

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, January 27, 2022 at 5:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:20 PM on Thursday, January 27, 2022 with Town Manager Linda Connors, Development Services Director Jhanelle Campbell, Town Attorney Alan Gabriel, Senior Code Compliance Inspector Bethany Banyas, Code Compliance Inspector Greg Wienbarg, Building Official Simo Mansor, Fire Marshal Stephen Paine, and Special Magistrate Clerk Megan Small to record the minutes

II. SWEARING OF WITNESSES

The Special Magistrate administered the oath to everyone speaking today.

III. OPENING STATEMENT

Please note for the record that this is an in-person hearing with a few persons attending remotely by Zoom.

IV. PUBLIC COMMENTS

No one from the public wished to speak now on items not on the agenda.

Cases were typed in the order they were called starting with people who were in attendance. For the first case, attorneys were present.

V. CODE CASES

OLD BUSINESS

ITEM #V.15

Case #: 21-1336

Property Owner:

Address/Folio:

***TAKEN OUT OF SEQUENCE**

Stephen A Calder Trust / Hort A Soper, Trustee

224-234 Hibiscus Ave

Town Attorney Alan Gabriel explained that this case was previously before the Special Magistrate who issued a Final Order that included that they had to come back to the January 27, 2022 Hearing for a status update. He said that the attorney for the respondent, Attorney John Phillips, has filed an appeal with the Circuit Court. The Town Attorney and the Respondent's Attorney were trying to move the appeal forward so that they could come back to the Special Magistrate to see how they could address his order. Town Attorney Gabriel suggested to continue this to the March Special Magistrate Hearing which should give them enough time to work it out. The respondent's attorney who was here for Hort A Soper, Trustee, explained their position and why this should be dismissed. The Special Magistrate ordered a continuance of this agenda item to the March 24, 2022 Special Magistrate Hearing.

NEW BUSINESS**ITEM #V.36*****TAKEN OUT OF SEQUENCE**

Case #: 21110008 – Building Code Violations
Property Owner: Robinson, Lawrence A Robinson, Lynne F
Address/Folio: 259 Hibiscus Ave
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

Code Compliance Inspector Greg Wienbarg testified that they agreed upon a continuance to March. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.52***TAKEN OUT OF SEQUENCE**

Case #: 21100021 – Building Code Violations
Property Owner: Sea Ranch Club Condo C
Address/Folio: 4900 N Ocean Blvd
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program 110.15. Building Safety.

Senior Code Compliance Inspector Banyas testified that the Town was looking to continue this case to March 24, 2022 in order to give more time to the condominium to comply. This was for the building safety inspection program. The Special Magistrate asked if there was an objection and Brian Packard, manager of the building, said they were at the tail end. Everything was done except for the four columns. Their construction company said that each column would take 28 days to complete and they have to be done separately. Ms. Banyas said that the Town was not expecting anyone to do something that was not possible. The Town would like to have the opportunity to review the case in March and as long as everything was moving forward, they would not be against granting more time. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.40***TAKEN OUT OF SEQUENCE**

Case #: 21120018 – Building Code Violations
Property Owner: Fountainhead Association, Inc.
Address/Folio: 3900 N Ocean Dr
Code Section(s): Florida Building Code FBC BCA Section 110.15. Building Safety Inspection Program

The Special Magistrate asked if the people from Whittier Towers knew that they were waiting on their attorney. Senior Code Compliance Inspector Banyas informed the people from Whittier Towers that before the Town called their case, they were waiting for the Whittier Towers' attorney to get out of traffic and arrive here.

Senior Code Compliance Inspector Banyas testified that right now they were looking at 3900 N Ocean Drive. Barry Miske testified that he was the president of the Fountainhead Condominium and that the Vice President of Fountainhead Condominium and their engineering firm were here tonight as well. He had a Letter of Intent to proceed with their shoring and related prep work. Senior Code Compliance Inspector Banyas testified that this was new business that the Special Magistrate has not heard before. The property was noticed on December 22, 2021 with a Notice of Violation regarding the forty-year inspection. There was a December 1, 2021 meeting between the Town's Director of Development Services Jhanelle Campbell and the Fountainhead Board

and their engineering company. Before discussing a Final Order, Ms. Banyas wanted to hear from them to see if they would proceed with an appropriate and timely restoration project.

Henry Hillman, engineer for the project, testified that they developed a shoring plan for the project. The Board of Directors have the Letter of Intent. The condo was finalizing the contract with a concrete licensed general contractor for concrete restoration and they would be installing the shoring. They were proceeding to put a bid package together to take the entire project with all the restoration out to bid. They were about 6 to 8 weeks away from that because there was a lot of work. There would probably be 35 to 40 pages of plans to go with it plus 50 pages of specifications. His company has 4 people on the group working on this plus the Board of Directors has authorized them to complete that. The bid period would probably be about a month. Matt Nolan, a project manager from Hillman Engineering, added that the Board submitted their signed and sealed documents that were the Broward County Recertification Documents. They were on file and could be reviewed.

Ms. Banyas would like to see the signed contract between the Contractor and the Board which was given to her for herself and one for the Special Magistrate which he accepted into evidence without objection as Respondent's Exhibit 1. Ms. Banyas shared hers with the Building Official and they were told that their copy was not signed but the Special Magistrate's copy was signed. The Special Magistrate was answered that they would need at least 90 days to put it out to bid and to know where they stand. Inspector Banyas said that she, the Development Services Director and the Building Official would rather 60 days for a status conference just to keep tabs on this project ensuring that it moved forward. If it did move forward, there could be further continuances or status hearings but to remember that the deficiencies noted in the report were quite extensive. After discussion, the March 24, 2022 Special Magistrate Hearing date was decided upon. The Special Magistrate ordered continuance of this agenda item to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.18

***TAKEN OUT OF SEQUENCE**

Case #: 21110002 – Permits Required Violations
Property Owner: Whittier Towers Apartments Association, Inc.
Address/Folio: 1439 S Ocean Blvd
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

Code Compliance Inspector Greg Wienburg testified that the violation was for the unpermitted dock, unpermitted floating dock, and the unpermitted sidewalk that was on top of the seawall cap. He submitted photos to the Special Magistrate and said that the Town was requesting a Final Order with sixty days to comply or \$250/violation/day if not complied plus \$100 Hearing Cost. The Special Magistrate accepted the Town's photos into evidence without objection as Town Composite Exhibit. The representative, Matthew Nolan, said that he represents Hillman Engineering. He gave his own pictures to the Special Magistrate and testified that within days of fixing all the issues that Whittier Towers had, they were surprised to learn about these issues. They asked for a continuance because what they learned was that the land in the finger canal was owned by the two neighbors. The Town was going to help them resolve that but it became too involved. His photos show from 2017 to 2019 a very decayed dock (55 years it was in place). Eventually, the boards were taken away because they did not want people walking on unsafe surfaces. The pilings sat there until we could work out that if we took them out, we could put them back in. The point to this explanation was that they could not solve this in sixty days. No one has ever approved the floating dock, so they could remove that within sixty days. He said that either through adverse possession or some type of agreement with the two bodies on either side it could

be settled about the piles in there. Then Hillman could make the engineering work. Right now they did not have any engineering and sixty days would not do it. What could be there would be equal to what was there for 55 years. He was asking to come back in sixty days for a status report but don't expect compliance in sixty days.

Inspector Wienbarg said that he opened this case November 3, 2021 and it is about 3 months already. The floating dock could have been removed within that time and nothing was permitted, etc. Plus there was no permission garnered from the landowners on either side. The Town was firm on their request for a Final Order with sixty days to comply or get the permissions from the landowners for the permit. The representative, Mr. Nolan from Hillman, said that Staff was correct in what was just said but they did not know either that the land was actually owned by someone else. This was uncovered when trying to get answers about zoning. The association was under the mindset now that if they could not get either by negotiations or legal means, the pilings would have to come out. We had the boards taken out for human safety but did not have the piles taken out. We could not settle this in sixty days and would like a status hearing in sixty days to tell you what we have been able to achieve. Discussion ensued that the floating dock would be gone. Right now the area was safe as shown in the photos which were accepted into evidence by the Special Magistrate as Respondent's Exhibit. Attorney Alan Gabriel spoke on behalf of the Town stating that before there was any decision, please allow the neighbors to speak. He explained that the Town's position was that a Final Order was mandatory with sixty days to come into compliance and a status conference to advise the Town what they did in the sixty days. The Special Magistrate called for public comments.

Attorney Jeremy Shir represented Palm Yacht which was the adjacent community with 99 single-family homes. He said that Whittier Towers built the dock, floating dock, and finger piers without approval or permits. His client paid the property taxes for the land under the canal. Whittier Towers had no permission from Palm Yacht to build the dock, floating dock, and finger piers. They did not own any of the canal or seawall and should not have built a sidewalk on it. He spoke of all the problems Whittier Towers caused by doing this. In doing his research, Attorney Shir learned that Whittier Towers knew about this in March 2021. They agree with the Town ordering a Final Order. Whittier Towers' representative explained his answers to some of the problems brought up by Attorney Shir. Discussion ensued and the Special Magistrate wanted the dock blocked off from the land side and the water side so that no one was using it as the Town could not inspect it for safety. Development Services Director Jhanelle Campbell said that Whittier Towers was aware post the early start letter that they could not continue with constructing the dock.

Mary Mastro pleaded for no additional fines for her and the 49 other units in Whittier Towers. The years of complex renovations were tough and they did not need more to endure. They need someone to listen to them compassionately to solve the problem. She was not a board member nor an officer, so she could not discuss this but she was a resident of the building. The Special Magistrate said that the Town was patient with Whittier Towers over the years of the renovations but this was a separate but related issue. He would go along with what the Town requested for the compliance and the fine but he would reserve in his mind that as long as he has this case, he has the ability to zero out the fine or reduce it if things were moving quickly. Things must move progressively and the docks gone or walled off both waterside and landside so no one could get hurt. The Town did not want to be punitive. He would impose the 60 day compliance, \$250/day/violation fine and \$100 Hearing Cost due immediately but payable within 60 days and remember that everything must be done with safety in mind. The Special Magistrate ordered compliance by March 23, 2022 with everything done with safety in mind or \$250/day/violation fine

and \$100 Hearing Cost due immediately but payable by March 23, 2022 and to return to the March 24, 2022 Special Magistrate Hearing for a Status Conference.

ITEM #V.51

***TAKEN OUT OF SEQUENCE**

Case #: 21110052 – BTR Housing Inspection
Property Owner: Pulso Miami LLC
Address/Folio: 4655 Bougainvillea Dr
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28 (e)
Chapter 30 – Unified Land Development Regulations – Section 30-480 (a)
Chapter 6 – Building and Building Regulations Section 6-36(a)
Chapter 6 – Building and Building Regulations Section 6-36(d)
Chapter 6 – Building and Building Regulations Section 6-41(a)(18)
Chapter 6 – Building and Building Regulations Section 6-41(a)(2)
Chapter 6 – Building and Building Regulations Section 6-41(b)(1)
Florida Building Code 6th Edition (2017) FBC BCA Section 105.1.
Work Without Permits. Permits. Required

Code Compliance Inspector Greg Wienburg testified that they had a meeting yesterday and they have complied numerous violations. The respondent showed the Inspector his latest photos reflecting more compliance. The Inspector spoke about what was remaining like the resealing and restriping of the parking lot and the tree removal permits that needed to be processed by the County before they could be done by the Town. He suggested a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022 and no Hearing Costs for today's hearing.

Town Attorney Alan Gabriel departed the hearing at approximately 6:09PM.

Attorney Jeremy Shir asked about Gardens By The Sea and was told that it was deferred.

ITEM #V.33

***TAKEN OUT OF SEQUENCE**

Case #: 21110021 – Building Code Violations
Property Owner: 234 Avalon Ave LLC
Address/Folio: 234 Avalon Ave
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

Code Compliance Inspector Greg Wienburg testified that they agreed to a continuance of twenty-seven days to the February 24, 2022 Special Magistrate Hearing. The re-inspection date would be February 23, 2022. The general contractor, Mike Trifunoric, was in agreement. The Special Magistrate ordered a continuance of this agenda item to the February 24, 2022 Special Magistrate Hearing with a re-inspection date of February 23, 2022.

Town Manager Linda Connors departed the hearing at approximately 6:12PM.

OLD BUSINESS

ITEM #V.2

***TAKEN OUT OF SEQUENCE**

Case #: 21080007 – Building Code Violations
Property Owner: Conway Echarte Turnbridge Etal % Garden By The Sea N
Address/Folio: 1501 S Ocean Blvd

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

Code Compliance Inspector Wienbarg said that the Town recommended a continuance to March 24, 2022 hearing with no fines or Hearing Cost for today's hearing and a re-inspection on March 23, 2022. Attorney Jeremy Shir said he was looking forward to this and also to working with the Town. The Special Magistrate ordered a continuance to the March 24, 2022 hearing with no fines or Hearing Costs for today's hearing.

ITEM #V.3

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

Senior Code Compliance Inspector Banyas testified that this was the pier and she had evidence to submit of an email from Nick from Double T Construction which was sent yesterday to the Town. Spiro Marchelos already saw it. She gave the email to the Special Magistrate. Mr. Marchelos met with her and Building Official Simo Mansor at the pier. They walked the pier and went to the other side that was not open to the public. They have begun to prepare the site for the exploration, assessment, and repairs. The email explained the forthcoming events. Spiro Marchelos was here and she believed that he would ask for additional time. She reminded that there was a Final Order issued to resume active work by yesterday. Spiro Marchelos requested sixty days for a status hearing and then go from there. This was a long-term project that was three hundred feet on the Atlantic Ocean. She said the Town recommended a postponement of today's hearing and a continuance to the next hearing, February 24, 2022. On February 24, 2022, they would have liked to have seen that work has re-started. They discussed the fine and the Special Magistrate could still reduce it, set another order, or record a lien, etc. The Special Magistrate ordered a postponement of today's hearing with a continuance to the next hearing, February 24, 2022, and no Hearing Cost assessed tonight.

NEW BUSINESS: Favale Condominium (8 cases)

ITEM #V.74 *TAKEN OUT OF SEQUENCE

Case #: 21100025 – Building Code Violations
Property Owner: Senouci, Carl
Address/Folio: 4652 Poinciana St 1
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.75

Case #: 21100026 – Building Code Violations
Property Owner: Senouci, Carl
Address/Folio: 4652 Poinciana St 2
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.76

Case #: 21100027 – Building Code Violations
Property Owner: Wachter, Wilhelm & Edith
Address/Folio: 4652 Poinciana St 3
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.77

Case #: 21100028 – Building Code Violations
Property Owner: Roberto, John A Est
Address/Folio: 4652 Poinciana St 4
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.78

Case #: 21100029 – Building Code Violations
Property Owner: Roberto, John A
Address/Folio: 4652 Poinciana St 5
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.79

Case #: 21100030 – Building Code Violations
Property Owner: Favale, Joseph Favale, Vincent Mario
Address/Folio: 4652 Poinciana St 6
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.80

Case #: 21100031 – Building Code Violations
Property Owner: Brooks, Willie J Wilson-Brooks, Susan K
Address/Folio: 4652 Poinciana St 7
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.81

Case #: 21100032 – Building Code Violations
Property Owner: Senouci, Brahim
Address/Folio: 4652 Poinciana St 8
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

Senior Code Compliance Inspector Banyas testified that there were eight units in the entire building known as Favale Condominium and the violation was the forty year report. Zoom was set up for the people who wanted to speak on this item remotely. Inspector Banyas said that the property was notified of the violation of failure to comply with the building safety inspection program by certified mail on October 15, 2021. Service was partially obtained by signed green cards and then on January 15, 2022, the property was posted for complete notification service. She said the forty-year inspection report was actually submitted on November 16, 2021 and corrections would have to be made for electrical and structural disciplines. The president of Favale Condominium, Mr. Senouci, was here. He attended the last hearing when this item was continued to today's hearing. Carl Senouci testified that he signed the contract with the contractor. It was for approximately \$12,000 and he was asking for an extension of six months to fix everything and to collect from everybody. He already has three owners who did not want to pay. If they did not want to pay, Mr. Senouci would pay for them. The Special Magistrate felt that six months was a long time for the things that needed to be done but Mr. Senouci said that he would have to use his own money, if he could not collect from everybody. Inspector Banyas said that Florida Building Code and Broward County Amendments do state that properties with these violations and were not compliant upon the first report, have 180 days to complete the repairs. The Building Official and Inspector Banyas have consulted and request that since they were asking for six months to complete the project, issue a Final Order giving 181 days to July 27, 2022 to comply with all the requirements of the safety inspection report and submit the updated report

and pass all of the final reviews. They would recommend a fine to accrue thereafter of \$200/day plus \$50 Hearing Cost for today's hearing due immediately but payable by July 27, 2022 and bring this back to the July 28, 2022 Special Magistrate Hearing.

Susan Wilson-Brooks asked to speak and introduced her husband, Willie Brooks. They have been trying to get information from the Favale Condominium for the past three years and they just could not. They contacted an attorney, Allen Bosworth, to represent them and file for receivership which was granted on December 15, 2021 and the Town was informed of this on December 29, 2021. Their attorney was trying to locate receivers but that was difficult because of the small size of the eight-unit condominium building. A Final Status Report has been filed with the Court today. Attorney Bosworth would set a case management conference around the third week in February around February 21, 2022 with Judge Frink who would appoint their receiver. Ms. Wilson-Brooks said that it has recently come to their attention that repairs have been made for Favale Condominium building and they were concerned for safety reasons because there were no permits from the Town and they hope these repairs would be looked into. Once their receiver would be officially appointed, all of the violations listed on their case #21100031, including sewer and plumbing issues would be taken care of. Willie Brooks and Susan Wilson-Brooks were looking forward to having the condominium look and be the way it was supposed to be, hopefully, speedily and competently done.

The Special Magistrate ordered compliance by July 27, 2022 for all eight cases or a fine to accrue thereafter of \$200/day on July 28, 2022 plus \$50 Hearing Cost for today's hearing due immediately but payable by July 27, 2022 and bring these eight agenda items back to the July 28, 2022 Special Magistrate Hearing. Susan Wilson-Brooks was told that when the receiver is appointed, he or she must contact the Town's Code Enforcement Department.

OLD BUSINESS

ITEM #V.11

***TAKEN OUT OF SEQUENCE**

Case #: 21090009 – Vacation Rental
Property Owner: CKDF LLC
Address/Folio: 4430 Seagrape Dr 1-2
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (b) Vacation Rentals

Code Compliance Inspector Wienbarg testified that they came to an agreement for an extension with no fines accruing on this case at this point in time to the Special Magistrate Hearing date of February 24, 2022 with a February 23, 2022 re-inspection date. There was a gentleman at the podium but he did not have to speak. The Special Magistrate ordered an extension on this case to the February 24, 2022 Special Magistrate Hearing with no fines running and no Hearing Cost for today's hearing.

ITEM #V.1

***TAKEN OUT OF SEQUENCE**

Case #: 21100009 – Building Code Violations
Property Owner: Masias, Mirtha H Reinkendorf
Address/Folio: 1500 S Ocean Blvd #1608
Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1. Permits. Required

Code Compliance Inspector Wienbarg testified that they came to an agreement for an extension, with no fines accruing on this case at this point in time, to the Special Magistrate Hearing date of February 24, 2022 with a February 23, 2022 re-inspection date. At the podium, Anthony Munoz

stated his name. The Special Magistrate ordered an extension on this case to the February 24, 2022 Special Magistrate Hearing with no fines running and no Hearing Cost for today's hearing.

ITEM #V.13

***TAKEN OUT OF SEQUENCE**

Case #: 21090006– Zoning Violation
Property Owner: Bell, Robert K
Address/Folio: 4521 N Ocean Dr, 1-6
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-241 (k)(1) – RM-25 district

Senior Code Inspector Banyas testified that the owner, Mr. Bell, was online via Zoom and his audio was working. She said that Mr. Bell met her on the property today which was re-inspected for density compliance according to the Final Order. She gave photos that she took and photos that Mr. Bell took to the Special Magistrate which he accepted into evidence for the Town and the Respondent. She said that Staff has reviewed the photos and collectively, they have reviewed the case. Inspector Banyas said that the case was in compliance with the zoning ordinance. The Town would recommend that the Special Magistrate review the photos for compliance but senior staff had a few concerns regarding work without permits in the unit. They would like the Building Official to review that within the next thirty days. The Town was asking for the Special Magistrate to put on the record that he would like the Building Official to meet with Inspector Banyas and Mr. Bell to take a look at the work that was done in the units in order to return the units to compliance and to ensure no additional violation(s). If there were, that would be a new case but this case #21090006 was complied and the fees were paid. There was \$100 fine associated with this case but the Special Magistrate waived it. He informed Mr. Bell that there would be inspections within the next thirty days. The Special Magistrate ordered a mitigation of the \$100 fine to zero for this complied case and re-inspection within the next thirty days to ensure units were compliant and there were no additional violations. He explained to Mr. Bell that there would be inspections within the next thirty days and that he would like the Building Official to meet with Inspector Banyas and Mr. Bell to take a look at the work that was done in the units in order to return the units to compliance and to ensure there were no additional violation(s). If there were, it would mean a new case as this case was complied.

ITEM #V.6

***TAKEN OUT OF SEQUENCE**

Case #: 21090008 – Vacation Rental
Property Owner: Golden Orange Realty LLC
Address/Folio: 274 Basin Drive 1-2
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (b) Vacation Rentals

The owner, David Dai, was present and introduced the property manager, Mary. Code Compliance Inspector Wienbarg testified that the violation was short-term vacation rental without a BTR from Lauderdale-By-The-Sea. They have to ensure that any work done was permitted or they have to get after-the-fact permits in order to get the BTR. The Town was requesting until March 23, 2022 for compliance or a fine of \$100/day/violation thereafter starting March 24, 2022 plus \$50 Hearing Cost due immediately but payable by March 23, 2022 and this item to return to the March 24, 2022 Special Magistrate Hearing. The Special Magistrate ordered compliance by March 23, 2022 or a fine of \$100/day/violation thereafter starting March 24, 2022 plus \$50 Hearing Cost due immediately but payable by March 23, 2022 and this item to return to the March 24, 2022 Special Magistrate Hearing.

NEW BUSINESS

ITEM #V.32***TAKEN OUT OF SEQUENCE**

Case #: 21110014 – Building Code Violations
Property Owner: Marrone-Speer, Maria Est
Address/Folio: 231 Lake Ct 1-4
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

Senior Code Compliance Inspector Banyas testified that the property was notified on November 16, 2021 with a Notice of Violation sent via certified mail. The green card was not returned and the property was posted on January 15, 2022. The violation was the building safety inspection. The Town would like to hear from the person who was here today before they go further. Frank Marrone testified that his mother was the owner but she died. His sister was in charge for eleven years but she died. His house burnt down in California and he came down here. Inspector Banyas recommended a continuance to February 24, 2022 with no costs or fines to ensure Mr. Marrone would get the right people to do the job, etc. The Special Magistrate ordered a Final Order to continue this agenda item to the February 24, 2022 Special Magistrate Hearing with no costs or fines.

OLD BUSINESS**ITEM #V.9*****TAKEN OUT OF SEQUENCE**

Case #: 21080005 – BTR Housing Inspection
Property Owner: LAINBI LLC
Address/Folio: 4313 Bougainville Dr 1-6
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(1)(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Florida Building Code 6th Edition (2017) FBC BCA Section 105.1.
Permits. Required

Code Compliance Inspector Wienbarg testified that they were looking for an extension but were unsure if the hurricane windows were finished. The female representative said she thought they were finished and just waiting for an inspection. She said that all the windows were up. Inspector Wienbarg felt that an extension to February should be sufficient to close the permit out. He recommended coming back to the February 24, 2022 Special Magistrate Hearing with a re-inspection date of February 23, 2022. The Special Magistrate ordered an extension to the February 24, 2022 Special Magistrate Hearing with no costs or fines.

NEW BUSINESS**ITEM #V.37*****TAKEN OUT OF SEQUENCE**

Case #: 21110006 – Building Code Violations
Property Owner: Miles, Robert Fleagle, Natalie
Address/Folio: 259 Lombardy Ave
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

Code Compliance Inspector Wienbarg testified that they came to an agreement for a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022. Robert Miles said that the company that he hired to do his roof falsified their contract with another license number and they falsified their permit (and the Town did not know and signed it). They brought an unlicensed contractor to do the job and the same unlicensed contractor cut into his structure. He got an engineer for which the expense was coming out of his pocket. He wanted to find out how to press charges against this roofing company that was in Lauderdale-By-The-

Sea. Inspector Wienbarg explained why he was cited for work without permit. Wesley Curran with PLS Advisors said when someone committed a 3rd degree felony of unlicensed activity and felony fraud by representing themselves as someone else, that was a criminal matter and he wanted to know to whom he should report it to and discussion ensued. Inspector Wienbarg said that the Town was willing to work with the homeowner because of the problematic situation in case more time was needed. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing with no fines or costs at this time.

There was a gentleman in the audience who said he was in attendance for case #21110009 but he was informed that it was complied and not on the agenda. He had a question anyway. He was advised to make an appointment and speak with Zoning and Planning to discuss his options.

OLD BUSINESS

FIRE CASES

ITEM #V.16

***TAKEN OUT OF SEQUENCE**

Case #: 21-1335

Property Owner: Isla Bella LLC

Address/Folio: 4324 Seagrape Dr 1-4

There was no one present for this agenda item. Fire Marshal Stephen Paine said this was an old case that came here in October 2021. This property was a vacation rental and this case was a companion case to a code case. For this case, they need a second set of stairs off the second floor. They were renting out the property and still are. The Special Magistrate wanted to know why the Town could not pull the power as they were not supposed to continue using the property. Inspector Banyas said that she sees on Saturdays vehicles there with out-of-state plates. She was sure they rent the place out and it was advertised on vacation rental websites. She did not know if the upstairs was being rented. The Special Magistrate said the power should be pulled if they were renting the upstairs because there needed to be two means of escape for unit #4 in case of fire, hence the second set of stairs off the second floor.

Code Compliance Inspector Wienbarg testified that he has a code case tonight for this address. He also sent out another Notice of Violation for renting without a rental license. There were all sorts of things going on with this property and it should not be rented.

Fire Marshal Stephen Paine recommended a fine of \$250/day. The property should be posted and they should not be allowed to occupy the building including no renting at all and \$100 Hearing Costs for today's hearing. The Special Magistrate ordered ten days from today to comply by not occupying/renting the building at all or \$250/day fine, post the property, plus \$100 Hearing Cost for today's hearing due immediately but payable within ten days from today.

NEW BUSINESS

FIRE CASES

ITEM #V.56

***TAKEN OUT OF SEQUENCE**

Case #: 22-1345

Property Owner: K.M. Buschbaum, Inc.

Address/Folio: 4225 El Mar Dr

There was no one present for this agenda item. Fire Marshal Stephen Paine said this was a three-story building known as the Buena Vista Hotel. There were eleven units and all the rooms were full. On January 22, 2022, they made an annual inspection and found numerous violations from City Ordinances and the Florida Prevention Code and the Life Safety Code. He gave the

Special Magistrate photos, true and accurate representations of the violations found that day, for evidence and accepted for the Town. Some violations were already complied and he read into the record from the Emergency Notice – Notice of Special Magistrate Hearing - the violations that were still not complied explaining them briefly which include but may not be limited to: For their fire alarm listed as item #1, they have a proprietary fire alarm system and only certain companies can work on it. They have a company coming on February first. Item #2, the fire service back flow needed to be inspected annually. They have no idea the last time it was done because there was no tag on it. Item #3, for maintenance, inspection and test, replace the missing cap on the fire department connection. Item #5, maintenance and test, two control valves need to be replaced by a licensed fire protection company. Item #8, for the internal stairways, there needed to be working lights so repair light at the north stair at the 4th floor. Item #10, replace the missing ceiling tiles next to apartment 302/304 in the common area. Item #12, the hallway fire rated door at the electrical room needed to be replaced. Item #14, repair the battery back up on the exit light by apartment 320. Item #20, the second floor exit door at the south end did not have a door handle which was a life safety issue. Item #23, repair the light in the north stairway on the second floor. Item #26, the tamper device was missing from the circuit breaker that controls the fire alarm panel. Item #27, fire extinguisher inside the interior electrical room needed to be inspected annually.

The fire marshal spoke with the manager today who said she would have everything rectified within thirty days. So he suggested about thirty days to come into compliance or \$250/day/violation and there were 14 violations still not complied plus \$100 Hearing Cost for today's hearing. The next hearing was February 24, 2022, so the Special Magistrate would order compliance by February 23, 2022 for which the fire marshal was in agreement. The Special Magistrate ordered a Final Order for compliance of the 14 violations that were still not in compliance by February 23, 2022 or a fine thereafter starting February 24, 2022 of \$250/day/violation plus \$100 Hearing Cost due immediately or payable by February 23, 2022 and come back to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.55

Case #: 21010021 – Building Code Violations

Property Owner: K. M. & Buschbaum, Inc.

Address/Folio: 4225 El Mar Dr

Code Section(s): Florida Building Code FBC BCA Section 105.1. Permits. Required
Chapter 6 – Building and Building Regulations Section 6-41(a)(b)

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that they removed the water cooling tower that was up on the roof without a demo permit. They added 12 a/c split units to each unit and the condensers were sitting out. It was all unpermitted work and a hazard. There was also a large amount of bird feces out on the balconies. He was told that they cleaned that up but that the birds were still there and they were looking into how to keep them away. Then they would clean up again. He said that the Town requested a Final Order with the compliance date of February 23, 2022 or a fine thereafter starting February 24, 2022 of \$250/violation/day to be brought back to the February 24, 2022 Special Magistrate Hearing and \$50 Hearing Costs for today's hearing due immediately but to be paid by February 23, 2022. The Special Magistrate ordered a Final Order to comply by February 23, 2022 or a fine thereafter starting February 24, 2022 of \$250/violation/day to be brought back to the February 24, 2022 Special Magistrate Hearing and \$50 Hearing Cost for today's hearing due immediately but to be paid by February 23, 2022.

OLD BUSINESS

ITEM #V.10***TAKEN OUT OF SEQUENCE**

Case #: 21080006 – Building Code Violations

Property Owner: Isla Bella LLC

Address/Folio: 4324 Seagrape Dr 1-4

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

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that the companion fire case was heard earlier tonight. He said that Sue in L-B-T-S Zoning told him that they came to drop off their architectural plans for the work done without permits. They cannot do this yet until they get their site modification which would be their next step. The Town was requesting a status continuance for the March 24, 2022 Special Magistrate Hearing with a March 23, 2022 re-inspection date. He said there was a Final Order with fines already accruing and no Hearing Cost for today's hearing. The Special Magistrate ordered a revised Final Order for a status continuance to the March 24, 2022 Special Magistrate Hearing with fines already accruing but no Hearing Cost for today's hearing.

NEW BUSINESS**ITEM #V.20*****TAKEN OUT OF SEQUENCE**

Case #: 21110020 – Building Code Violations

Property Owner: Roach, Charles J & Jacqueline

Address/Folio: 15 Sunset Lane

Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that per Building Official Simo Mansor, there should be a two month continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022 with no Hearing Costs for today's hearing.

ITEM #V.22

Case #: 21110022 – Building Code Violations

Property Owner: Whiston, Stephanie

Address/Folio: 1800 S Ocean Blvd 609

Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that per Building Official Simo Mansor, there should be a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022 for interior work done without permit. The Special Magistrate ordered a continuance to the March 24, 2022 Special Magistrate Hearing with a re-inspection date of March 23, 2022 with no Hearing Costs for today's hearing.

ITEM #V.23

Case #: 21110011– Building Code Violations

Property Owner: Joyce, Kevin

Address/Folio: 1800 S Ocean Blvd 910

Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that this was for interior work done without permits. The Town requested a Final Order with one month to comply for a re-inspection date of February 23, 2022 and to come back to the February 24, 2022 Special Magistrate Hearing with \$50 Hearing Cost for today's hearing and \$100/day/violation fine to commence February 24, 2022 if not in compliance. The Special Magistrate ordered a Final Order for compliance by February 23, 2022 or a \$100/day/violation fine to commence February 24, 2022 plus \$50 Hearing Cost for today's hearing due immediately but payable by February 23, 2022 and return to the February 24, 2022 Special Magistrate Hearing.

Fire Marshal Stephen Paine departed the hearing at approximately 7:20PM.

ITEM #V.39

***TAKEN OUT OF SEQUENCE**

Case #: 21110005– Property Maintenance
Property Owner: Seavey, Mitchell
Address/Folio: 292 S Tradewinds Ave
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-311 (c)(11)
Chapter 6 – Building and Building Regulations Section 6-41(b)
Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that he has a photo of the dock that needed to be repaired with a permit including any part of the dock. He gave that photo to the Special Magistrate as evidence and accepted for the Town. There was also discoloration and staining on the concrete wall. The Town recommended a Final Order to comply by February 24, 2022 with a re-inspection date of February 23, 2022. If not in compliance then \$100/day/violation would commence February 24, 2022 plus \$50 Hearing Cost for today's hearing. The Special Magistrate ordered a Final Order for compliance by February 23, 2022 or a \$100/day/violation fine to commence February 24, 2022 plus \$50 Hearing Cost for today's hearing due immediately but payable by February 23, 2022 and return to the February 24, 2022 Special Magistrate Hearing.

OLD BUSINESS

ITEM #V.7

***TAKEN OUT OF SEQUENCE**

Case #: 21060005 – Building Code Violations
Property Owner: D'Angelo, Michael S, Harris, Jonathan & Ameueiras, Maria
Address/Folio: 3210 Oleander Way
Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1. Permits. Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022 Special Magistrate Hearing. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.8

Case #: 21070013 – Building Code Violations
Property Owner: Marenas 2010 LLC

Address/Folio: 4221 Bougainville Drive
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.12

Case #: 20100010 – Building Code Violations
Property Owner: Sauvageau, Danielle
Address/Folio: 4518 Seagrape Dr 1-2
Code Section(s): Florida Building Code Section 105.1 Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.14

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

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

NEW BUSINESS

ITEM #V.17

Case #: 21110012 – Building Code Violations
Property Owner: Commercial East LLC
Address/Folio: 100 E Commercial Blvd
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to April 28, 2022. The Special Magistrate ordered continuance to the April 28, 2022 Special Magistrate Hearing.

ITEM #V.19

Case #: 21100012 – Building Code Violations
Property Owner: El Dorado Club AKA Delrado Inc.
Address/Folio: 1470 S Ocean Blvd.
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.21

Case #: 21100022 – Building Code Violations
Property Owner: Ocean Colony Condominium Association
Address/Folio: 1620 S Ocean Blvd.
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.24

Case #: 21100051 – Building Code Violations
Property Owner: Crane – Crest Apartments, Inc.
Address/Folio: 1850 S Ocean Blvd.
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.25

Case #: 21110001 – Building Code Violations
Property Owner: Ocean Place At LBTS Condo Assoc., Inc.
Address/Folio: 1900 S Ocean Blvd.
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.27

Case #: 21120003 – Building Code Violations
Property Owner: ROYAL COAST Condo Assoc., Inc.
Address/Folio: 2000 S Ocean Blvd.
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.28

Case #: 21120001 – Building Code Violations
Property Owner: Ryan, Eric A & Audrey J
Address/Folio: 2020 Waters Edge
Code Section(s): Florida Building Code Section 105.1 Permits Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that this was a work without permits case. Service was achieved by posting the property. A Stop Work Order was also posted. They did submit an application to correct the violation but she did not get to speak with them. An after-the-fact fee was applied. The Town was requesting a Final Order to comply by March 23, 2022 or a fine of \$100/day to accrue thereafter. For today's hearing, it was suggested \$50 Hearing Cost and to appear at the March 24, 2022 Special Magistrate Hearing. The Special Magistrate ordered a Final Order to comply by March 23, 2022 or a fine to accrue thereafter of \$100/day starting March 24, 2022 plus \$50 Hearing Cost payable immediately but must be paid by March 23, 2022 and to appear at the March 24, 2022 Special Magistrate Hearing.

ITEM #V.34

Case #: 21120012 – Building Code Violations
Property Owner: Cooper, James & Joan
Address/Folio: 234 Hibiscus Ave 168
Code Section(s): Florida Building Code Section 105.1 Work Without Permits.
Permits. Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.41

Case #: 21100015 – Building Code Violations
Property Owner: 4146 Seagrape Dr LLC
Address/Folio: 4146 Seagrape Dr
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.42

Case #: 21100019 – Building Code Violations
Property Owner: Myatt, Frank C Jr
Address/Folio: 4201 El Mar Dr
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.43

Case #: 21110016 – Building Code Violations
Property Owner: Palm Lakes III Associates Inc.
Address/Folio: 4209 El Mar Dr 1-9
Code Section(s): Florida Building Code FBC BCA Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.44

Case #: 21100016 – Building Code Violations
Property Owner: Palm Lakes I Associates Inc.
Address/Folio: 4213 El Mar Dr 1-6
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.45

Case #: 21100024 – Building Code Violations
Property Owner: Ocean Treasure SFP LLC
Address/Folio: 4308 El Mar Dr
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.46

Case #: 21110017 – Building Code Violations
Property Owner: Bermuda Blue Vacation Apt LLC
Address/Folio: 4324 N Ocean Dr 1-4
Code Section(s): Florida Building Code FBC BCA Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to April 28, 2022. The Special Magistrate ordered continuance to the April 28, 2022 Special Magistrate Hearing.

ITEM #V.47

Case #: 21120020 – Permits Required Violations
Property Owner: White Cap of FL Inc.
Address/Folio: 4325 N Ocean Dr
Code Section(s): Florida Building Code Section 105.1 Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

ITEM #V.48

Case #: 21100017 – Building Code Violations

Property Owner: LBTS Properties LLC
Address/Folio: 4564 N Ocean Dr
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.49

Case #: 21110015 – Building Code Violations
Property Owner: Karakaya Inc
Address/Folio: 4600 N Ocean Dr 1-8
Code Section(s): Florida Building Code FBC BCA Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.50

Case #: 21100018 – Building Code Violations
Property Owner: O'Sean Villa LLC
Address/Folio: 4641 N Ocean Dr 1-8
Code Section(s): Florida Building Code Section 110.15. Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to February 24, 2022. The Special Magistrate ordered continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.53

Case #: 21080002 – Building Code Violations
Property Owner: El Mar Beach Apartments LLC
Address/Folio: N Ocean Dr
Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1. Permits. Required

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to March 24, 2022. The Special Magistrate ordered continuance to the March 24, 2022 Special Magistrate Hearing.

NEW BUSINESS: Ocean Apartments Condominium (6 cases)

ITEM #V.68 *TAKEN OUT OF SEQUENCE

Case #: 21100044 – Building Code Violations
Property Owner: Lerescu, Constantin D Lerescu, Silvia Simona
Address/Folio: 4556 N Ocean Dr 1

Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.69

Case #: 21100045 – Building Code Violations
Property Owner: LBTS Properties LLC
Address/Folio: 4556 N Ocean Dr 2
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.70

Case #: 21100046 – Building Code Violations
Property Owner: LBTS Properties LLC
Address/Folio: 4556 N Ocean Dr 3
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.71

Case #: 21100047 – Building Code Violations
Property Owner: LBTS Properties LLC
Address/Folio: 4556 N Ocean Dr 4
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.72

Case #: 21100048 – Building Code Violations
Property Owner: LBTS Properties LLC
Address/Folio: 4556 N Ocean Dr 5
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

ITEM #V.73

Case #: 21100049 – Building Code Violations
Property Owner: Araujo, Gilma De Famtima Perdigao, Luis A
Address/Folio: 4556 N Ocean Dr 6
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection Program

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance of all six cases to February 24, 2022. The Special Magistrate ordered continuance of all six cases for Ocean Apartments Condominium to the February 24, 2022 Special Magistrate Hearing.

Building Official Simo Mansor departed the hearing at approximately 7:32PM.

OLD BUSINESS

ITEM #V.4

Case #: 21090010 – Zoning Violations
Property Owner: SKY007 LLC
Address/Folio: 230 Lake Ct

Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-113 (f)(4)

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended an extension of the Final Order to February 23, 2022 with the next hearing date of February 24, 2022 and the Town was not requesting Hearing Cost for today's hearing but the daily fine would remain the same as the previous order. The Special Magistrate ordered an extension to the Final Order to February 23, 2022 and to appear at the next hearing date of February 24, 2022 plus the Town was not requesting Hearing Cost for today's hearing but the daily fine would remain the same as the previous order.

ITEM #V.5

Case #: 21090007 – Vacation Rental
Property Owner: 245 Algiers LLC
Address/Folio: 245 Algiers Ave
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (b) Vacation Rentals

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that the Town recommended a continuance to the February 24, 2022 Hearing with a re-inspection date of February 23, 2022 with no fine or Hearing Cost for today's hearing. The Special Magistrate ordered this case continued to the February 24, 2022 Hearing with no fine or Hearing Cost for today's hearing.

NEW BUSINESS

ITEM #V.29

Case #: 21120009 – Vacation Rental
Property Owner: 2024 Ocean Mist Drive LLC
Address/Folio: 2024 Ocean Mist Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (b)

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that this case was complied and she had photos to submit into evidence which were accepted by the Special Magistrate as Town Exhibit. The violation was for vacation rental operating without an approval. The Town was requesting a Finding of Fact that the violation existed but was now complied and if it should reoccur on this property in the future, it may be deemed a repeat violation. The Special Magistrate ordered a Finding of Fact that the violation existed but was now compliant and if it should reoccur on this property in the future, it may be deemed a repeat violation.

ITEM #V.30

Case #: 21120006 – Property Maintenance
Property Owner: Lee, Terrence Michael
Address/Folio: 2050 Coral Reef Dr
Code Section(s): Chapter 11 – Junked, Wrecked, Stolen or Abandoned Property – Section 11-23 (e)
Chapter 6 – Building and Building Regulations Section 6-36(f)
Chapter 6 – Building and Building Regulations Section 6-41(a)(18)
Chapter 6 – Building and Building Regulations Section 6-41(a)(19)

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that the Town was requesting a continuance to the February 24, 2022 Special Magistrate Hearing with a re-inspection on February 23, 2022. The Special Magistrate ordered a continuance to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.35

Case #: 21100050 – Sidewalk Café Violations
Property Owner: NLV Inc.
Address/Folio: 238 Commercial Blvd
Code Section(s): Chapter 17 – Streets, Sidewalks & Other Public Places Section 17-86(a)(1-7)
Chapter 30 – Unified Land Development Regulations – Section 30-261 (h)(1)

There was no one present for this agenda item. Code Compliance Inspector Wienbarg testified that the violations were for sidewalk café without an approved permit and outdoor seating without an approved permit. His photos were given to the Special Magistrate and were accepted into evidence as Town Exhibit. The Town was recommending a Final Order with 21 days to comply with a re-inspection date of February 17, 2022 and a hearing date of February 24, 2022 plus \$50 Hearing Cost for today's hearing and \$150/day/violation if not complied. The Special Magistrate ordered a Final Order with 21 days from today to comply with a re-inspection date of February 17, 2022 and to appear at the February 24, 2022 Special Magistrate Hearing plus \$50 Hearing Cost for today's hearing due immediately or payable by February 23, 2022 and \$150/day/violation if not timely complied.

ITEM #V.26

Case #: 21120008 – Vacation Rental
Property Owner: Sherman, Marina Sokolovsky, Gene
Address/Folio: 1960 Coral Reef Drive
Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (b)

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that the Town recommended continuance to the February 24, 2022 Special Magistrate Hearing. The Special Magistrate ordered this agenda item continued to the February 24, 2022 Special Magistrate Hearing.

ITEM #V.31

Case #: 21110003 – No Garbage/Trash Service
Property Owner: Karia Global LLC
Address/Folio: 223 Commercial Blvd
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a) (1)

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that this violation was for failure to establish a new Waste Pro Service Account, solid waste service account, in the new owner's name. She has a copy of today's email that depicts they still have not done so and gave the email to the Special Magistrate for evidence. It was accepted as Town Exhibit. She explained that the Town gave a Courtesy Notice in August and then a Notice of Violation in November 2021. The green card was signed and dated in the file.

She has exhausted all ways to find a phone number or email for the owner. She did find multiple alternative addresses but they have not contacted her. The Town was requesting a Final Order for compliance by opening an active Waste Pro Account in the new owner's name by February 23, 2022 or a fine of \$10/day to accrue thereafter plus \$50 Hearing Cost for today's hearing. The Special Magistrate spoke about posting this place and he ordered a Final Order for compliance by February 23, 2022 by opening an active Waste Pro Account in the new owner's name or a fine of \$10/day to accrue thereafter plus \$50 Hearing Cost for today's hearing due immediately but must be paid by February 23, 2022 and to appear at the February 24, 2022 Special Magistrate Hearing.

ITEM #V.38

Case #: 21120011 – Vacation Rental
 Property Owner: Vantage Holdings Corp
 Address/Folio: 267 Bombay Ave
 Code Section(s): Chapter 30 – Unified Land Development Regulations – Section 30-327 (d)

There was no one present for this agenda item. Senior Code Compliance Inspector Banyas testified that this is a vacation rental registered with the Town but was in violation due to renting for fewer than seven consecutive days. The signed green card was in the file and Ms. Banyas spoke with the owner. He complied the violation and understood that there would be a finding of fact request today. The Town was requesting a Finding of Fact that the violation existed but was now complied and if it should reoccur on this property in the future, it may be deemed a repeat violation. The Special Magistrate ordered a Finding of Fact that the violation existed but was now compliant and if it should reoccur on this property in the future, it may be deemed a repeat violation.

Code Compliance Inspector Wienbarg departed the hearing at approximately 7:41PM.

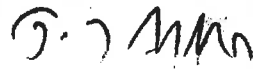
These items were listed on the agenda but were previously complied and case # and address were read into the record.

Case #	Address	Owner	Complied
21120004	Ocean Walk Ter	Village By The Sea Condo Apts & Village By The Sea Condo Sec A&B	Complied
NEW BUSINESS: Squier Condominium (11 cases) see below			
21100033	4629 El Mar Dr 1	Vigna, Anthony M & Anna	Complied
21100034	4629 El Mar Dr 2	Hart, Kevin Michael H Smith Todd Douglas	Complied
21100035	4629 El Mar Dr 3	Vigna, Anna Vigna, Anthony M	Complied
21100036	4629 El Mar Dr 4	Del Val, Graciela L	Complied
21100037	4629 El Mar Dr 5	Schodowski, Robert & Karen	Complied
21100038	4629 El Mar Dr 6	Irich, Mary	Complied
21100039	4629 El Mar Dr 7	Pettersson, Monalisa & Bengt Monalisa Pettersson Rev Tr	Complied
21100040	4629 El Mar Dr 8	Allweiss, Barry	Complied
21100041	4629 El Mar Dr 9	Stark, Joshua Stark, Suzanne	Complied
21100042	4629 El Mar Dr 10	Tumminello, Michael F Tumminello, Lisa M	Complied
21100043	4629 El Mar Dr 11	Rowe, James L	Complied

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on January 27, 2022 at approximately 7:45PM.

APPROVED BY:



ATTEST:

Special Magistrate Tom Ansbro



Special Magistrate Clerk Megan Small
Town of Lauderdale-By-The-Sea, Florida