelein can go with the Town's current landscape plan of twenty shrubs and three trees.) Ms. Connors answered the Special Magistrate that it should be a shade tree that meets the requirements of the code. Ms. Connors will e-mail Ms. Oefelein with the specifics of the tree.

Inspector Harrison said that the other case, #18010005 (item #48), is also a permit required violation. It is regarding parking lot resurface and the Special Magistrate can enter the identical order for both cases. For case #18010005, the Special Magistrate acknowledged the situation and ordered (1) separation of the landscape plan from the existing permit so that it could be closed out, and (2) ninety days to comply with the cited landscape violation by planting one shade tree that meets the requirements of the code bringing the property back to the originally approved plan.

For case #18010004 (item #49), the Special Magistrate acknowledged the situation and ordered (1) separation of the landscape plan from the existing permit so that it could be closed out, and

(2) ninety days to comply with the cited landscape violation by planting one shade tree that meets the requirements of the code bringing the property back to the originally approved plan.

CERTIFICATION OF LIEN

ITEM #V.64

***TAKEN OUT OF SEQUENCE**

Case #: 18100012 – Permit Required Violations

Property Owner: Jorge Cabellos

Address/Folio: 4561 Bougainvillea Dr

Code Section(s): Florida Building Code Section 105.1 Required.

Inspector Harrison testified that this is a vacant property going through some interior renovations without obtaining a permit for the renovations. As of today, there have been no permit applications. He showed photos to the property's representative showing the debris caused by the demolition. The Special Magistrate entered the photos without objection into evidence as the Town's Composite Exhibit. The Town was recommending approved permits issued within about thirty days. Joyce Mousette explained that they did not know that permits were needed for inside the home. The Special Magistrate ordered approved permits issued by March 28, 2019 or a fine of \$50/day plus \$100 Administrative Fee for today's hearing due by March 28, 2019.

The Special Magistrate called for a 3-minutes recess and the hearing resumed at approximately 6:08PM. Special Magistrate Clerk Kaliah Lewis called the remainder of the code cases left on the agenda. For the record, there were no members of the public in the audience at this time. Ms. Lewis started by calling case numbers 22 through 38 which would be heard together.

OLD BUSINESS

ITEM #V.22

***TAKEN OUT OF SEQUENCE**

Case #: 18070019 – Property Maintenance

Property Owner: Budzinski, Anna M Budzinski, Vincent J

Address/Folio: 1751 S Ocean Boulevard #307W

Code Section(s): Chapter 30 – Unified Land Development Regulations

Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.23

Case #: 18070033 – Property Maintenance

Property Owner: Yockey, Harry R

Address/Folio: 1751 S Ocean Boulevard #205W

Code Section(s): Chapter 30 – Unified Land Development Regulations

Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.24

Case #: 18070032 – Property Maintenance

Property Owner: Wheatley, Mark H & Andrea J

Address/Folio: 1751 S Ocean Boulevard #103W

Code Section(s): Chapter 30 – Unified Land Development Regulations

Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.25

Case #: 18070031 – Property Maintenance

Property Owner: Tierney, David H

Address/Folio: 1751 S Ocean Boulevard #308W

Code Section(s): Chapter 30 – Unified Land Development Regulations

Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.26

Case #: 18070030 – Property Maintenance
Property Owner: Reedy, Gigi M William H & Zula Reedy Tr
Address/Folio: 1751 S Ocean Boulevard #209W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.27

Case #: 18070029 – Property Maintenance
Property Owner: Pell, Abbil
Address/Folio: 1751 S Ocean Boulevard #102W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.28

Case #: 18070028 – Property Maintenance
Property Owner: Mazewski, Marilyn
Address/Folio: 1751 S Ocean Boulevard #305W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.29

Case #: 18070027 – Property Maintenance
Property Owner: Mazewski, Aloysius Mazewski, Janice
Address/Folio: 1751 S Ocean Boulevard #208W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.30

Case #: 18070026 – Property Maintenance
Property Owner: Kobryn, Charles W Vitale, Charlene P
Address/Folio: 1751 S Ocean Boulevard #309W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.31

Case #: 18070025 – Property Maintenance
Property Owner: Hughes, Karen L
Address/Folio: 1751 S Ocean Boulevard #306W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.32

Case #: 18070024 – Property Maintenance
Property Owner: Harmony Liv Tr Green, Marvin D Trstee Etal
Address/Folio: 1751 S Ocean Boulevard #109W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.33

Case #: 18070023 – Property Maintenance
Property Owner: Enright, Kevin O'Connor, Dennis
Address/Folio: 1751 S Ocean Boulevard #206W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.34

Case #: 18070022 – Property Maintenance
Property Owner: Araujo, Sinval P & Gina Maria SMPW QUADRA 14 Conjunto
Address/Folio: 1751 S Ocean Boulevard #108W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.35

Case #: 18070021 – Property Maintenance
Property Owner: Candiotti, Americo L Candiotti, Alfred A
Address/Folio: 1751 S Ocean Boulevard #207W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.36

Case #: 18070020 – Property Maintenance
Property Owner: Busztein, Trudy & Adam
Address/Folio: 1751 S Ocean Boulevard #107W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.37

Case #: 18070018 – Property Maintenance
Property Owner: Baker, Marlene S
Address/Folio: 1751 S Ocean Boulevard #104W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.38

Case #: 18070017 – Property Maintenance
Property Owner: Arrieta Myriam LE Garay, Javier & Garay, Custodio
Address/Folio: 1751 S Ocean Boulevard #101W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

For the record, there was no one present to represent the property owners. Inspector Harrison testified that this is a multi-family property cited for the stucco and the railings in disrepair for all the cases listed above. This was before the Special Magistrate previously and they did secure their property. The Building Official, the Fire Marshall, and Inspector Harrison inspected the property recently and decided it was not a safety issue. Building Official Randall Clutter testified that Fire Marshal Stephen Paine, himself, and Inspector Harrison went through all three floors and found that they did a very good job securing the railings. Mr. Harrison said that a section of about fifty feet of new aluminum railings is installed and there is progress. He answered the

Special Magistrate that as far as he can tell, they appear safe. There has not been an inspection yet to prove they meet code. Mr. Clutter testified that there were five gaps in excess of four inches. However, they did observe the railings before they were installed and they are substantial. Mr. Harrison suggested a proactive inspection should be done to ensure safety and to come back for another Status Hearing in thirty days. The Special Magistrate ordered these agenda items continued to the March Hearing.

Special Magistrate Clerk Kaliah Lewis called case numbers 39 through 44 as they would be heard together.

ITEM #V.39

Case #: 18030023 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4321 El Mar Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(b)

ITEM #V.40

Case #: 18030025 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4329 El Mar Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-36(f)
Chapter 6 – Building and Building Regulations Section 6-41(b)

ITEM #V.41

Case #: 18030026 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4333 El Mar Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(b)

ITEM #V.42

Case #: 18030024 – Permits Required Violations
Property Owner: Wens Holding LLC
Address/Folio: 4329 El Mar Dr.
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

ITEM #V.43

Case #: 18030027 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4337 El Mar Dr.
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-41(a)(7)
Chapter 6 – Building and Building Regulations Section 6-41(b)

ITEM #V.44

Case #: 18030028 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4341 El Mar Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations

Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(b)
Chapter 6 – Building and Building Regulations Section 6-36(c)

For the record, there was no one present to represent the property owner. Inspector Harrison said that the six cases listed above are for Eastward Strand – Hotel and Suites Inn. They were before the Special Magistrate previously and their submittals were received by the compliance date. The Town is recommending that the compliance date is to be extended ninety days for all the cases. The Special Magistrate inquired about the approximately six conditions placed on them (e.g., lighting) and Mr. Harrison said that he felt all conditions have been met. A ninety-day continuance would be until May 29, 2019 and they would be brought back to the June 27, 2019 Hearing. The Special Magistrate ordered for all six cases (18030023, 18030024, 18030025, 18030026, 18030027 and 18030028) a ninety-day continuance to May 29, 2019 and all six cases would be brought back to the June 27, 2019 Hearing.

ITEM #V.51

Case #: 18030016 – Permits Required Violations

Property Owner: 2024 Ocean Mist Dr LLC

Address/Folio: 2024 Ocean Mist Dr

Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 Permits.

For the record, there was no one present to represent the property owner. Inspector Harrison testified that this is a single-family home going through remodeling since March 2018. The previous Building Official and a former Code Inspector observed interior work that was being done without permits. Since then, the property owner has a contractor who has been obtaining permits. Mr. Harrison said that they were here today to certify fines but he did speak with the contractor who told him that the work was completed months ago. Their Special Inspector provided a report showing that the welding of the interior studs and all the stud work were already completed and there were pictures to prove this. Mr. Harrison suggested keeping the case open because this interior renovation is included on the same open permit for the work they are doing now and we cannot close code cases until the permit is closed out. He further recommended changing the compliance date. Building Official Randall Clutter confirmed that they do have permits for the work being done now. The Special Magistrate ordered a revised final order with a new compliance date of May 29, 2019.

NEW BUSINESS

ITEM #V.52

Case #: 18110019 – Building Code Violations

Property Owner: LBTS Properties LLC

Address/Folio: 4564 N Ocean Drive

Code Section(s): Florida Building Code Section 105.11.2.1

For the record, there was no one present to represent the property owner. Inspector Harrison testified that this is a violation for an expired permit because they did not call for an inspection. A notice was sent but they did not renew. The Town was asking about thirty days to renew the permit or a fine of \$50/day plus \$50 Administrative Fee for today's hearing. The Special Magistrate ordered the permit renewed by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing.

ITEM #V.53

Case #: 18110017 – Building Code Violations
Property Owner: Oconto Investments Corp % Moreno, Martha
Address/Folio: 4900 N Ocean Blvd 1512
Code Section(s): Florida Building Code Section 105.11.2.1

For the record, there was no one present to represent the property owner. Inspector Harrison testified that the permit was issued on February 22, 2018 and expired because they did not call for an inspection. The Town was asking about thirty days to renew the permit or a fine of \$50/day plus \$50 Administrative Fee for today's hearing. The Special Magistrate ordered the permit renewed by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing.

ITEM #V.54

Case #: 18110015 – Building Code Violations
Property Owner: Celenza, Joseph & Rhonda
Address/Folio: 4537 Bougainvillea Dr #1-2
Code Section(s): Florida Building Code Section 105.11.2.1

For the record, there was no one present to represent the property owners. Inspector Harrison testified that the permit was issued on January 17, 2018 and expired because they did not call for an inspection. The Town was asking to renew the permit by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing. The Special Magistrate ordered the permit renewed by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing.

ITEM #V.55

Case #: 18110014 – Building Code Violations
Property Owner: Serafini, Silvio & Ana E
Address/Folio: 217 E Commercial Blvd.
Code Section(s): Florida Building Code Section 105.11.2.1

For the record, there was no one present to represent the property owners. Inspector Harrison testified that the permit was issued on April 10, 2018. The Town was asking to renew the permit by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing. The Special Magistrate ordered the permit renewed by March 26, 2019 or a fine of \$50/day plus \$50 Administrative Fee for today's hearing.

ITEM #V.56

Case #: 18110013 – Building Code Violations
Property Owner: Ertley, Carole S
Address/Folio: 3900 N Ocean Dr GD
Code Section(s): Florida Building Code Section 105.11.2.1

Special Magistrate Clerk Kaliah Lewis said that this agenda item (#56) was continued to the March 28, 2019 Hearing.

ITEM #V.57

Case #: 18120001 – Property Maintenance
Property Owner: SKY007 LLC
Address/Folio: 230 Lake Court

Code Section(s): Chapter 11 – Junked, Wrecked, Abandoned, or Stolen Property
Section 11-23(a)
Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-36(a)
Chapter 6 – Building and Building Regulations Section 6-36(f)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(13)
Chapter 6 – Building and Building Regulations Section 6-41(a)(5)
Chapter 6 – Building and Building Regulations Section 6-41(b)

For the record, there was no one present to represent the property owner. Inspector Harrison testified that this is a multi-family building that is currently being rented. The violations were found during the Business Tax Receipt (BTR) inspection and he explained the eight violations. Upon inspection last week, they observed that the dock was repaired without first getting a permit with the Town. He submitted photos that are from his first inspection on November 2, 2018. He also has updated photos from his February 27, 2019 inspection. He explained to the Special Magistrate how he was allowed to get interior photos. He answered the Special Magistrate that he thinks there are six units but the Town approved five units. He recommended compliance by March 26, 2019 or a fine of \$100/day plus \$100 Administrative Fee for today's hearing. The Special Magistrate accepted the photos into evidence as Town's Composite Exhibit. The Special Magistrate ordered compliance by March 26, 2019 or a fine of \$100/day plus \$100 Administrative Fee for today's hearing.

ITEM #V.58

Case #: 18120002 – Permits Required Violations
Property Owner: SKY007 LLC
Address/Folio: 230 Lake Court
Code Section(s): Florida Building Code Section 105.1 Required.

For the record, there was no one present to represent the property owner. Inspector Harrison testified that this is the same property as the case above. This case is for work without permits to enclose the garage, an upstairs unit, flooring was taken out, and dock repair without a permit. He has photos from the BTR inspection when they went into the interior and exterior and observed work done without permit. He also has a screen shot showing any submittals for Town permits. The Special Magistrate accepted the photos and permit history as the Town's Composite Exhibit. Since this is for all after-the-fact permits, the Town recommends compliance by March 26, 2019 by closing all permits or \$100/day fine plus \$100 Administrative Fee for today's hearing. The Special Magistrate ordered compliance by March 26, 2019 by closing all permits or a fine of \$100/day plus \$100 Administrative Fee for today's hearing.

ITEM #V.61

Case #: 18120015 – Permits Required Violations
Property Owner: Bianco, Anthony C & Hazel M
Address/Folio: 2041 Coral Reef Dr
Code Section(s): Florida Building Code Section 105.1 Required.

For the record, there was no one present to represent the property owners. Inspector Harrison testified that this case is for work without permits for a fence installed on top of a seawall. He has photos of the fence on top of the seawall plus a copy of the Town's permit history which would show a permit application and/or an approved permit. Service was obtained by green card from an out-of-state address. The Special Magistrate entered his evidence into the file as Town's Composite Exhibit. Mr. Harrison recommended compliance by March 26, 2019 by submitting and closing permits or \$50/day fine plus \$50 Administrative Fee for today's hearing. The Special Magistrate ordered compliance by March 26, 2019 by submitting and closing all permits or a fine of \$50/day plus \$50 Administrative Fee for today's hearing.

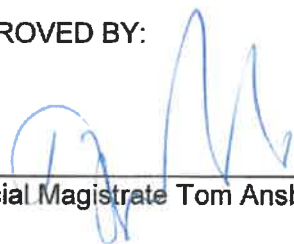
Special Magistrate Clerk Kaliah Lewis called agenda items #62 and #63 but they were already heard as agenda item #64. Special Magistrate Clerk Kaliah Lewis then read into the record cases listed on the agenda as either complied or continued.

CONTINUED				TO
16	C#:	1812 0005	238 Corsair Ave	3/28/19
17	C#:	18120006	3220 Cypress Creek Dr	3/28/19
19	C#:	18110003	1725 Blue Water Ter	3/28/19
21	C#:	19010001	4132 N Ocean Dr	3/28/19
45	C#:	18080030	267 Oceanic Ave	4/25/19
46	C#:	18060013	4548 Poinciana St	4/25/19
59	C#:	18120007	4422 Seagrape Dr	3/28/19
COMPLIED				
1	C#:	18110016	4900 N Ocean Blvd #1117	
2	C#:	18110012	222 Lombardy Ave	
3	C#:	18110018	1431 S Ocean Blvd #78	
4	C#:	18120004	4605 N Ocean Dr	
5	C#:	18120010	1440 S Ocean Blvd #3-A	
6	C#:	18120009	253 Allenwood Dr	
7	C#:	18120012	1988 W Terra Mar Dr	
8	C#:	18120013	5200 N Ocean Blvd #1609D	
9	C#:	18100014	239 E Commercial Blvd	
10	C#:	19010002	Waters Edge	
12	C#:	18110006	107 E Commercial Blvd	
13	C#:	18120014	1850 S Ocean Blvd	
15	C#:	18110022	1620 E Terra Mar Dr	
18	C#:	18100010	4144 El Mar Dr	
20	C#:	18110010	5100 N. Ocean Blvd	
60	C#:	18120008	2000 S Ocean Blvd 6M	

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on February 28, 2019 at approximately 6:42 PM.

APPROVED BY:



Special Magistrate Tom Ansbro

ATTEST:



Kaliah Lewis, Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida