

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, February 22, 2024 at 5:00PM

I. CALL TO ORDER, SPECIAL MAGISTRATE JUDITH SECHER

Special Magistrate Judith Secher called the hearing to order at approximately 5:03PM on Thursday, February 22, 2024 with City Attorney Alan Gabriel, Development Services Director Jhanelle Campbell, Building Official Simo Mansor, Senior Code Compliance Officer Eric Villanueva, Code Compliance Officer Hector Barrett, Pompano Beach Fire Inspector Ashley Zalewski, and Special Magistrate Clerk Megan Small to record the minutes.

II. SWEARING OF WITNESSES

Special Magistrate Clerk Megan Small administered the oath to everyone speaking today, other than lawyers.

III. OPENING STATEMENT

Please note for the record that this is an in-person hearing.

IV. PUBLIC COMMENTS

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

V. CODE CASES

The cases were heard in the order they were typed and the cases called first were for people who were attending the hearing. All discussions/actions in the matters were not limited to the case summaries typed below.

FIRE CASES

ITEM #V.15

Case #: 23-1379

Property Owner:

Address/Folio:

Oceanwalk Condominium Assoc

2001 Oceanwalk Lane

***TAKEN OUT OF SEQUENCE**

Fire Inspector Ashley Zalewski, Pompano Beach Fire Rescue, testified that there was a Final Order in place and they did comply before February 8, 2024. They turned in a permit that has been approved with an inspection date for the gates. She advised the Special Magistrate to dismiss the case as complied. The respondent, Ray Vees, answered the Special Magistrate that he had no objection. The Special Magistrate ordered that the case was complied.

SPECIAL SET
ITEM #V.14

***TAKEN OUT OF SEQUENCE**

Case #: 2024-CE-01

Property Owner: Sharifi, Jennifer Sharifi, Kobi

Address/Folio: 2 Sunset Ln

Development Services (DS) Director Jhanelle Campbell testified that this item was for a construction extension request at 2 Sunset Lane. Pursuant to Town Code 6-12 (a) for time limits to complete construction or repair, the construction of any new structure or addition was to be completed within 18 months from the date of the first issued building permit. The property owner was requesting a construction extension for the property at 2 Sunset Ln. The Code allowed the Special Magistrate to grant a one-time extension of twelve months. DS Director Campbell answered the Special Magistrate that the property owner was requesting a twelve month extension but Staff was recommending nine months. The Director explained why Staff's recommendation was nine months stating that Staff felt the project was about 40% complete. By the work that needed to be finished, Staff felt that a nine-month extension would be sufficient. DS Director Campbell answered the Special Magistrate that there were delays with the permits because the property owner did not respond timely to answering the comments. There was also perforation of the sewer line that caused extensive damage on the street. That case was closed but it was also part of the delay in finishing construction. The property owners, Kobi and Jennifer Sharifi, were in attendance today.

Kobi Sharifi explained the reason for the delay was because there was a shortage of building material during COVID and after COVID, there was shortage especially for concrete and raw materials. He answered the Special Magistrate that he felt they could finish the project in nine months. The Special Magistrate called the members of the public who wanted to speak on this item. DS Director Campbell said that if an extension was granted and construction was not complete, the daily fine would be \$50 for days 1 through 30. For days 31 through 60, the daily fine would be \$75, and for days 61 and greater, the daily fine would be \$100 until compliant.

Keith Jones testified that this was his second time in front of the Special Magistrate. The first Special Magistrate Hearing was in reference to the damage to the sewer pipe. There was backed up raw sewerage in their home and they could not have access into their home for over a month. He continued to have damage to his tires because no one swept the street every day. One of his neighbors, a doctor, was going to a surgery and the truck would not move to allow the doctor, anesthesiologist, to timely attend the surgery. Every step of this process has jeopardized the quality of life of the people who live on Sunset Lane. The previous Special Magistrate asked the owner to apologize to his neighbors but instead of doing that, the owner wrote an email threatening to sue him due to his talking to the Special Magistrate. The builder owned two more homes on the street. One of his homes has a pothole in front of it and they have not fixed it. The street is a private street. The builder also had nine holes in the seawall which was creating a sinkhole in Mr. Jones' backyard. The owner did not fix the seawall but Mr. Jones paid to get it fixed so his backyard did not wind up in the waterway behind him. The people on Sunset Lane did not deserve to live on the same block as this man. The neighbors would like to see him prohibited from building any other houses on this street. He answered the Special Magistrate that the houses he built were for sale for him to make money. He and his family lived in Boca Raton.

Bob Stengel testified that he also lives on Sunset Lane. He agreed with everything that Keith Jones said. He added that the workers were not being taken care of. There were workers walking down the street asking where the owner lived as they were not getting paid. The Special Magistrate wanted to know if the workers were staying within the proper hours for workers doing

construction. Mr. Stengel said he saw workers there at 7:00AM. DS Director Campbell testified that the hours allowed to work were 8:00AM to 5:00PM. She further added that there were no code complaints for their construction hours. The Director said she would gather the working hours information and make sure everyone on the street knew the weekend and weekday construction hours. She further stated that Code was on staff even on Saturdays.

Jacqueline and CJ Roach clarified what Keith Jones said. The Sharifi's own two other already built homes on that street and rent them out. Those two homes were not an issue yet as the owners planned to tear them down and rebuild them. However, during the construction of the unfinished home, a boom truck hit the wires and took down the power on the whole street. There was a surge in the lines. They have two homes on their property and they both had solar panels. It fried all the air conditioners, the backup battery on the solar panels, the washer and dryer and there was significant damage throughout the house. Their workers have so many cars and trucks and none of them are labeled to show they are construction workers. They answered the Special Magistrate that they took care of the home damage and did not sue anyone. It's a nice street with people living there about 40 years. This was the first time someone came into that block and did not care about the damage they were doing there. The Sharifi's also tried to blame them for the sewer incident when it was really their own fault. Their garbage cans were always out and sometimes the garbage service could not get down the street to pick up the garbage.

DS Director Campbell pointed out that item number nine on the agenda tonight was an additional violation this property, 2 Sunset Lane, had for construction site maintenance.

John Sutton testified that he lived on that street for 36 years. He did not have a problem with Kobi Sharifi as the concrete issue was taken care of. He has not had a flat tire and they have two cars that go in and out of that street several times a day. He has more problems with the lawn and pool guys and the UPS delivery truck. He said the gentleman who said he owned 6 Sunset Lane did not own it. Mr. Sutton was never turned in for a code violation by Kobi but Keith turned him in every month. He testified that the holes in Kobi's seawall were caused by a different neighbor.

Mary Ellen Renuart lived across the water from Sunset Lane. She could vouch for what was happening on Sunset Lane. As there was a different Magistrate last time, she was asking for some consistency so that whatever was decided today, Mr. Sharifi would be bound by it. She wanted today's decision to have some strict adherence required.

DS Director Campbell reminded that the Code only allowed for a one-time extension. Everyday over the time allotted to complete construction had a dollar amount attached to it. They would be held to the letter of the Code.

Keith Jones testified that John Sutton, even though they appreciated his testimony, was not a full time resident of Sunset Lane. He has another residence.

Bob Stengel said he is the owner of his home on Sunset Lane but he put it in a trust and his daughter was on the residence now. He clarified that what he previously said about ownership was true.

City Attorney Alan Gabriel said we had to get back to the issue at hand. The gentleman said that nine months was more than enough of an extension to finish the house. The Town had no issue with granting the nine-month extension. The testimony heard today also moves to the other case to be heard tonight - agenda #9 case under New Business. We should call that case next and the Special Magistrate might want to consider that the neighbors seem to have issues amongst

themselves. Special Magistrate Clerk Megan Small reminded that the Town recommended a one-time extension of nine months. The Special Magistrate said she would approve that since the Town had approved it. She was just concerned because this house was being built for an Airbnb rental property or for someone else. She approved the extension because it seemed reasonable as COVID was a problem but it also sounded like problems came from the person building the house. She reminded the people that they had to report a code violation every time they see one. She hoped that the diminutive fine would not be an influence for not finishing the construction on time. The Special Magistrate ordered a one-time construction extension for ninety days with fines beginning on the ninety-first day if construction was not finished with the fine amounts determined by Code.

NEW BUSINESS

ITEM #V.9

***TAKEN OUT OF SEQUENCE**

Case #: 24010002 - Building Permit Violation
Property Owner: Sharifi, Jennifer Sharifi, Kobi
Address/Folio: 2 Sunset Ln
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-8 (a)(1-2)

Senior Code Compliance Officer Villanueva testified that the violation was construction site operation, maintenance, appearance, and secondary impacts. This property was cited multiple times as a courtesy for maintenance and appearance of the construction site. The Sharifi's were pretty good at answering by getting the site cleaned. However, it has been multiple times that this has happened. The Town sent a Notice of Violation (January 19, 2024) and the owners complied (Section 6-8 (a)(1-2) as of today. The Town was requesting a Finding of Fact that the violation existed and was in compliance prior to today's hearing but should it reoccur within the next five years under the same ownership, it may be deemed a repeat violation subject to higher and more immediate fines which the Town requested to be \$500/day. Special Magistrate Secher inquired about pictures. The Senior Code Compliance Officer said that he visited the site and took pictures but forgot to print them. They were coming. He testified that David Lee, the Permit Administrator, was notified via email. A drive was taken almost every day on Sunset Lane.

The Special Magistrate asked him to describe for the record what he considered insufficient maintenance. He testified that the biggest issues were the construction workers' cars parking on the road obstructing traffic, no fence in the front leaving the site unsecured, even when there was a fence, it was always open. Debris, garbage, construction equipment, litter piles were in front of the home and dirt on the road. The Town's code cars were probably victim to nails on the road. He informed Mr. Sharifi about this case and what would happen if this code violation continued to happen. He pointed out that they did put in some measures to try to keep dirt and debris onsite. There was a new fence in front of the property and he answered the Special Magistrate that it was sufficient. The construction materials were removed from the front and as long as they were kept behind the fence should be fine. They put down plywood on the driveway to try to keep the sand inside the site. For now, the property looked okay but the neighbors know how to register a complaint and/or reach out to the Town. He would also give out his business card. The Special Magistrate asked about sufficient parking on the street for which he had a picture to submit for evidence. DS Director Campbell testified that this was a private road and each property was responsible for the road in front of their property including repairs. The Director answered the Special Magistrate that the road was asphalt. The Senior Code Compliance Officer showed his photo to the owners and then showed and explained it to the Special Magistrate. The Director said there were other photos in the file as well.

The Special Magistrate asked about making the Finding of Fact today, which was adjudication, if there were violations during the nine-month extension, would the \$500/day fine be applicable. The Senior Code Compliance Officer answered that the fine had to fall under the same code section. The Director clarified what would happen with a Finding of Fact order. The Director answered the Special Magistrate's question regarding if the fine was per occurrence or per day and the Director answered that it was per day. The Special Magistrate also wanted to know if there was a reasonable place for the construction workers' vehicles to park other than blocking the neighbors. The Director answered that the home's driveway was not complete and the street was very narrow. The owners had to work with their neighbors and figure it out like maybe single filing the cars, put the cars offsite or somewhere else that was not in violation of the code.

The Special Magistrate made a Finding of Fact that there was a previous violation which was complied prior to this hearing. Looking at a picture, the Special Magistrate saw that there was a nice fence there now. The Senior Code Compliance Officer clarified that the construction hours were Monday through Saturday from 8:00AM to 5:30PM and no construction on Sundays. However, if there was an emergency situation, they could work on that outside those hours or on Sunday, if they obtained authorization from the Building Official. If the construction people were working during unauthorized times and/or on Sunday, the neighbors could report this violation but it would be for a separate violation not part of this repeat violation. Senior Code Compliance Officer Villanueva spoke about a WastePro complaint that stated why they could not pick up the trash. This complaint was complied with for the days WastePro wanted. If the Town got another WastePro complaint, the Town would proceed with a code violation for that. The Town was monitoring the situation. The Special Magistrate granted time for a member of the public to speak.

Dr. Christopher Eddy said that there have been multiple occasions when he was late to work or delayed from coming home because he was not able to get in or out of the street. Between his wife and himself, they had five flat tires. He explained how he would have to walk his young children to and from the car through the mud just to get them to daycare.

Jennifer Sharifi testified that she and her husband own a small construction company and this was their first project. They own three properties on the block and have respect for the block. One day, they hope to live in one of the houses on the block that they build. They did want to beautify the block and live there. She apologized to everyone on the block that was affected by the sewer. This was not something done maliciously. The neighbors were at her home for barbecues when she was able to stay there on the weekend. Her tenant and another gentleman who spoke plus Jennifer herself have not gotten a flat tire and she drives to Sunset Lane every day. She said there was construction on A1A and who knows where people pick up nails in their tires. Someone sweeps every night after the construction is over. She apologized for any inconvenience but they were making the block beautiful. Your property value would go up tremendously, once this house was built. They were sorry but would get the job done. Everything would be complied with code enforcement.

Kobi Sharifi said their rental was not Airbnb. It was rented for a year and the other would be the same thing. Next month, there would be no Airbnb over there. He explained why there was so much debris and why they moved the fence. They were over the heavy construction now and would make sure to finish construction. Again, if they hurt someone, he apologized. The street would be so much nicer and after construction they planned to paint and then fix the road for any damage they did. He explained that next week, the fence would have to be removed to allow the delivery of the cement blocks. The Special Magistrate said they would have to work that out with the Town. She would assume, for the sake of this hearing, that Code Enforcement would work with them in a reasonable manner and not fine them every time there was a nail in the street.

What they were talking about were things from the past like a continuous mess. They were just asking for the owners to be reasonable and code to be reasonable but you must remember that everyone living on that block were in their private domain and did not like the problems you were causing. You have to be understanding about that and they have to be understanding that you were building. There were compromises here. Compromise should not mean that people have another nine months of nails, of not being able to get in and out of their street easily, and all the construction people could not just park on that street. The fact that WastePro couldn't collect the garbage was not right. The Special Magistrate ordered a Finding of Fact that there was a violation of Chapter 6 – Section 6-8 (a)(1-2) which was complied prior to this hearing and spoke about what would happen if it reoccurred within five years. The owners were informed about the repeat violation fine. Development Services Director Campbell clarified that if there was a repeat violation found, the parameters of a Finding of Fact state that if an additional violation was found, the Town would bring forth a repeat violation and ask that a \$500/day fine be assessed for each day that the violation occurred. This developer must be reasonable and must ensure the fence was in good order, the backing on the fence should not be falling apart, no excessive dirt in the street, sweep the street, the construction site should be well maintained, try to keep the street as clear as you can so people could access their home, ensure the street was reasonably clean and without an accumulation of excess nails, trash, water bottles and other debris, etc.

NEW BUSINESS

ITEM #V.12

***TAKEN OUT OF SEQUENCE**

Case #: 24020003 - Sign Violations

Property Owner: Kavon Enterprises Inc % Jennifer Novak-Leckowicz

Address/Folio: 106 E Commercial Blvd 110

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-503 (a-q)

Senior Code Compliance Officer Villanueva testified that the violation was in place a little while as the Town was hesitant to cite them but the Town did issue a Notice of Violation. The owner installed a new sign in the front of the store. When it was discovered, courtesy notices were sent. There was no response when the Town went to the store to speak with someone. Almost a year later, we did send a Notice of Violation to get the sign permitted. The green card was not returned but the Senior Code Compliance Officer did post the front of the property on February 12, 2024. He did not hear from anyone and was advised by Town staff that there was some communication with Zoning regarding the sign. He answered the Special Magistrate that the new sign was not permitted.

Aviran Cohen, owner of Sunglass City, testified that the first notice came in the summer but he was in Maryland. He thought the manager of the Florida store could handle this but she did not do it. When he returned in the Fall, he wanted to get more information and contacted Susan from Zoning and David Lee. The owner did not know that there was no permit for the sign which was installed by a sign company. He brought with him the Zoning Sign Permit Application completely signed and notarized and all the drawings. The Senior Code Compliance Officer wanted to request a Final Order today but given this update by the owner, we would continue the case and give him until the next hearing to get everything done. If the owner did, the case would be closed. Senior Code Compliance Officer would confer with Susan and David to ensure everything was done and, hopefully, they issue the permit before March 27, 2024 and the case would be closed. The Special Magistrate ordered the case continued to the March 27, 2024 hearing but if the permit was approved and issued prior to March 27, 2024, then the case would be considered complied with no fines or fees assessed for this hearing. They exchanged contact information and the

owner's permit application and other documents were given to the Board Clerk to give to Susan in Zoning tomorrow.

OLD BUSINESS

ITEM #V.7

***TAKEN OUT OF SEQUENCE**

Case #: 23010015 - Building Code (FBC) Violation
Property Owner: MG Property Management
Address/Folio: 234 Hibiscus Ave
Code Section(s): Florida Building Code FBC BCA Section 110.15 - Building Safety Inspection Program

Code Compliance Officer Barrett testified that today was a Status Hearing. Nathan Miller-Bagley, property manager, testified that they were hoping to begin the work in July. The reason for the delay was to do a special assessment in April and hoping to start the concrete restoration in July. They already hired the contractor. They have all the pricing, etc. He answered the Special Magistrate that he believed the job would cost over \$300,000.

The Code Compliance Officer said that the fines would continue to run and the fines were up to \$68,000. He answered the Special Magistrate that the fines were \$250/day. The property manager said that the board had to put together the special assessment and that this was an 80 unit property. The property manager asked if they have to continue to pay for a status hearing and Building Official Mansor answered that he was getting a lot of calls from this complex as to what was causing the delay. He further stated that there seemed to be bickering amongst the owners. The Building Official testified that if the work would not begin until July, he would need a letter every month from the engineer that the building was safe (structurally sound), if you did not want to appear. The property manager answered the Special Magistrate that the building was 50 years old and that it was two-stories. It was in their bylaws that the unit owners needed to vote and on March 7, 2024 they would vote regarding the special assessment. Right now, they were 5 votes short. The board did not have the power to do it and the owners did not want to spend the money.

The property manager said that the residents were informed about the fines running but did not seem to believe it. The Special Magistrate suggested a letter from the Town. Property Manager Miller-Bagley said they requested that letter and also that the Building Official did not return his calls. Senior Code Compliance Officer Villanueva explained that this building was noticed that they needed to get this done and they started to do it. Then someone along the way started chipping at the building doing research work. Concrete chunks were falling from the building and residents came to Town Hall. One resident brought one chunk in. The reason it was running fines was because this was going on too long and we seem to be starting over again. This should have been done years ago. He had a list of buildings in Town which were required to send an engineer's letter every thirty days giving an update as to what was going on and now this property would be added to that list. The property manager asked if this was the second phase as he was told they did the first phase of the concrete restoration. Also, in August there was an issue with the railings that was taken care of. He felt that saying nothing was being done was not true. Senior Code Compliance Officer Villanueva testified that when it comes to re-certification, there was no phase one or phase two or phase three. Up to this time, the Town has not received a report stating that no repairs need to be done for the re-certification, so you were not in compliance.

Building Official Mansor testified that the railing permit has not been closed. He further said that he wanted in the record that if he did not get a letter from their engineer every month, he would

shut down the whole building. The property manager said he needed a letter from the Town outlining all of this so they could distribute the Town's letter to the owners in order for them to believe what was going on. Please put in writing that the Building Official threatened to shut down the building, so the owners would believe what we tell them. The Building Official said that it was on the record now as he just said again that he would condemn the building if he did not get a certificate from the engineer every month. Special Magistrate Secher explained to the property manager that this was not a forum for argument. This was a forum to decide what had to be done today as it was a Status Hearing. Her recommendation was that they meet and make something available to Mr. Miller-Bagley so he could show it on March 7, 2024 to the property owners/homeowners. They could meet right now and tell him what would be helpful for the 80 homeowners but remember to accommodate each other. The Building Official said Cheryl met with him every single time she needed to meet and that the property manager could meet him any workday at 8:00AM in the morning. To answer the property manager's question about the railing permit, he said that he did not close the permit out. Special Magistrate Clerk Small explained that the case was closed but not the permit. The Building Official said that the railing was part of the fifty-year and because they broke and were a safety issue, fire took over and that was the case with fire with Ashley. Ashley passed it and closed the fire case but the permit was not closed.

The Special Magistrate reminded that this was a Status Hearing. You were going to have a meeting at 8:00AM to discuss all this and the Town would try to give you documentation. Code Compliance Officer Barrett suggested continuing this agenda item until the April hearing. The Special Magistrate asked if there would be an engineer's letter requested every month and the Code Compliance Officer said that the Building Official requested that tonight. The Special Magistrate ordered from the property manager, a monthly letter from the engineer certifying that the building was safe (structurally sound) or the Town would condemn the building, the Town would try to give documentation that could be distributed to the condominium owners, and to continue this agenda item again to the April 25, 2024 Hearing.

NEW BUSINESS

ITEM #V.10

***TAKEN OUT OF SEQUENCE**

Case #: 24010004 - Building Permit Violation
Property Owner: Rogers, Ruth A Ruth A Rogers Rev Tr
Address/Folio: 260 Codrington Dr
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits.
Required

Senior Code Compliance Officer Villanueva testified that this was work without permit for a second shed that was built in the back of the home with no permits. He said the Town would continue the case because they did submit permits. They received comments back from Zoning and Structural and they need to submit corrections / additional paperwork. Once the permit was approved, the Town would close the case. Dave Rogers (son) and Ruth Rogers (mother) were in attendance. Ms. Rogers gave her copy of the permit to Special Magistrate Clerk Small. Dave and Ruth Rogers were told how to look up their permit status online or to come in and speak with Yani. In order to comply the violation, a completed permit was required. The Special Magistrate ordered this case continued to the March 28, 2024 Hearing unless the case was resolved earlier. They exchanged contact information.

Building Official Simo Mansor departed the meeting at approximately 6:42PM.

Special Magistrate Secher said that the record was to reflect that there were no other owners in attendance tonight to represent their property.

OLD BUSINESS

ITEM #V.8

***TAKEN OUT OF SEQUENCE**

Case #: 23050002 - Building Code (FBC) Violation
Property Owner: Common Area
Address/Folio: 4520 El Mar Dr
Code Section(s): FBC 40/50 Year Inspections 110.15 Building Safety Inspection Program

Code Compliance Inspector Barrett testified that this case would be continued to the March 28, 2024 Hearing. For the record, there was someone signed in but not present at this time. The Special Magistrate ordered continuance to the March 28, 2024 Hearing.

ITEM #V.4

***TAKEN OUT OF SEQUENCE**

Case #: 22070008 - Permits Required Violations
Property Owner: Stonehorse Real Est Holdings Cook, Ronda A & Cook, Ricky D
Address/Folio: 4553 Bougainvillea Dr.
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-509 (a)
Chapter 6 – Building and Building Regulations Section 6-36 (a)
Florida Building Code FBC BCA Section 105.1- Work Without Permits

Senior Code Compliance Officer Villanueva testified that there would be a continuance of this case to the March 28, 2024 Hearing. The Special Magistrate ordered a continuance to the March 28, 2024 Hearing. No one was present to represent the property.

ITEM #V.5

Case #: 23010007 - Building Code (FBC) Violation
Property Owner: Ocean East Apartments, Inc.
Address/Folio: 1530 S Ocean Blvd
Code Section(s): Florida Building Code FBC BCA Section 110.15 - Building Safety Inspection Program

Senior Code Compliance Officer Villanueva testified that they received an okay to continue this case until the April 25, 2024 Hearing. The Special Magistrate ordered a continuance to the April 25, 2024 Hearing. No one was present to represent the property.

ITEM #V.6

Case #: 22050002 - Building Code (FBC) Violation
Property Owner: Sabatini Investments
Address/Folio: 229 E Commercial Blvd.
Code Section(s): Florida Building Code FBC BCA Section 110.15 Building Safety Inspection Program

Senior Code Compliance Inspector Villaneuva testified that they have received the report and were okay to continue this case until the March 28, 2024 Hearing. The Special Magistrate ordered continuance of this agenda item to the March 28, 2024 Hearing. No one was present to represent the property.

NEW BUSINESS

ITEM #V.11

Case #: 24010005 - Building Code (FBC) Violation
Property Owner: Bricker 1670 LLC
Address/Folio: 1670 E Terra Mar Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-12 (a)(2)

Senior Code Compliance Officer Villanueva testified that this was new construction. They have exceeded the eighteen-month limit to finish construction. They tried to get an extension but they could not get one once they passed eighteen months. The Town was requesting a Final Order requiring them to complete the construction by March 27, 2024 and return to the March 28, 2024 Hearing. That would give them 34 days to finish the construction or they would start running a fine on March 28, 2024 for \$50/day for days 1 – 30, and then \$75/day for days 31 – 60, and \$100/day for days 61 – until they complete the construction. The Special Magistrate clarified that they were not entitled to an extension because they exceeded the eighteen-month limit. He answered the Special Magistrate that they built two houses next to each other and received notices for both the homes. They did comply one home but the other did not get complied. He had evidence to submit which he gave to the Special Magistrate. She accepted it into the record as City’s Exhibit 1. It was a copy of the permit which indicated that the expiration of the permit was 2/17/2023. Special Magistrate Secher inquired if they were getting fined back to 2/17/2023. Senior Code Compliance Officer Villanueva said that from his understanding, the Town was not enforcing this due to COVID. The Town started enforcing around July 2023. He had two more exhibits which the Special Magistrate accepted and entered into the record as City’s Exhibit 2 (courtesy notice 9/18/2023) and City’s Exhibit 3 (Section 6-12 indicating what construction time limits were). The Special Magistrate ordered a Final Order to comply by March 27, 2024 by finishing construction on the home or fines would begin accruing on March 28, 2024 at \$50/day for days 1-30, then \$75/day for days 31-60, and then \$100/day for days 60 until compliance. They were to return to the March 28, 2024 Hearing. No one was present to represent the property.

ITEM #V.13

Case #: 24010006 - Building Permit Violation
Property Owner: Mancuso Royal Coast 2G Tr Mancuso, Michael & Josie Trstees
Address/Folio: 2000 S. Ocean Blvd 2G
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

Code Compliance Officer Barrett testified that this was work without permit and this agenda item should be continued to the next hearing on March 28, 2024. The Special Magistrate ordered continuance of this agenda item to the March 28, 2024 Hearing. No one was present to represent the property.

Special Magistrate Clerk Small read into the record the cases that were complied.

COMPLIED CASES		
Item #	Case #	Property Address
1	24010003	222 E Commercial Blvd 201
2	23120002	4332 Seagrape Dr 1
3	23050005	1672 Bel-Air Ave

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Judith Secher adjourned the Hearing on February 22, 2024 at approximately 6:49PM.

APPROVED BY:


Special Magistrate Judith Secher

ATTEST:


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