

APPROVED

**TOWN OF LAUDERDALE-BY-THE SEA**  
**CODE COMPLIANCE HEARING MINUTES**  
*Town Commission Meeting Room (Jarvis Hall)*  
*Thursday, October 26, 2023 at 5:00PM*

**I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO**

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:05PM on Thursday, October 26, 2023 with Pompano Beach Fire Inspector Ashley Zalewski, Senior Code Compliance Officer Eric Villanueva, Code Compliance Officer Hector Barrett, Development Services Director Jhanelle Campbell, Building Official Simo Mansor, and Special Magistrate Clerk Megan Small to record the minutes.

**II. SWEARING OF WITNESSES**

The Special Magistrate 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.*

**NEW BUSINESS**

**ITEM #V.21**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23090008 - Recreational Vehicles & Boats Violations  
Property Owner: Archdiocese Of Miami Assumption Of The Blessed VM  
Address/Folio: 2001 S Ocean Blvd  
Code Section(s): Chapter 19 – Traffic and Motor Vehicles Section 19-21 (b) (2)

Code Compliance Officer Villanueva testified that this case was regarding parking and storage of motor vehicles and vessels. Notice was sent September 20, 2023 for all the recreational vehicles, trailers, RVs and campers to be removed from the property. Service was obtained by posting the property on September 20, 2023. There was no communication with the members of the Church. He believed that the crowd here tonight was for this item. The Special Magistrate asked if the violation was for the Church allowing people to park vehicles there and the Code Officer thought that was what was going on. The Special Magistrate informed that by code, that was not allowed. The Code Officer said that the Town was asking for the vehicles to be removed or at the next hearing a fine would start.

The Special Magistrate asked anyone in attendance if they wanted to speak on behalf of the Church. George M. Allman testified that since June 2019, he has been a part-time employee as the Operations Coordinator. By default, he was in charge of the parking lot and everything else not religiously related. One of their goals was to help everyone that they could. Many from the community ask to use the parking lot and other facilities. A number of neighboring buildings were experiencing major repairs and requested to use the church's parking lot. He was asking for a chance to mediate this matter with the Town and four neighbors who were on the boundary of the property. When Mr. Allman started working there in 2019, there were a number of vehicles parking there already. Some were squatters who did not give money to the Church and some gave donations to use the facility. There were people from Cabana Bay and other places who use their parking without permission or authorization and did not give any money. Mr. Allman testified that he initiated a program because he learned in 2019 that they were \$230,000 in debt and since Covid, their donations have also decreased. The Church has a lot of maintenance that needed to be taken care of. Right now he was a non-salaried, part-time employee on volunteer time. He further stated that there were construction workers who use their parking because there was no parking available and some gave donations and others did not. The Church treated everyone the same. He said his definition of squatters was people who parked their vehicle without permission. He pointed out that the County used their hall for annual elections, the Fire Company used their lot, and BSO used all their facilities. He answered the Special Magistrate that the squatters' vehicles were not being lived in but vehicles were there overnight. He was in charge of paying bills and he could not do without the help of the community as their bills were heavier than their income.

Development Services (DS) Director Campbell testified that the Town was empathetic to the Church's situation and was trying to give time for this issue to come into compliance. The first complaint came in January 2023 and Notice went out on September 20, 2023. She noted that the number of vehicles kept increasing. One vehicle was almost totaled and the condition of the parking lot was unsightly. This situation did not meet the Code and to reiterate, the Town was empathetic, however, the vehicles needed to be removed. Neighbors have been living with this situation for quite sometime and she believed that was why there were neighbors here today. The Special Magistrate read from the narrative asking the Director for clarification that the removal was not just for recreational vehicles. The Director clarified that it was not just RVs but all vehicles to be removed with no overnight parking at all. This was a very large parking lot which was visible to neighbors.

The Special Magistrate asked for anyone who wanted to speak on behalf of the community. Michael Carreiro spoke on behalf of Cabana Bay Condominium Association testifying that he was the President of the Board. He stated that this started in 2021 with an informal inquiry from Greg who was with the Town. In January 2023, they proceeded formally with a written notice. Their concern was for the utility trailers being used for people to sleep in as they had bathroom facilities in the church. There was also a homeless person there who used the garden hose for showering. The former president of the association tried to work with the Church to place this person and they gave a donation. The vehicles must be moved so they could prune the trees. This situation was going on a long time and was unsightly while affecting property values. He said that this was hard for many Cabana Bay people because the Church was their parish but the rules were the rules. They wanted to speak with the Pastor and not Mr. Allman for a solution of the vehicles not being visible to the neighbors or visible from the roadway. It needed to be solved. The Special Magistrate informed that no overnight parking or storing of any type of vehicle was allowed at all in that parking lot which was for Church use only to attend Church functions. He further stated that all of the vehicles that parked overnight must go.

Code Compliance Inspector Villaneuva testified that most vehicles right now were boat trailers and one had a boat on it. Tim Hart who also lived in Cabana Bay Village testified that currently there were six boat trailers, a boat, two mobile homes, and four mobile storage units ranging from twenty to forty feet. The season was just getting started now. Historically, more and more vehicles come in during the season which created a blight on their community. Some Cabana Bay and Ocean Bay residents look directly onto this parking lot and people drive past it every day. This brought property values down. We take pride as residents living in Lauderdale-By-The-Sea (LBTS) and hated to see this drag down the community. No one was really objecting to cars but were objecting to turning this into a storage facility – a "pay for play" storage facility.

DS Director Campbell further clarified that the property manager (not Mr. Allman) who worked onsite (in the Church) stopped responding to Code Compliance Inspector Villaneuva's emails and that was why the Town was at this stage. She just got Mr. Allman's email address yesterday and emailed him. Kevin Otterson testified that he was a resident of Cabana Bay Village and his concern was that if in a storm, these vehicles (trailers, boats, etc.) damaged his unit or any other area in the complex, whose responsibility was it? The Special Magistrate could not give a legal opinion but stated this has got to stop. Alexander Praskovsky from Ocean Bay Club testified that the law should not be broken because there were bills to pay and that this could be solved by calling a towing company. If an owner had to pay the towing expense, this would stop. This parking lot was for passenger vehicles attending church. There were no other people requesting to speak either for the Church or the Community. DS Director Campbell said that the Town was requesting that all vehicles be removed before the next hearing which was November 15, 2023 or a fine of \$100/day plus \$50 cost for today's hearing but the cost was waived.

George Allman requested to speak and the Special Magistrate called him up. Mr. Allman testified that some things said tonight were not exactly truthful. He explained that he was in negotiations with a local construction company who wanted to use their property to store their equipment. He questioned if this would be allowed and the Special Magistrate informed him that it would not be. When he inquired where they could park, he was answered that it was their problem and not the problem of the Church. All the vehicles and all the trailers parked now have to be out of the parking lot before November 15, 2023. There was no permission under the Town Ordinances to allow this overnight parking but rather things must be clean, safe, esthetically pleasing, etc. This was a church parking lot for church purposes and not a storage lot. They need to get the signs required by state law posted so there was no storage and if there was storage, it had to be towed away. Paying to park to fund operations was not the way things worked. DS Director Campbell explained that a Notice and an Email were sent to the Archdiocese of Miami, so they were informed but did not respond. The Special Magistrate gave the DS Director a name to reach out to for these issues. They cannot use this situation to defray church costs. The Special Magistrate ordered a Final Order for complete compliance by November 15, 2023 or a daily fine of \$100 to accrue thereafter but there would not be a hearing cost for today's hearing. He then explained that the Town did not want money for code violations but they wanted compliance for code violations to use the property for what it was zoned for.

**OLD BUSINESS**

**ITEM #V.19**

**\*TAKEN OUT OF SEQUENCE**

Case #: 18020015 - Property Maintenance  
Property Owner: Fishermans Pier Inc  
Address/Folio: 2 E Commercial  
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37 (a)(1).

Code Compliance Officer Barrett testified that this was a Status Hearing for the pier. David Atkisson, owner's representative, for Fishermans Pier Inc, testified that the iconic pier was privately owned and it was also a business. He could give information but not specific timeframes. He said they hired Adache Architects. They were trying to put something unique together and were a long way off with permitting. The Special Magistrate wanted to know where they were with permitting. Mr. Atkisson explained they have to remove the restaurant portion and build new pilings as they go and deck it at new elevations with stronger material. Once they get a concept that would work with the CCL line, permitting, etc., they would bring it to the Town. The surveyor, McLaughlin, completed the survey portion over the water but did not do the boundary survey of the beach side and the parking area. They were also working with a previous engineer who had knowledge on placement, size of pilings, etc. but did not work in CAD and a team would have to be put together to work with him on the drawings. They would not submit a permit package to the outside agencies now but when they did and it was approved, it would go to the Town. The Town needed to submit a letter to agree to this before they could move forward. He pointed out that they were working non-stop since November last year. This was all he had right now and could not give DS Director Campbell any exact dates. He answered the Special Magistrate that what had to be shifted was the pile location and that the footprint of the pier would not be moved drastically. He further answered the Special Magistrate that Tyler Chappell was here tonight and he would get more involved once the architects get with him.

The Special Magistrate asked DS Director Campbell when she wanted David Atkisson back and what did she want to hear from him as there was nothing really reported tonight. She answered that he did not have to come to the November hearing but to come back to the January hearing. Mr. Atkisson said that maybe by January, there might be something to share with the Town. She needed to hear from Mr. Atkisson something more concrete other than to "please be patient". She suggested having a general timeline overview of what the goals were and he said he would do his best to give the Town the information that he had. The Special Magistrate explained that the Town had to be there to enforce the law and suggested having the team (Adache Group, Chappell Group, etc.) here for their input in January. DS Director Campbell thought having the team at the January meeting for giving more concrete information for where we were now and a general timeline overview of the goals (something clear) for the record as to where this was going with the understanding that timelines could be adjusted was good. She would like that information in writing about a week prior to the January hearing. The Special Magistrate ordered this agenda item back on the January 25, 2024 agenda for a Status Hearing with the full team (owner's representative, Adache Group, Chappell Group, and anyone else) to give concrete information as to where they were now plus a general timeline with goals as to when things would be met in the process and to submit it in writing a week before the January hearing.

**CERTIFICATION OF LIEN**

**ITEM #V.26**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23060001 – Building Code Violations

Property Owner: Piccadilly USA Inc.

Address/Folio: 1600 S Ocean Blvd 1804

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

Code Compliance Officer Villaneuva testified that they received a Final Order on this case and the case was complied. Fines were due but the owner wanted to mitigate the fine and the owner's representative was here. The Code Compliance Officer answered the Special Magistrate that the total amount of fines due to date was \$17,850. Building Official Mansor was asked by the Special Magistrate how he felt about mitigating this, in other words were they timely and cooperative, etc. Then Mike Ward, general contractor, explained to the Building Official that they have a permit to

redo the shower but have not done any work yet other than removing one tile. Compliance was to obtain an approved permit and they did. The Building Official said there were no damages to the building and the fine was up to the Special Magistrate. Code Compliance Officer Villaneuva said the Town was open to mitigation. He explained that there was a problem contacting them but once they were contacted, they complied quickly. The owner's general contractor, Mike Ward, explained the situation to the Special Magistrate asking for a mitigation of fine. The Special Magistrate said he would reduce the fine to \$2,000 payable within thirty days. The Special Magistrate ordered the \$17,850 fine reduced to \$2,000 payable within thirty days.

**OLD BUSINESS**

**ITEM #V.18**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23050002 - Building Code Violations  
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 was a 40-Year Building Safety Inspection Program violation and the Building Official would speak on this. Building Official Mansor testified that he lost contact suddenly with Brad. Jackie Roman testified that she was the property manager for Southern Keys and that Brad Decker was their construction consultant. Building Official Mansor asked Ms. Roman what was going on with the 40-Year Inspection. She said she had all the documents related to the 40-Year Inspection with her that were completed. She also had a letter from the Electrical Company stating that the work was done with copies of the permit. She handed it to the Building Official. She said that according to Mr. Decker, he was not advised how to submit the documents, so she brought copies today. Perusing the file, Building Official Mansor said that repairs were required. Ms. Roman said that all the electrical repairs were done and there was a letter from the electric company stating that they complied with the engineer's report. The Special Magistrate said that the repairs were done without a permit so what was submitted was unacceptable. The Building Official said that he could not go through the file right now. The paperwork should have been handed in prior to the meeting so he could have looked it all over. They have an engineer's report but it was not done in the Broward County format. The Special Magistrate explained that the engineer had to do the report correctly before the Building Official could accept the report. The Building Official explained to Ms. Roman that the engineer had to fill out the report on the proper form and have him sign it as no repairs needed (since they were done). The engineer needed to let the Town know all the work that was done and if he did it, he needed to sign off on it at the same time and it must be sealed. This way we have it in writing that the work has been done and it would have to be inspected by the special inspector. Code Compliance Inspector Barrett said that the Town was recommending a Final Order requiring compliance by November 15, 2023 or \$250/day fine. DS Director Campbell reminded about the after-the-fact permits. The Special Magistrate ordered a Final Order requiring what was discussed today like a submitted engineer's report on the proper forms in Broward County format correctly done and to obtain after-the-fact permits for any work that was done for this 40-Year Inspection by November 15, 2023 or a daily fine of \$250 would start accruing thereafter plus \$50 cost for today's hearing due immediately but payable within thirty days.

**FIRE CASES**

**ITEM #V.31**

**\*TAKEN OUT OF SEQUENCE**

Case #: 21-1336  
Property Owner: South Leisure By The Sea Association  
Address/Folio: 234 Hibiscus Ave

Fire Inspector Ashley Zalewski, Pompano Beach Fire Rescue, testified that they went onto the property last week to inspect the rails and saw the process and how far along they were. She felt comfortable to state that they could continue until November 16, 2023 because by then, they should be complete. Nathan Basky testified that he was the property manager for South Leisure By The Sea. He met Ashley last week on property. He was told by the engineer that he did not feel they would be finished until a week after Thanksgiving. They were asking for an additional week after November 16<sup>th</sup>. The Special Magistrate said as there was no December hearing, there would be no way to monitor this. DS Director Campbell said that the Town was okay with extending compliance until December first. They would prove compliance by making sure to get in touch with Fire Inspector Zalewski confirming that the permit has been closed making them in compliance. If the permit was not closed by December 1, 2023, then they would be back on the agenda for the January 2024 hearing with fines running at \$100/day starting December 2, 2023 plus \$50 cost for today's hearing. The Special Magistrate ordered a revised Final Order by extending the comply-by date to December 1, 2023 for a closed out permit or a \$100/day fine starting December 2, 2023 plus \$50 cost for today's hearing due immediately but payable within thirty days and returning to the January 2024 hearing, if necessary.

**ITEM #V.30**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23-1379

Property Owner: Oceanwalk Condominium Assoc

Address/Folio: 1900 Oceanwalk Lane

Fire Inspector Ashley Zalewski, Pompano Beach Fire Rescue, testified that they have received a signed proposal to fix the gates and to do "click to enter". This was now required by the Fire Department. She was hoping to see permits in the next few weeks. She was fine with continuing until November 16, 2023 to make sure the permits were actually pulled. There were no fines running on this case. The Special Magistrate ordered continuance of this case to the November 16, 2023 hearing.

*Fire Inspector Ashley Zalewski left the hearing at approximately 6:06PM.*

**CERTIFICATION OF LIEN**

**ITEM #V.27**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23040003 – Business Tax

Property Owner: Swanton Street 184 LLC

Address/Folio: 239 Commercial Blvd 101/102

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

Chapter 30 – Unified Land Development Regulations Section 30-502 (e)

Code Compliance Officer Villaneuva testified that this case was before the Special Magistrate a few times and he explained the violations which were now in compliance. For the window signs installed (without a permit) violation on one unit, the fine was for 18 days out of compliance for a total amount of \$1,800. The unit with the BTR violation, the violation lasted 83 days, however, the Town said that the normal violation fee for a BTR should have been \$10/day and in the Final Order, \$100/day was assessed. So instead of \$8,300 he said it should have been \$830. Both violations were definitely complied.

Richard Salter, owner of the property under an LLC, was the landlord to the two tenants who have complied violations. Kris Strathoporlos, unit 102, had the sign violation and Isidora Madzaren, unit 100, had the BTR violation. They explained what happened. DS Director Campbell testified

that staff was in contact with both establishments and provided the information that was needed succinctly and completely. She had no objection to a reduction in fines but wanted to express that for such simple issues, staff worked on this for months and months and the fines should cover some of the costs.

The Special Magistrate reduced the sign violation to \$400 (unit 102) and would not waive that fine completely and the BTR violation was reduced to \$415 (unit 100) and both violations would be due within thirty days or would revert back to the original fine amount. DS Director Campbell said that if the fines were not paid timely, the fines would not only revert back to the original fines but they would also be certified as a lien against the property. The Special Magistrate ordered the sign violation reduced to \$400 (unit 102) and the BRT violation reduced to \$415 (unit 100) both payable within thirty days or the reduced fines would revert back to the originally assessed fines and be certified as a lien against the property. There were no costs assessed for today's hearing.

*There were no other people present waiting to speak.*

**CASES TO BE CONTINUED**

**ITEM #V.7**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23090004 – Property Maintenance  
Property Owner: Kal Realty Tr Laclair, Kenneth A Trstee  
Address/Folio: 233 N Tradewinds Ave  
Code Section(s): Florida Building Code Section 105.1. Permits. Required

For the record, there was no one in attendance to represent the property owner. Code Compliance Officer Villaneuva testified that this case was for work without permits. This was the first time this case was being presented. The Building Official posted a Stop Work Order for no permits. Building Official Mansor explained that he spoke with a gentleman yesterday in regard to this. He further stated that they canceled a fence permit but installed a fence without a permit and they gutted the whole house. The Code Compliance Officer testified that they came in yesterday and corrected the permit for the demo work done inside the home but they were advised that would not be enough to comply because of the fence that was done after they canceled the fence permit. The Building Official explained that the fence was a pool barrier also and the Special Magistrate did not like that at all. The Building Official suggested a Final Order until reporting everything done for the house. The Special Magistrate suggested giving them 14 days for compliance for the fence/pool barrier or \$500/day fine and compliance would be obtaining an approved fence permit. After discussions, the Special Magistrate ordered a Final Order for compliance by November 15, 2023 by obtaining an approved pool fence permit or \$100/day fine to accrue thereafter plus \$50 cost for today's hearing due immediately or payable within thirty days and come back to the November 16, 2023 hearing, if necessary.

**OLD BUSINESS**

**ITEM #V.16**

**\*TAKEN OUT OF SEQUENCE**

Case #: 23060003 – Building Code Violations  
Property Owner: 2031 House Buyer LLC  
Address/Folio: 2031 Coco Palm Pl  
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

**ITEM #V.17**

Case #: 23100003 – Building Code Violations  
Property Owner: 2031 House Buyer LLC

Address/Folio: 2031 Coco Palm PI  
Code Section(s): Chapter 21 – Vegetation Section 21-26 (a)  
Chapter 6 – Building and Building Regulations Section 6-41 (c)  
Florida Building Code FBC BCA Section 105.1. WWOP. Permits.  
Required

For the record, there was no one in attendance to represent the property owner and both cases were called together. Building Official Mansor said this was a very special and stubborn case because the gentleman has total disregard for the laws and the rules. They stopped him from adding an addition and cut the power. He took the addition down but built it in another area of the home with a new air conditioner. The gentleman jumped the wires at the meter and was putting the neighborhood at risk for causing a fire. He called with his lawyer that he wanted to have due process. The Building Official called FPL and they cut the wire at the weatherhead. Code Compliance Officer Villaneuva testified that they were running fines at \$250/day for an addition added to the back of the property and they did get a permit to demo it. They never got a permit for the interior remodel work for which they did the work. The Town received reports that an addition was added to the front of the house and he had pictures to submit which he gave to the Special Magistrate who accepted them for the file showing what was done.

The Town was seeking a new case as a repeat violator with immediate fines on the day the violation was discovered on October 3, 2023 at \$500/day fine for the repeat violation of work without permit. They were also seeking \$100/day fine for tampering with the utilities. The Special Magistrate said he would make the fine for the repeat violation \$1,000/day retroactive and the fine for tampering with the electric power, \$1,000/day retroactive. For case #2306003, (original case) they would continue to run fines at \$250/day for work done in the interior without a permit. Compliance would be obtaining a completed after-the-fact permit for the interior work. DS Director Campbell asked the Special Magistrate if on the original case, they could change the fine amount from \$250 to \$500 to gain compliance. The Special Magistrate answered he would like to give them Notice about a fine amount change and he stated that he has already denied their lawyer's request for a continuance. He advised her to ask the next Special Magistrate.

Code Compliance Officer Villaneuva stated that since FPL cut the power, that complied the tampering with the electric power violation. They were out of compliance one day for a total fine of \$1,000 on that violation. The landscape was overgrown and the Town requested \$100/day fine on that. The Special Magistrate said the landscape fine should be \$250/day and it could start immediately. Building Official Mansor answered the Special Magistrate that he was fine with what he said and reiterated his concern regarding a neighborhood fire, if the gentleman was not stopped.

The Special Magistrate ordered for case #23060003; \$250/day fine to continue to run until compliance was achieved via obtaining a completed after-the-fact permit for interior work done without permit plus \$50 cost for today's hearing due immediately but payable within thirty days.

The Special Magistrate ordered a Final Order for case #23100003; \$1,000/day fine retroactive to October 3, 2023 for tampering with the electric power which was complied by FPL so that total fine was \$1,000, \$1,000/day fine retroactive to October 3, 2023 for the repeat violation of work without permit with compliance being obtaining a demo permit for the illegal addition and obtaining an after-the-fact permit for installed air conditioner(s), and \$250/day fine for overgrown landscape starting today with compliance being that the landscape was brought up to code, plus \$50 cost for today's hearing due immediately but payable within thirty days.

**NEW BUSINESS**

**ITEM #V.20**

Case #: 23090007 – Building Code Violations  
Property Owner: Introini, Amalia  
Address/Folio: 1624 Bel-Air Ave  
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-12(a)(2)

For the record, there was no one in attendance to represent the property owner. Code Compliance Officer Villanueva testified that the eighteen month limit for construction was exceeded. The Town, per Code, gave them a sixty-day Notice but their time was up. They have not heard from them and they were not here tonight. However, while the property was being posted, someone did come up to speak with them stating they were trying to finish the project but experienced medical issues, etc. The Town was requesting a Final Order giving them until November 15, 2023 to comply or per Code a fine of \$50/day for the first thirty days out of compliance and then the Town could come back to increase the fine every thirty days plus \$50 cost for today's hearing. This was explained as an Ordinance regarding construction time limits. The Special Magistrate ordered a Final Order for compliance by completing construction by November 15, 2023 or a fine of \$50/day for the first thirty days out of compliance would be assessed starting November 16, 2023 and then to come back after in order to increase the fine for every thirty days out of compliance plus \$50 cost for today's hearing due immediately but payable within thirty days plus return to the November 16, 2023 hearing.

**ITEM #V.22**

Case #: 23090001 – Building Code Violations  
Property Owner: AMTC-USA Inc.  
Address/Folio: 1800 S Ocean Blvd 1209  
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

For the record, there was no one in attendance to represent the property owner. Code Compliance Officer Barrett testified that this violation was work without permit. Work was observed being done in a condo by the Building Official. The Code Compliance Officer gave his photos to the Special Magistrate who accepted them into the record and stated there was no one here to object. The Code Compliance Officer said the Town was recommending a Final Order with compliance by November 15, 2023 or a fine of \$250/day to accrue thereafter plus \$50 cost for today's hearing. The Special Magistrate ordered a Final Order for compliance by obtaining an approved permit by November 15, 2023 or a fine of \$250/day to accrue thereafter plus \$50 cost for today's hearing due immediately but payable within thirty days. Building Official Mansor testified that he took the pictures and did speak with a gentleman but did not recall the gravity of the situation. He informed the gentleman that compliance would be ordered tonight to be by November 15<sup>th</sup> or a fine would be assessed starting November 16, 2023.

**ITEM #V.23**

Case #: 23090002 – Building Code Violations  
Property Owner: Coleman, Patrick More, Andres  
Address/Folio: 4640 Bougainvilla Dr 2  
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

For the record, there was no one in attendance to represent the property owner. Code Compliance Officer Barrett testified that this was work done to the 2<sup>nd</sup> floor balcony without a

permit as the permit was expired. Work was observed by the Building Official. The Code Compliance Officer gave photos to the Special Magistrate who accepted them into the file. The Building Official testified that he told those working on the balcony to come in for a permit with a design from an engineer because it was a balcony needing support and loads, etc. and he observed them working with wood. He reported that the Town did not hear from them but we need to know how they were going to build it. Code Compliance Officer Barrett said that the Town was recommending a Final Order with compliance by November 15, 2023 or a fine of \$250/day to accrue thereafter plus \$50 cost for today's hearing. The Special Magistrate ordered a Final Order for compliance by November 15, 2023 with compliance being obtaining an approved after-the-fact permit or a fine of \$250/day to accrue thereafter plus \$50 cost for today's hearing due immediately but payable within thirty days.

**ITEM #V.24**

Case #: 23090006 – Building Code Violations  
Property Owner: Happ, Carol A  
Address/Folio: 4475 Poinciana St  
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

For the record, there was no one in attendance to represent the property owner. Code Compliance Officer Barrett testified that this was going to be continued until November 16, 2023 as they reached out to the Building Official and the Building Official agreed. The Special Magistrate ordered a Final Order for continuance until November 16, 2023 with no cost assessed for tonight.

*Building Official Mansor left at approximately 6:35PM.*

**CERTIFICATION OF LIEN**

**ITEM #V.28**

Case #: 23010010 – Vacation Rental  
Property Owner: JJTA Real Properties  
Address/Folio: 260 Allenwood Dr  
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-327(b) Vacation Rentals and Short Term Rentals.

**ITEM #V.29**

Case #: 23040001 – Permits Required Violations  
Property Owner: JJTA Real Properties  
Address/Folio: 260 Allenwood Dr  
Code Section(s): Florida Building Code FBC BCA Section 105.1. WWOP. Permits. Required

For the record, there was no one in attendance to represent the property owner in both cases. Code Compliance Officer Villaneuva testified that the owner was expected to be in attendance tonight for both cases to request mitigation. The Town has not heard from them but was giving them the benefit and would continue both cases until November 16, 2023. The Special Magistrate ordered continuance for both cases (#23010010 and #23040001) to the November 16, 2023 hearing with no costs assessed for tonight.

Special Magistrate Clerk Small read into the record the complied cases for which the Special Magistrate ordered compliance.

<b>COMPLIED CASES</b>		
<b>Item #1</b>	<b>Case #</b>	<b>Property Address</b>
1	23080006	1800 S Ocean Blvd 511
2	23090005	4513 Poinciana St
3	23070005	4230 N Ocean Dr
4	23060017	1431 S Ocean Blvd 41
5	23080011	217 Commercial Blvd
6	23040014	1439 S Ocean Blvd 202

Special Magistrate Clerk Small read into the record the case that would be continued to the November 16, 2023 hearing for which the Special Magistrate ordered continuance.

<b>CONTINUED CASES (November 16, 2023)</b>			
<b>Item #</b>	<b>Case #</b>	<b>Property Address</b>	<b>Continued To:</b>
9	23080002	1800 S Ocean Blvd 509	11/16/23
25	23090009	4412 N Ocean Dr <i>This item was not read into the record but would be continued to Nov 16.</i>	11/16/23

Special Magistrate Clerk Small read into the record the cases that would be continued to the January 25, 2024 hearing for which the Special Magistrate ordered continuance.

<b>CONTINUED CASES (January 25, 2024)</b>			
<b>Item #</b>	<b>Case #</b>	<b>Property Address</b>	<b>Continued To:</b>
8	21120003	2000 S Ocean Blvd	01/25/24
10	21120018	3900 N Ocean Dr	01/25/24
11	23070004	1584 Blue Water Ter	01/25/24
12	22070008	4553 Bougainvillea Dr	01/25/24
13	22050002	229 E Commercial Blvd	01/25/24
14	23030011	4209 El Mar Dr 1 - 9	01/25/24
15	23080007	4641 N Ocean Dr 1 – 8	01/25/24

**VI. ADJOURNMENT**

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the Hearing on October 26, 2023 at approximately 6:40PM.

APPROVED BY:



Special Magistrate Tom Ansbro

ATTEST:



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