

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, January 23, 2020 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 23, 2020. Present were Development Services Director Linda Connors, Building Official Randal Clutter, Code Inspector Terry Ann Boyd-Reynolds, and Planner Jhanelle Campbell and Planning Technician/Special Magistrate Clerk Sydney Ramirez to record the minutes.

II. SWEARING OF WITNESSES

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

III. OPENING STATEMENT

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

IV. PUBLIC COMMENTS

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

Cases would be called first if someone was in attendance, or if it was the Building Official's case.

V. CODE CASES

OLD BUSINESS

ITEM #V.75

***TAKEN OUT OF SEQUENCE**

Case #: 19050007 – Building Code Violations

Property Owner: Amaturro, Joseph C and Winifred

Address/Folio: 3900 N Ocean Drive, 17GH

Code Section(s): Florida Building Code 6^h Edition (2017) BCA Section 105.3.2.1
Permits. Time Limitation

Inspector Terry Ann Boyd-Reynolds testified that notice was sent and the green card was in the file. Building Official Randall Clutter testified that tonight was a request for a Final Order. The Building Official gave a brief history of this case for an expired (for more than a year) permit in the Fountainhead Condominium. No one was in attendance today to represent the property owners for this case. The inspector said that the Town was requesting a Final Order with thirty-two days to comply (by February 24, 2020) the permits or \$100/day fine. The Special Magistrate ordered thirty-two days to comply by obtaining (by February 24, 2020) or \$100/day fine plus pursuant to State Law and Town Ordinance, \$50 Administrative Fee which would be due on the thirty-second day from today.

NEW BUSINESS**ITEM #V.78*****TAKEN OUT OF SEQUENCE**

Case #: 19110002 – Property Maintenance
Property Owner: Deutsche Bank Natl Tr Co Trstee % Ocwen Loan Servicing LLC
Address/Folio: 1724 Bel-Air Ave
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 6 – Building and Building Regulations Section 6-36(f)
Chapter 6 – Building and Building Regulations Section 6-41(a)(13)

Inspector Terry Ann Boyd-Reynolds testified that the Notice of Violation was sent on November 20, 2019 and they did receive it. She spoke with the loan servicing company. The property was cited for landscaping. It needed to be re-sodded. Also, there were boards on the windows that needed to be painted. She observed today that the boards also needed to be secured. She showed the pictures to the owner's attorney that she took today for the re-sodding and the boards. She said the Town was suggesting a Final Order with thirty-two days to comply. Development Services Director Linda Connors testified that Danielle Johnson was the former owner and the Town foreclosed on this property. The bank satisfied the mortgage. The Town went into an agreement with the bank that they would take care of the property and the Town dropped the foreclosure and the liens on the property. There was not enough money to cover all the work the Town has put into this property. Residents have been suffering with this property for about eight years. The Town did not want to see this property in the bank's hands anymore as they worked very hard on this property so the bank could sell it. They have no interest in the bank owning this property and no interest for any leniency for this case. She was requesting that the Special Magistrate do whatever he could with the strictest compliance so the bank understood that they must sell this property. As the bank's attorney had no objection to the pictures taken, the Special Magistrate entered them into evidence as Town Composite Exhibit without objection.

Attorney Daniel Hurtes, on behalf of the bank, spoke about the two fraudulent satisfactions of mortgage. He said his client was replacing all of the property's windows. They know about the landscaping and the fence. They did have a buyer but it fell through. They did apply for the fence permit. Their goal was to get everything fixed and the property sold. He understood the Town's position but was just asking for a brief extension. His client thought the landscaping was resolved and he did not understand the conflicting pictures. There was a buyer now who did not want to take on the code violations at this time. Discussion ensued about thirty-two days (by February 24, 2020) to comply everything (all three violations) or \$150/day fine for each violation if each one was not done. There would be \$250 Administrative Fee for today's hearing. The Special Magistrate ordered thirty-two days (by February 24, 2020) to comply everything (all three violations) or \$150/day fine for each violation not complied plus \$250 Administrative Fee for today's hearing due within thirty-two days.

For the next agenda item heard, Special Magistrate Clerk Sydney Ramirez read the first case #20 into the record. The Special Magistrate ordered that since this was one building with the same address, Whittier Towers - 1439 S Ocean Blvd., he waived the need to read each address and case number for the 50 cases into the record which was incorporated by reference to the exhibit (the agenda), to just read the 50 different unit numbers for each case. Michael Schweitzer, president of the building, testified that the 50 unit numbers are 101-118 (there was no unit 103 - as it was the lobby) and 201-218, and 301-318. Note, each floor does not have unit 113, 213, and 313; therefore, the first floor has 16 units, and the second and third floors each have 17 units totaling a 50-unit building.

OLD BUSINESS

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

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.21

Case #: 18050001 – Property Maintenance
Property Owner: 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.22

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.23

Case #: 18050059 – Property Maintenance
Property Owner: Jochimsen, Sharon E
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)

ITEM #V.24

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.25

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.26

Case #: 18050005 – Property Maintenance
Property Owner: Rheume, Sylvia R Rheume, Debra J
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.27

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.28

Case #: 18050006 – Property Maintenance
Property Owner: Lima, Gail A
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.29

Case #: 18050007 – Property Maintenance
Property Owner: Brown, Mark H Corgie, James
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.30

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.31

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.32

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.33

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.34

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.35

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.36

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.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: Young, Leonard Young, Georgia
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: Frigerio, Alejandro
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 #: 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.41

Case #: 18050012– Property Maintenance
Property Owner: Wilding, Loraine
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.42

Case #: 18050013– Property Maintenance
Property Owner: G&L USA LLC
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.43

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.44

Case #: 18050015– Property Maintenance
Property Owner: Kian US LLC
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.45

Case #: 18050016– Property Maintenance
Property Owner: Rand, Joeanna Rand, Jory
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.46

Case #: 18050022– Property Maintenance
Property Owner: Grieser, Marian
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.47

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.48

Case #: 18050023– Property Maintenance
Property Owner: Mastro, Louis Mastro, Sarah
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.49

Case #: 18050025– Property Maintenance
Property Owner: White-Duate, Marcio White-Duate, 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.50

Case #: 18050026– Property Maintenance
Property Owner: Dansa Corporation
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.51

Case #: 18050027– Property Maintenance
Property Owner: Armas, Victoria Asuaje
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.52

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.53

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.54

Case #: 18050030– Property Maintenance
Property Owner: Tamaz, Mariane
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.56

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.57

Case #: 18050032– Property Maintenance
Property Owner: Ferreira, Luis & Marielba Ferreira, Maria Alexandra
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.58

Case #: 18050033– Property Maintenance
Property Owner: Ferreira, Luis & Ferreira, Marielba
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.59

Case #: 18050034– Property Maintenance
Property Owner: Kline, Norman & Marlyn
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.60

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.61

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.62

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.63

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.64

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.65

Case #: 18050041– Property Maintenance
Property Owner: Via Sales & Leasing Inc. (previously Roberts, Lorene & Baker, Lucille)
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.66

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.67

Case #: 18050043– Property Maintenance
Property Owner: Hoard, Oreo & 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.68

Case #: 18050058– Property Maintenance
Property Owner: Imperial Sun 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.69

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.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)

Building Official Randal Clutter testified that there were three permits issued. One permit was for the carport which was completed and finalized. The second largest of the three permits was ongoing for the building restoration for the concrete (e.g., balconies, walkways, etc. - major restoration). The third permit was for the seawall/dock restoration and was pending. This area was made safe but the permit still needed to be issued. He said that Hillman Engineering was present. Inspector Terry Ann Boyd-Reynolds testified that the Town did investigations and found that the seawall/dock violation may not be for Whittier Towers. The ownership of the dock and the seawall was split between two different owners. They were exploring the dock repair. Matthew Nolan, Project Manager from Hillman Engineering, testified that the Town asked them to speak independently (privately) to the landowners or the entities who owned the land under the water in the canal. Development Services Director Linda Connors testified that this violation was no longer their responsibility. She explained how the Town went beyond their responsibility because the building permit needed to be signed by the property owner. The canal was never deeded back as right-of-way to the Town and there were two individual property owners (Palm Club and Surfrider Development Corp.). Surfrider Condo Association stated they were not Surfrider Development Corp. and they did not own that property. The Town was doing more research because until the town finds the owner, the Building Official cannot allow building on someone's property without their authority. The Town was asking the Special Magistrate to dismiss this fine. The Town would still try to find out the owner but if they cannot get past their quandary, they would have to pass this responsibility over to Whittier Towers or their representative to hire attorneys to find out about Surfrider Development Corp.

Building Official Randal Clutter testified that five months would be a good timeframe to finish the concrete restoration project but acknowledged that the magnitude of this project could take a year. However, he also spoke about the debris and trash around the construction site which could lead to rodents/rats. Mr. Schweitzer testified that on the piece of the property to the south of them were the Surfrider Time Share and the Surfsider which was located on the canal. Ms. Connors said they met with Surfrider on Tuesday and they were adamant that they do not own the seawall or the canal. It seems that Whittier Towers has a dock on property they did not own. This quandary needed to be unraveled. The Special Magistrate ordered (1) the dismissal of the violation for the seawall and dock, (2) that the carport was in compliance and (3) six months (by July 23, 2020) to comply the major spalling, concrete restoration, sandblasting, etc. and come back on July 23, 2020 for a Status Hearing with fines still stayed. There were no costs assessed tonight. The Special Magistrate was assured that there were no safety issues and that significant progress was being made. The Special Magistrate reminded that the construction debris and trash must be removed and not allowed to accumulate. He wanted it picked up every day and placed in a covered dumpster. If the Building Official finds the debris/trash unacceptable, the Special Magistrate wanted that brought before him. The Building Official said he would monitor the situation with the trash/dumpsters.

ITEM #V.71

Case #: 19040010 – Permits Required Violations
 Property Owner: Gilchrist, Rael M Gilchrist, Lourdes L
 Address/Folio: 1931 Waters Edge
 Code Section(s): Florida Building Code Section 105.1

For the record, there was no one in attendance to represent the property owner. Planning Technician/Special Magistrate Clerk Sydney Ramirez said that this case was continued to February 27, 2020. The Special Magistrate ordered continuance to the February 27, 2020 Special Magistrate Hearing.

CERTIFICATION OF LIEN

ITEM #V.79

***TAKEN OUT OF SEQUENCE**

Case #: 19060005 – Permits Required Violations
 Property Owner: Kythira LLC
 Address/Folio: 262 Corsair Ave
 Code Section(s): Florida Building Code Section 105.1 Required.

For the record, there was no one in attendance to represent the property owner. Inspector Terry Ann Boyd-Reynolds testified that the Town requested to certify the lien. Building Official Randal Clutter pointed out that there was a Stop Work Order posted June 11, 2019. There was a stagnant, green pool. They had a window permit but they never called for an inspection. He was unsure if the gate was safe to block the entrance to the pool. The Special Magistrate wanted the Town to secure the gate so no child or adult could get to the pool and bill the cost of repair by lien. They were hoping that an owner would be here tonight. The Special Magistrate suggested contacting the owner to get it done but, if not, then the Town would do it because it was a public safety hazard. The Special Magistrate ordered certifying the lien with fines still running plus contacting the property owner to ensure that the gate was safe or they fix it (by January 28, 2020), if not the Town should fix it and bill the cost by lien. There were no Administrative Costs.

Planning Technician/Special Magistrate Clerk Sydney Ramirez read into the record cases from the agenda that were either complied or continued.

<u>COMPLIED</u>				<u>Page #</u>
1	C#:	18100015	1984 Windward Dr	6
2	C#:	18110014	217 E Commercial Blvd	7
3	C#:	18120002	230 Lake Court	18
4	C#:	19020021	251 Algiers Avenue	24
5	C#:	18110013	3900 N Ocean Dr GD	1 Cont. to 2/27/20
6	C#:	18080019	4144 El Mar Dr	15
7	C#:	18080021	4144 El Mar Dr	17
8	C#:	18080020	4144 El Mar Dr	20
9	C#:	18030014	4303 Bougainvillea Drive	2
10	C#:	19070019	4324 Seagrape Drive, 1-4	36
12	C#:	19070012	4328 N Ocean Drive, 1-3	13
13	C#:	18120007	4422 Seagrape Drive	4
14	C#:	19090006	4443 W Tradewinds Ave	23
15	C#:	19090007	4449 W Tradewinds Ave	26
16	C#:	19020009	4546 El Mar Drive	11
17	C#:	18050061	4553 Bougainvillea Drive	9
<u>CONTINUED</u>				<u>To</u>
18	C#:	19080002	4552 Poinciana Street, 1-3	2/27/20
19	C#	19080004	4648 Poinciana Street, 1-4	2/27/20

The following cases were also on the agenda.

<u>CONTINUED</u>	<u>To</u>
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The following cases were also on the agenda.

CONTINUED				To
72	C#:	18020015	2 E Commercial Blvd	3/26/20
73	C#:	18070009	230 Lake Court	2/27/20
74	C#:	19040014	3211 S Terra Mar Dr	3/26/20
76	C#:	19090001	4137 Seagrape Drive, 1-2	2/27/20
77	C#:	18030025	4329 El Mar Drive	2/27/20

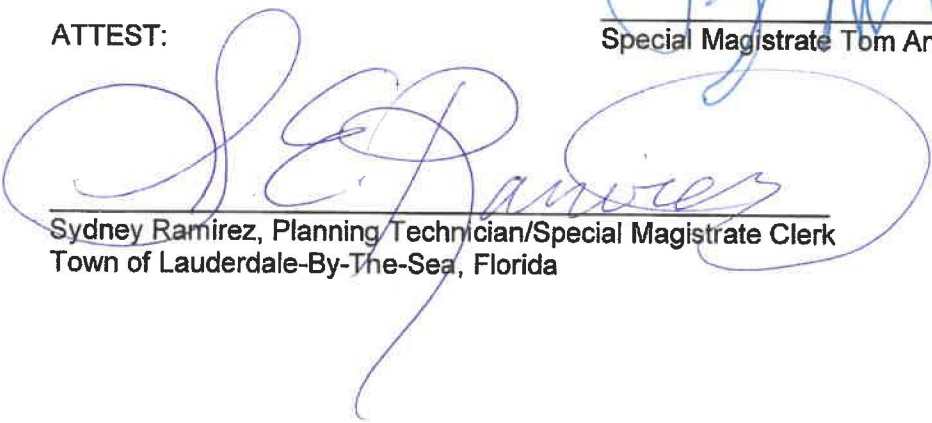
VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on January 23, 2020 at approximately 6:30PM.

APPROVED BY:


Special Magistrate Tom Ansbro

ATTEST:


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