

Approved

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE VIRTUAL HEARING MINUTES
TOWN COMMISSION MEETING ROOM (JARVIS HALL)
CONDUCTED USING COMMUNICATIONS MEDIA TECHNOLOGY via ZOOM PLATFORM
Thursday, January 28, 2021 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, January 28, 2021 with Senior Code Inspector Bethany Banyas, Building Official Eugene Adach, and Planning Technician/Special Magistrate Clerk Sydney Ramirez to record the minutes.

II. SWEARING OF WITNESSES

The Special Magistrate explained how the hearing would be conducted and administered the oath to the Town's Senior Code Inspector and the Building Official. He further stated that when a case was called, the participant(s) would be sworn in individually.

III. OPENING STATEMENT

Ms. Ramirez called the cases first for people who were present online.

IV. PUBLIC COMMENTS

No one from the public requested to speak.

Cases were typed in the order they were called.

V. CODE CASES
NEW BUSINESS

ITEM #V.18

***TAKEN OUT OF SEQUENCE**

Case #: 20120003 – Commercial Vehicles

Property Owner: Bianco, Anthony C & Hazel M

Address/Folio: 2041 Coral Reef Drive

Code Section(s): Chapter 19 – Traffic and Motor Vehicle Section 19-4(b)(4)

Senior Code Inspector Banyas testified that this is a single-family, rental property. The violation was for a commercial vehicle parking overnight in a residential area. This has previously been noticed to both the owner and the tenant in July 2020. There was compliance then by removing the signs from the vehicle doors. There was another complaint recently and upon investigation, a violation was observed. On December 11, 2020, a courtesy notice went to both the owner and the tenant. On December 28, 2020, a Notice of Violation/Notice of Hearing was sent to the owner by certified mail to the address on record which was in Ohio. The signed green card was in the file. The vehicle was observed on two different nights after 9:00pm by the Town with the signage on the vehicle. The Town was asking for a Final Order with a quick comply-by date and if not timely complied, then \$100/day fine when found not to be in compliance plus \$50 Hearing Costs due immediately or by February 25, 2021. She said it was a simple fix by just removing

the magnetic commercial signs from the vehicle during the time noted in the code. She said that there was a representative here today.

The tenant, Joseph SeHembrino, was sworn in. He said that his vehicle was registered to him personally and was used for personal use only. There is a magnetic sign on the side of the vehicle with lettering of a name and a website but it was his first amendment right to put what he wanted on his vehicle. He said that the car, as defined by code, was not a commercial vehicle. The Special Magistrate responded that by the use of the sign, it was turned into a commercial vehicle and that sign could not be left on past the time allotted by the Town in a residential area. Further, it returned to a personal vehicle when the sign was removed which was very easy to do. The Special Magistrate ordered fourteen days to comply, by February 11, 2021, or a fine of \$100/day when found not to be compliant to continue until full compliance plus \$50 Hearing Costs assessed for today's hearing payable on or before February 25, 2021. To answer the tenant's question, Senior Code Inspector Banyas explained and read part of the relevant code explaining why this was considered a commercial vehicle by Town Code. Mr. SeHembrino strongly opposed having to put the magnetic sign on and off during that time period and he felt this was against his first amendment rights. He would appeal.

ITEM #V.22

***TAKEN OUT OF SEQUENCE**

Case #: 20110005 – Vacation Rental

Property Owner: Feldman, Randy & Maria Lorena

Address/Folio: 1755 E Terra Mar Drive

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d) Vacation Rental and short-term rentals. Duration.

Senior Code Inspector Banyas testified that on November 17, 2020, the property's advertisement was observed offering a stay for less than seven nights which was a violation of Town Code for which she explained. Upon notification, the agent corrected the violation and on November 20th, Ms. Banyas issued an Affidavit of Compliance. This was a first time violation for this particular Code Section on this property. The Town was requesting a Finding of Fact that the violation existed and became compliant but if the same violation should re-occur and the property found to be non-compliant, it could be deemed a repeat violation subject to immediate and higher fines. There were no Hearing Costs for today's hearing.

Josue Esobar, property manager, was sworn in and said that it was just a glitch that happened and it was corrected. The Special Magistrate ordered a Finding of Fact that the violation existed but the property was now in compliance and if this violation should occur again on this property, it could be deemed a repeat violation subject to higher fines. In answer to Mr. Escobar's question, Senior Code Inspector Banyas said that there were six other cases tonight like his. She explained the procedures/reviews she followed for these types of cases. She also explained what could happen if the violation was continual.

ITEM #V.28

***TAKEN OUT OF SEQUENCE**

Case #: 20030005 – Permits Required Violations

Property Owner: Karakaya, Inc.

Address/Folio: 4601 El Mar Drive

Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1. Permits. Required

Senior Code Inspector Banyas testified that in March 2020, a Notice of Violation was submitted for an addition or shed-like structure on the north side of the Coral Key Inn. No permit was

pulled at the time. On November 6, 2020 the Notice of Hearing was issued. Bibiana Zuleta, manager of the property, indicated to the Town that a variance was applied for and then she would get a permit. As of last week, it was the Senior Code Inspector's understanding that they would not be proceeding with the zoning variance but would be demolishing the building. The Town was recommending a Final Order giving ninety days to comply by applying for a demolition permit, obtaining that permit, completing the demolition, and passing all inspections to close out the permit by Wednesday, April 28, 2021 (which was later changed to April 21, 2021) or a fine of \$200/day if not fully compliant plus \$50 Hearing Costs for today's hearing due immediately or payable by April 21, 2021. If needed, they were to return to the April Special Magistrate Hearing.

Bibiana Zuleta, property manager, was sworn in. She needed storage but wanted to do it in the right way and would comply with the order. The Special Magistrate ordered compliance by April 21, 2021 (apply for and obtain a demolition permit, complete the demolition and pass all inspections to close out the permit) and the site cleared out and restored so that it met Town Code for landscaping or a fine of \$200/day plus \$50 Hearing Costs to be paid before April 21, 2021. If needed, this would appear on the April 2021 Special Magistrate Hearing Agenda.

OLD BUSINESS

ITEM #V.2

***TAKEN OUT OF SEQUENCE**

Case #: 18030025 – Property Maintenance

Property Owner: Wens Holding LLC

Address/Folio: 4329 El Mar Drive

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-477(a)

Chapter 6 – Building Regulations Section 6-36(f)

Chapter 6 – Building Regulations Section 6-41(b)

Senior Code Inspector Banyas testified that this used to be the property Eastward Strand. She reminded that it was five separate parcels that were made into one and fines were combined. Fines were accruing and as of today, totaled \$45,425. They have been in violation almost three years. She answered the Special Magistrate that the properties were in disrepair with buildings partially demolished and boarded up. The exterior was an eyesore on El Mar Drive, a tourist area. They were looking to do a full renovation of the property and they have an agreement with the Town where we use their parking spaces. This agreement was very helpful. However, the fine running was from February 28, 2020 at \$100/day for the exterior maintenance of the property due to the fact that they have had many continuances and extensions and in essence, the owner of the property had the benefit of no fines running the first two years. The Town did not feel that the \$100/day fine impacted getting things done on the five parcel property in the downtown area and recommended revising the order reaffirming the amount that accrued as a recorded, certified lien. However, moving forward from today perhaps thirty days from now, the fine could be increased in a revised final order to \$200/day plus \$50 Hearing Costs for today's hearing. She said there were at least two representatives from the property here.

The architect for Shirley Wen, property owner, asked to start speaking so the Special Magistrate swore Architect Linas Saplys in. He answered that he worked directly for Wen Holdings, the owner of the property. He said that when the fine started, so did COVID. They ordered windows and secured a window permit to start on the exterior façade. All the site plan work was finished. He gave a little history regarding the company they ordered windows from. The company had COVID problems and they could not deliver. He explained about changing contractors. He felt that this was a major project and adding another \$100 to the daily fine

would create a major problem. They have contracts in place and it has been a very bad year for hospitality and other businesses. Mr. Saplys asked for fifteen working days to work with the Town's Building Department to finalize the permit and then increase the fine if everything he said today was not met. Senior Code Inspector Banyas said that there was no schedule for this project but the architect said a schedule of construction activities was delivered about an hour ago to Jhanelle and David Lee also had it. Ms. Banyas said that things were promised but did not show up or were produced right before the hearing and continued to be a serious issue. She emphasized that they were not assessing a new fine, just increasing it to make it more appropriate for the situation to move forward.

Shirley Wen, owner of the property, was sworn in. She spoke about her plans for the project and getting things done. She was sorry for how long this was taking to comply. The Special Magistrate asked to hear from the Building Official about his opinion regarding successfully making significant progress on this project. Building Official Eugene Adach testified that they were still waiting for the resubmittal on the grading and percolation and once they review it and if it was complete, the permit could be issued. The architect answered that they were cleaning up the site on Monday and ready to start construction on February 15, 2021. The Special Magistrate said that this fine was running for approximately three years but it was granted continuances and extensions. Fines were not punishment but rather motivation to get things done. Senior Code Inspector Banyas gave her opinion that she would be hesitant to set milestones to finish this project. She said that she emailed the Permit Administrator, David Lee, who emailed her back that he did not receive the schedule that Mr. Saplys spoke about tonight.

The Special Magistrate was inclined to roll this over to the February 25, 2021 Special Magistrate Hearing with fines continuing to run. He wanted to see if his suggestion of structuring a very clear settlement type of agreement with milestones made sense, if not he would revisit the request of doubling the fine. This continuance would give the architect time to meet and get his paperwork to the Building Official. The Special Magistrate would then hear on February 25, 2021 from the architect and the Building Official regarding a working plan as well as from Ms. Banyas who would have conferred with the Director of Community Development. He expected real progress with items that were to get done as this was languishing way too long especially since the property was located in a critical place for the Town's future as a seaside resort. He warned that if milestones were not met, a higher fine would be imposed. Also, if things were not getting done, he would recommend to the Town Attorney to foreclose on the property. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing (with \$100/day fine running) plus \$50 Administrative Fee assessed for today's hearing due and payable within a week. This continuance would allow the architect to get his paperwork into the Building Official and report back on that success and to produce an agreement/schedule of when things would be done. He warned that he wanted to see significant progress with things getting done or it was going to get fined.

As there were no further people online and Whittier Towers would be called at the end of this hearing, Ms. Ramirez reverted back to the beginning of the agenda. For the record, anyone noted as not in attendance were noticed regarding today's hearing.

ITEM #V.1

Case #: 18020015 – Property Maintenance

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

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the approval from the Army Corp of Engineers has not come through. It would take a little while longer and the Town would extend the timeline. They recommended an extension of the time to comply until March 24, 2021 and to reconvene at the March 25, 2021 Special Magistrate Hearing with no Administrative Fee assessed for today's hearing. The Special Magistrate ordered an extension of the time to comply until March 24, 2021 and to reconvene at the March 25, 2021 Special Magistrate Hearing and no Administrative Fee was assessed.

ITEM #V.3

Case #: 20040001 – Permits Required Violations
Property Owner: Brenner, William Toth, Johanna
Address/Folio: 6000 N Ocean Blvd, 14E
Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1. Permits. Required

For the record, Ms. Ramirez said that this case was complied.

ITEM #V.4

Case #: 19080002 – Permits Required Violations
Property Owner: 4552 Poinciana St LLC
Address/Folio: 4552 Poinciana St. 1-2
Code Section(s): Florida Building Code Section 105.1. Required

For the record, Ms. Ramirez said that this case was complied.

ITEM #V.5

Case #: 20100005 – Building Code Violations
Property Owner: Patricia F. Frazioso Tr
Address/Folio: 1470 S Ocean Blvd, 201
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that she consulted with the Building Official today and the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.6

Case #: 20100006 – Building Code Violations
Property Owner: Hotz, Rosemary Hotz Rev Liv Tr
Address/Folio: 5555 N Ocean Blvd, 71
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a

continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.8

Case #: 20100007 – Building Code Violations
Property Owner: Nesch, Dorothea Grossman, David
Address/Folio: 1480 S Ocean Blvd, 209
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.9

Case #: 20100008 – Building Code Violations
Property Owner: Campbell, Patricia R Samples, Tracy
Address/Folio: 4013 N Ocean Blvd, 209
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.10

Case #: 20100012 – Building Code Violations
Property Owner: Cantazaro, Jovanni
Address/Folio: 1988 W Terra Mar Drive
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.11

Case #: 20020005 – Minimum Standards For Dwellings
Property Owner: The Daniel Boutique LLC
Address/Folio: 4245 N Ocean Drive
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28(a)
Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-36(1)(a)
Chapter 6 – Building and Building Regulations Section 6-37(a)
Chapter 6 – Building and Building Regulations Section 6-40(a)

For the record, Ms. Ramirez said that this case was complied.

ITEM #V.12

Case #: 20020006 – BTR Inspection/Commercial
Property Owner: 4051 N Ocean LLC
Address/Folio: 4051 N Ocean Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(c)
Chapter 6 – Building and Building Regulations Section 6-36(d)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-36(1)(a)
Chapter 6 – Building and Building Regulations Section 6-36(5)

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that on behalf of Code Inspector Terry-Ann Boyd-Reynolds, the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs for today's hearing. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.13

Case #: 20030001 – BTR Housing Inspection
Property Owner: 4051 N Ocean LLC
Address/Folio: 4109 N Ocean Dr 1-8
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(1)a
Chapter 6 – Building and Building Regulations Section 6-37(a)
Chapter 6 – Building and Building Regulations Section 6-40(a)

ITEM #V.14

Case #: 20030002 – BTR Housing Inspection
Property Owner: 4051 N Ocean LLC
Address/Folio: 4105 N Ocean Dr 1-7
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)1
Chapter 6 – Building and Building Regulations Section 6-36(1)a
Chapter 6 – Building and Building Regulations Section 6-40(a)

For the record, Ms. Ramirez said that both cases (#20030001 and #20030002) were complied.

CONTINUED

ITEM #V.15

Case #: 20100013 – Vacation Rental
Property Owner: Lee, John C
Address/Folio: 4616 Bougainvilla Dr 1-2
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-327(b)

Senior Code Inspector Banyas testified that this property was in compliance as of yesterday.

ITEM #V.16

Case #: 20100010 – Building Code Violations
Property Owner: Sauvageau, Danielle

Address/Folio: 4518 Seagrape Drive
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

NEW BUSINESS

ITEM #V.17

Case #: 20110009 – Landscape Violations
Property Owner: 4326 Ocean Drive LLC
Address/Folio: 4326 N Ocean Drive 1-4
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(18)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that there was overgrown landscape in the front of the property and trash, litter, and landscape debris accumulated in the parking lot. The respondent admitted the violations and they were complied. The Town was requesting a Finding of Fact that the violation(s) existed but were in compliance now. If the violation(s) should occur in the future at this property, it may be deemed a repeat violation subject to higher fines. There were no Administrative Costs for this hearing. The Special Magistrate ordered a Finding of Fact that the violation(s) existed but complied and if the violation(s) should re-occur, the property might be deemed a repeat violation subject to higher fines. There were no Administrative Costs assessed for this hearing.

ITEM #V.19

Case #: 20120002 – Overflowing Dumpster
Property Owner: Anglin Fam Tr (Land) ETAL Ocean Equities Ltd (Bldg) %PF FIN
Address/Folio: 4653 N Ocean Drive
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28(b) Maintenance
Chapter 10 – Garbage and Refuse Section 10-31(4) Dumpster
Type Container
Chapter 6 – Building and Building Regulations Section 6-40(a)
Garbage, rubbish and/or weeds

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.20

Case #: 20110004 – Vacation Rental
Property Owner: New Pacific Financial Group
Address/Folio: 4449 W Tradewinds Avenue
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that the violation was for offering a stay for less than seven consecutive days for a registered vacation rental. She spoke with the owner and the property manager and the violation was corrected. They knew this would be heard tonight. She said that the Town was requesting a Finding of Fact that the violation existed but was corrected. If this violation should re-occur on the same property by the same owner within five years, it could be deemed a repeat violation which could bring higher and immediate fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to higher fines. No Hearing Costs for today's hearing.

ITEM #V.21

Case #: 20110002 – Vacation Rental
Property Owner: North Shore 85 Realty LLC
Address/Folio: 301 Tropic Drive
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that the violation was offering a stay for less than seven consecutive days for a registered vacation rental. She spoke with the owner and the property manager and the violation was corrected. They knew this would be heard tonight. She said that the Town was requesting a Finding of Fact that the violation existed and was corrected but if this violation should re-occur on the same property by the same owner within five years, it could be deemed a repeat violation which could bring higher and immediate fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to higher fines. No Hearing Costs were assessed for today's hearing.

ITEM #V.23

Case #: 20110008 – Vacation Rental
Property Owner: Eriksson, Catherine Anna LE Eriksson Per Erik LE Etal
Address/Folio: 1585 Blue Water Terrace North
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this case was also a violation advertising a stay for less than seven consecutive days. She sent an email and the violation was corrected quickly. She wanted to let the Special Magistrate know that even though the managing company was a familiar name, they have had infrequent violations. She said that the Town was requesting a Finding of Fact that the violation existed and was corrected but if this violation should re-occur on the same property by the same owner within five years, it could be deemed a repeat violation which could bring higher and immediate fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to higher fines. No Hearing Costs for today's hearing.

ITEM #V.24

Case #: 20110007 – Vacation Rental
Property Owner: 3221 Seaward Drive LLC

Address/Folio: 3221 Seaward Drive
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this case was also a violation advertising on the web for a stay for less than seven consecutive days. She said that within hours of informing about the violation, it was corrected quickly. She said that the Town was requesting a Finding of Fact that the violation existed and was corrected but if this violation should re-occur on the same property by the same owner within five years, it could be deemed a repeat violation which could bring higher and immediate fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to higher fines. No Hearing Costs for today's hearing.

ITEM #V.25

Case #: 20110006 – Vacation Rental
Property Owner: 3221 Spanish River Drive LLC
Address/Folio: 3221 Spanish River Drive
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(d)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this case was also a violation advertising on the web for a stay for less than seven consecutive days. She said that within hours of informing about the violation, it was corrected quickly. The Town was requesting a Finding of Fact that the violation existed and was corrected but if this violation should re-occur on the same property by the same owner within five years, it could be deemed a repeat violation which could bring higher and immediate fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to immediate and higher fines. No Hearing Costs for today's hearing.

ITEM #V.26

Case #: 20110003 – Vacation Rental
Property Owner: Daluz, Daniel
Address/Folio: 223 Algiers Avenue
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(b)

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this property owner used the owner of 301 Tropic Drive and 4449 W Tradewinds Avenue as his vacation rental manager. This property was acting as a vacation rental but was unregistered. They had to get a LBTS Business Tax Receipt (BTR) and supplemental LBTS Rental Certificate prior to use or advertisement as a vacation or short-term rental. She said that the violation has been complied and the Town was requesting a Finding of Fact that the violation occurred but was in compliance and if it should re-occur, it could be deemed a repeat violation subject to higher fines. The Special Magistrate ordered a Finding of Fact that the violation existed and was complied but if it should re-occur, it could be deemed a repeat violation subject to higher fines. No Hearing Costs for today's hearing.

ITEM #V.27

Case #: 20110001 – Building Code Violations
Property Owner: Gatzonis. Aurora & John

Address/Folio: 4332 N Ocean Dr
Code Section(s): Florida Building Code Section 105.1. Required

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that the Town would recommend a continuance to the February 25, 2021 Special Magistrate Hearing. The Special Magistrate ordered a continuance to the February 25, 2021 Special Magistrate Hearing with no Administrative Costs assessed for today's hearing.

Special Magistrate Clerk Sydney Ramirez announced that Whittier Towers cooperative and all parcels of land associated would be called next. Ms. Ramirez was instructed to read the address once and then just to read each of the unit numbers into the record.

WHITTIER TOWERS

ITEM #V.29

Case #: 18050001 – Property Maintenance
Property Owner: Dicaire, Louise Nadeau Dicaire, Vanessa (Prev. Dicaire Louise Nadeau Richard Louise)
Address/Folio: 1439 S Ocean Blvd. 101
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.30

Case #: 18050002 – Property Maintenance
Property Owner: Senoj Enterprise LLC
Address/Folio: 1439 S Ocean Blvd. 102
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.31

Case #: 18050003 – Property Maintenance
Property Owner: Bland, Rosa
Address/Folio: 1439 S Ocean Blvd. 105
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.32

Case #: 18050004 – Property Maintenance
Property Owner: Robitaille, Andre
Address/Folio: 1439 S Ocean Blvd. 106
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.33

Case #: 18050005 – Property Maintenance
Property Owner: Rheaume, Sylvia R
Address/Folio: 1439 S Ocean Blvd. 107
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.34

Case #: 18050006 – Property Maintenance

Property Owner: Krolewski, Deanna Jo
Address/Folio: 1439 S Ocean Blvd. 109
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.35

Case #: 18050007 – Property Maintenance
Property Owner: Brown, Mark H
Address/Folio: 1439 S Ocean Blvd. 110
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.36

Case #: 18050008 – Property Maintenance
Property Owner: Cullinan Family Trust
Address/Folio: 1439 S Ocean Blvd. 111
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.37

Case #: 18050009 – Property Maintenance
Property Owner: Galvin, John R & Andrea A
Address/Folio: 1439 S Ocean Blvd. 201
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.38

Case #: 18050010 – Property Maintenance
Property Owner: Thompson, Janice
Address/Folio: 1439 S Ocean Blvd. 202
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.39

Case #: 18050011 – Property Maintenance
Property Owner: Paquet, Gilles
Address/Folio: 1439 S Ocean Blvd. 203
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.40

Case #: 18050012 – Property Maintenance
Property Owner: Luz Patricia Restrepo Rev Tr Restrepo Luz Patricia
Address/Folio: 1439 S Ocean Blvd. 205
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.41

Case #: 18050013 – Property Maintenance
Property Owner: Goode, Shawn
Address/Folio: 1439 S Ocean Blvd. 206

Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.42

Case #: 18050014– Property Maintenance
Property Owner: Zimmerman, Annette Zimmerman, James
Address/Folio: 1439 S Ocean Blvd. 207
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.43

Case #: 18050015– Property Maintenance
Property Owner: Zemach, Joel
Address/Folio: 1439 S Ocean Blvd. 208
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.44

Case #: 18050016– Property Maintenance
Property Owner: Bajdo, Maria Aura
Address/Folio: 1439 S Ocean Blvd. 209
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.45

Case #: 18050017– Property Maintenance
Property Owner: Goddard, Dulce Galindo Goddard, Gary William
Address/Folio: 1439 S Ocean Blvd. 211
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.46

Case #: 18050019– Property Maintenance
Property Owner: Whiteleather, Daniel
Address/Folio: 1439 S Ocean Blvd. 115
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.47

Case #: 18050020– Property Maintenance
Property Owner: Trezza, Anthony Trezza, Jeana
Address/Folio: 1439 S Ocean Blvd. 116
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.48

Case #: 18050021– Property Maintenance
Property Owner: Schaefer, Curtis L & Catherine A
Address/Folio: 1439 S Ocean Blvd. 117
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)

Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.49

Case #: 18050022– Property Maintenance
Property Owner: Machado, Francisco Machado, Stefany
Address/Folio: 1439 S Ocean Blvd. 210
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.50

Case #: 18050023– Property Maintenance
Property Owner: Pruis, Gerrit J & Barbara C
Address/Folio: 1439 S Ocean Blvd. 212
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.51

Case #: 18050025– Property Maintenance
Property Owner: White-Duare, Marcia White-Duare, Michael E
Address/Folio: 1439 S Ocean Blvd. 214
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.52

Case #: 18050026– Property Maintenance
Property Owner: John L&Elizabeth P Aumente TR Aumente ChristopherTrste ETAL
Address/Folio: 1439 S Ocean Blvd. 215
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.53

Case #: 18050027– Property Maintenance
Property Owner: Smith, Sonia
Address/Folio: 1439 S Ocean Blvd. 216
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.54

Case #: 18050028– Property Maintenance
Property Owner: Sawicki, Stanley D
Address/Folio: 1439 S Ocean Blvd. 217
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.55

Case #: 18050029– Property Maintenance
Property Owner: Mastro, Joseph & Mary LE and Rev Liv Tr
Address/Folio: 1439 S Ocean Blvd. 218
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.56

Case #: 18050030– Property Maintenance
Property Owner: Castro Vollo, Marcella
Address/Folio: 1439 S Ocean Blvd. 301
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.57

Case #: 18050031– Property Maintenance
Property Owner: Nomaderia, Inc.
Address/Folio: 1439 S Ocean Blvd. 302
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.58

Case #: 18050032– Property Maintenance
Property Owner: Fereia & Reyes LLC
Address/Folio: 1439 S Ocean Blvd. 303
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.59

Case #: 18050033– Property Maintenance
Property Owner: Wertz, Robert Cardona, Rafael
Address/Folio: 1439 S Ocean Blvd. 304
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.60

Case #: 18050034– Property Maintenance
Property Owner: Kline, Marilyn H/E Kline, Norman
Address/Folio: 1439 S Ocean Blvd. 305
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.61

Case #: 18050035– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 306
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.62

Case #: 18050036– Property Maintenance
Property Owner: Brennan, Maria C H/E Brennan, Karina
Address/Folio: 1439 S Ocean Blvd. 307
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.63

Case #: 18050037– Property Maintenance
Property Owner: Strom, Terje Mikal Strom, Mona Kristin FILTVEDT

Address/Folio: 1439 S Ocean Blvd. 308
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.64

Case #: 18050038– Property Maintenance
Property Owner: Viola Maximilian
Address/Folio: 1439 S Ocean Blvd. 309
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.65

Case #: 18050039– Property Maintenance
Property Owner: Rose Vitale
Address/Folio: 1439 S Ocean Blvd. 310
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13).
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.66

Case #: 18050040 – Property Maintenance
Property Owner: McGhee, Jessie Marilyn McGhee, William McKay
Address/Folio: 1439 S Ocean Blvd. 311
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.67

Case #: 18050041– Property Maintenance
Property Owner: Via Sales & Leasing Inc.
Address/Folio: 1439 S Ocean Blvd. 312
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.68

Case #: 18050042– Property Maintenance
Property Owner: Moussa, Soufaine Ben Touatl, Hedi
Address/Folio: 1439 S Ocean Blvd. 314
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.69

Case #: 18050043– Property Maintenance
Property Owner: Hoard, Greg & Hoard, Nancy
Address/Folio: 1439 S Ocean Blvd. 315
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.70

Case #: 18050044– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 318
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)

Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.71

Case #: 18050045– Property Maintenance
Property Owner: Anne Michaelides Rev Tr Michaelides, Anne Trstee
Address/Folio: 1439 S Ocean Blvd. 317
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.72

Case #: 18050046 – Property Maintenance
Property Owner: Pizzi, Thomas III Pizzi, Thomas Jr. ET AL
Address/Folio: 1439 S Ocean Blvd. 108
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.73

Case #: 18050047– Property Maintenance
Property Owner: Guthrie, Timothy F Guthrie, Carla M
Address/Folio: 1439 S Ocean Blvd. 204
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.74

Case #: 18050048– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 114
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.75

Case #: 18050049 – Property Maintenance
Property Owner: Schweitzer, Michael K
Address/Folio: 1439 S Ocean Blvd. 112
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.76

Case #: 18050050– Property Maintenance
Property Owner: Galullo, Kathy Ann
Address/Folio: 1439 S Ocean Blvd. 118
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.77

Case #: 18050058– Property Maintenance
Property Owner: HD Parts LLC
Address/Folio: 1439 S Ocean Blvd. 316
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.78

Case #: 18050059 – Property Maintenance
Property Owner: DaSilva, Orivaldo Perera DaSilva, Marcia
Address/Folio: 1439 S Ocean Blvd. 104
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

Senior Code Inspector Bethany Banyas testified that they recommended extending the comply-by date to March 24, 2021 with the hearing set for March 25, 2021. The Special Magistrate ordered the comply-by date extended to March 24, 2021 and to bring this agenda item back to the March 25, 2021 Special Magistrate Hearing.

VI. ADJOURNMENT

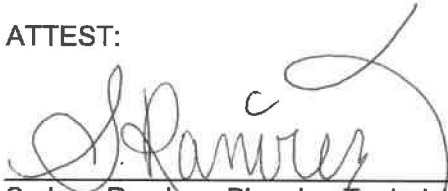
Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on January 28, 2021 at approximately 6:20 PM.

APPROVED BY:

Thomas J.
Ansbro

Digitally signed by Thomas J. Ansbro
DN: cn=Thomas J. Ansbro, o=ou,
email=tansbro@danlabeachil.gov, c=US
Date: 2021.02.05 13:41:32 -0500

ATTEST:



Sydney Ramirez, Planning Technician/Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida

Special Magistrate Tom Ansbro