

APPROVED

**TOWN OF LAUDERDALE-BY-THE SEA**  
**CODE COMPLIANCE HEARING MINUTES**  
*Town Commission Meeting Room (Jarvis Hall)*  
*Thursday, April 24, 2025 at 5:00PM*

**I. CALL TO ORDER, SPECIAL MAGISTRATE JUDITH E. SECHER**

Special Magistrate Judith Secher called the hearing to order at approximately 5:10PM on Thursday, April 24, 2025 with Assistant Director Development Services-Code Compliance Terry-Ann Boyd, Building Official Simo Mansor, Code Officer Donovan Williams, Code Officer Ralph DesRoches and Special Magistrate Clerk Megan Small to record the minutes.

**II. SWEARING OF WITNESSES**

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

**III. OPENING STATEMENT**

Please note for the record that this is an in-person hearing and to please turn off or silence devices.

**IV. PUBLIC COMMENTS**

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

**V. CODE CASES**

*The cases were heard in the order they were typed. All discussions/actions in the matters were not limited to the case summaries typed below.*

**OLD BUSINESS**

**ITEM #V.15**

**\*TAKEN OUT OF SEQUENCE**

Case #: 18020015 - Property Maintenance (General)

Property Owner: Fishermans Pier Inc

Address/Folio: 2 E Commercial Blvd

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37 (a)(1).

Assistant Director Development Services-Code Compliance Terry-Ann Boyd testified that this was a Status Update for the pier. The Town wanted to ensure that the pier was secure and not an unsafe environment and that issues would be minimized. Since Spring Break was over, attendance at the pier was reduced. She reported that Mr. Marchelos did provide the names and also two contact numbers for the pier security employees who enforced no climbing onto or jumping off of the pier, etc. They were also still brainstorming how to shore up the pier and it was agreed that both the Town and the pier owner were on the “same page” in regard to security. They would maintain that same security presence at the pier to ensure nothing happens until they come to a resolution for the safety issue.

Attorney Andrew Schein introduced himself and said he represented the property. Special Magistrate Secher asked if Broward Sheriff's Office (BSO) was involved in any discussions and Assistant Director Development Services-Code Compliance Terry-Ann Boyd answered that they requested more No Trespassing Signs and Mr. Marchelos provided them. The next Status Hearing would be at the June 26, 2025 Hearing plus \$50 hearing cost for today. The Special Magistrate ordered this agenda item continued to the June 26, 2025 Hearing for a Status Hearing plus \$50 hearing cost for today due immediately but payable in thirty days.

### **NEW BUSINESS**

#### **ITEM #V.19**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 25010001 - Property Maintenance (General)  
Property Owner: Karia Global LLC  
Address/Folio: 223 Commercial Blvd  
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-41(a)(5) - Maintenance of exterior of premises.

Assistant Director Terry-Ann Boyd testified that this case was continued to the May 22<sup>nd</sup> Hearing. Attorney Schein asked if this was completed prior to May 22<sup>nd</sup> would he have to come back. He was answered that he would not have to come back in May, if the case was in compliance. The Special Magistrate ordered this agenda item continued to the May 22, 2025 Hearing.

### **COMPLIED CASES**

#### **ITEM #V.5**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 25020002 - Building Code (FBC) Violation  
Property Owner: KY Luxury Vacations LLC  
Address/Folio: 255 Miramar Ave  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required:

Assistant Director Boyd testified that they were going to do a thirty-day extension for this agenda item for work without permits. The permits were submitted but they were waiting for payment on the permits. She answered the Special Magistrate that the extended comply-by date would now be May 21<sup>st</sup> and to return to the May 22<sup>nd</sup> Hearing, if not in compliance, plus \$50 hearing costs for today. Klavdiya Kumayska was at the podium. The Special Magistrate ordered a revised Final Order for the extension of the comply-by date to May 21, 2025 plus \$50 hearing cost for today due immediately but payable in thirty days and there would be no need to come back May 22<sup>nd</sup>, if in compliance.

#### **ITEM #V.2**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 25030010 - Vacation Rental Regulation  
Property Owner: Royal Imperial Group LLC  
Address/Folio: 259 Miramar Ave  
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-327(d)-Vacation rentals and short term rentals. Duration.

Code Officer Donovan Williams testified that Notice of Violation was issued on March 25, 2025 and the signed green card was in the file. The violation was for renting for less than seven days. They were now in compliance and the Town was requesting a Finding of Fact. He answered the Special Magistrate that they were advertising for less than a seven-day rental but that has been fixed. The Special Magistrate asked Klavdiya Kumayska if she understood that if this property advertised incorrectly again, the fine could be higher than the normal fine. Ms. Kumayska said

she understood. Code Officer Williams requested \$100 court costs for today. The Special Magistrate ordered a Finding of Fact for the violation for Section 30-327(d) that existed but was in compliance now and should this violation happen again, within the next five years under the same ownership, this could be considered a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing due immediately but payable within thirty days. Ms. Kumayska was informed how to pay the \$100 costs.

### **NEW BUSINESS**

#### **ITEM #V.20**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 25030003 - Building Code (FBC) Violation  
Property Owner: Village By The Sea Condo – Common Area  
Address/Folio: 1967 S Ocean Blvd  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required:

Assistant Director Boyd testified that this would be continued to the May 22, 2025 Hearing with no costs for today. Property Manager Nicole Davis was in attendance at the podium. The Special Magistrate ordered continuance to the May 22, 2025 Hearing and no costs for today's hearing.

### **CASES TO BE CONTINUED**

#### **ITEM #V.12**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 24050073 - Building Permit Violation  
Property Owner: Aquirre Marin, Jorge A Martin  
Address/Folio: 4461 W Tradewinds Ave  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits

Assistant Director Boyd said the Town was still in the process of receiving corrections for the permit we have on file. This case would be continued to the May Hearing with no costs for today's hearing. James Gorman had a question and the Building Official answered that it was a zoning question and informed Mr. Gorman who he would have to contact at the Town. The Special Magistrate ordered this case continued to the May 22, 2025 Hearing with no costs for today's hearing.

*A gentleman just walked in and Special Magistrate Clerk Small swore him (Bill Ciani) in. Also, Building Official Mansor left the meeting at approximately 5:39PM.*

*The following case was added on today and called into the record as Special Set.*

### **SPECIAL SET**

#### **ITEM #V.29**

#### **\*TAKEN OUT OF SEQUENCE**

Case #: 25040008  
Property Owner: Teague, Wayne P  
Address/Folio: 4344 N Ocean Blvd  
Code Section(s): Chapter 30-Unified Land Development Regulations Section 30 – 313(i)(6).c – General provisions.

Assistant Director Boyd testified that the property owner installed some landscaping on Town property. The Town requested that the landscaping be removed as there was no authorization from the Town for this landscaping and it was an ordinance violation. The Special Magistrate wanted to know if Mr. Ciani was the person responsible for planting the landscaping and was it

an improvement. The Assistant Director said that Mr. Ciani was not responsible for planting the landscaping which was on Town property / right-of-way without authorization. The Special Magistrate wanted to know who installed it and the Assistant Director answered that the owner of the property located at 4344 N. Ocean Blvd who was Wayne Teague. The Special Magistrate asked why that owner was not here. The Assistant Director answered the Special Magistrate that the owner was previously informed about the request for the landscape removal but never answered. The Town has confirmation now that the landscaping was definitely on Town property and recommended that the landscaping be removed within thirty days from today, or rather twenty-seven days to May 21<sup>st</sup> or a \$100/day fine to begin until compliance was achieved by removing the landscaping on the Town's property plus \$100 Administrative Fee due immediately but payable within thirty days.

The Special Magistrate asked Mr. Ciani how this affected his business and Mr. Ciani explained about his restaurants. He stated that the alley was to be fifteen feet but because of the landscaping it was squeezed down to ten feet. This made it hard for getting deliveries, etc. It was a service alley. This public alley belonged to the Town. It should not take this long, five and one-half months, for the guy to get this done especially with the Town doing all that it could. The Special Magistrate ordered a Final Order that by May 21, 2025 to remove any and all landscaping, sand, rocks, etc. from the area and return it to its original asphalt condition or \$100/day fine to commence May 22, 2025 until compliance was achieved by removing what was put there and restoring that portion of the alley to its original asphalt state plus \$100 Administrative Fee due immediately or payable within thirty days. The Special Magistrate wanted to know if the violator was given a copy of the new survey showing that he installed landscaping on Town property and Mr. Ciani testified that he told him. The Assistant Director gave the Special Magistrate the following evidence: (1) Affidavit of Non-Compliance, (2) Notice of Violation, and (3) photos of the landscape as it existed today. The Special Magistrate accepted it into the record as Town's Exhibit 1, Exhibit 2, and Exhibit 3.

#### **COMPLIED CASES**

##### **ITEM #V.6**

##### **\*TAKEN OUT OF SEQUENCE**

Case #: 25010004 - Landscape Violations  
Property Owner: Coco Palm Investments LLC  
Address/Folio: 2031 Coco Palm Pl  
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-477(a)-Maintenance of landscaped areas.

For the record, no one was in attendance to represent the property. Code Officer Donovan Williams testified that this case had a Final Order and was complied Tuesday this week before this hearing.

##### **ITEM #V.7**

Case #: 25040001 - Vacation Rental Regulation  
Property Owner: Duris, Marcela & Vitezslav  
Address/Folio: 233 Oceanic Ave  
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-327(d)-Vacation rentals and short term rentals. Duration.

For the record, no one was in attendance to represent the property. Code Officer Williams testified that the Notice of Violation was issued April 21, 2025. The Town was recommending a Finding of Fact as the case was complied/closed as they corrected the situation. The Special Magistrate ordered a Finding of Fact that they were in violation by renting and/or by advertising for less than

seven days for vacation rental and if this violation should reoccur within five years under the same ownership, it could be a repeat violation subject to immediate and higher fines. The property would be adjudicated for this violation. The Special Magistrate accepted into the record the evidence depicting less than seven-day stay submitted by Code Officer Williams as Town's Exhibit 1 which was an advertisement for a two-night stay plus Town's Exhibit 2 was a list of completed reservations and she assessed the requested \$100 hearing costs for today's hearing due immediately but payable within thirty days.

### **OLD BUSINESS**

#### **ITEM #V.16**

Case #: 25020008 - Building Code (FBC) Violation  
Property Owner: Gang, Robert T Gang, Rose T  
Address/Folio: 4117 Bougainvillea Dr 109  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required:

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that they previously received a Final Order but the Town had no contact with them. The Town was seeking to certify the fine tonight. She answered the Special Magistrate that the fine was in the amount of \$250. The Special Magistrate ordered the one-day \$250 fine certified and to record it in thirty days and the \$250 daily fine would continue to run until compliance was achieved plus \$100 hearing cost for today due immediately but payable within thirty days and return to the May 22, 2025 Hearing.

### **NEW BUSINESS**

#### **ITEM #V.17**

Case #: 25030008 - Vacation Rental Regulation  
Property Owner: Faurer, Martin Faurer, Yarin  
Address/Folio: 262 Tropic Dr  
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-327(d)-Vacation rentals and short term rentals. Duration.

For the record, no one was in attendance to represent the property. Code Officer Ralph DeRoche testified that on March 21, 2025 the owner was cited for offering the property for rent for less than the minimum of seven consecutive days. For service, the property was posted on April 4, 2025. They were now compliant prior to this hearing and the Town was recommending a Finding of Fact that if the violation happened again, it could be treated as a repeat violation. They were also recommending \$100 hearing cost for today's hearing. The officer answered the Special Magistrate that he saw the corrected ad. The Special Magistrate reiterated that they violated because they advertised for less than seven-day rental but have corrected the advertisement. He had evidence for the file which the Special Magistrate accepted into the record as Town's Exhibit 1 (previous incorrect advertisement) and Town's Exhibit 2 (corrected advertisement of rental for a minimum of seven days) and the property was adjudicated with the Finding of Fact. The Special Magistrate ordered a Finding of Fact that if the same violation reoccurred within the next five years under the same ownership, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 hearing cost for today's hearing due immediately or payable within thirty days.

#### **ITEM #V.18**

Case #: 25030009 - Vacation Rental Regulation  
Property Owner: 258 North Tradewinds LLC  
Address/Folio: 258 N Tradewinds Ave

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

For the record, no one was in attendance to represent the property. Code Officer Ralph DeRoches testified that on March 21, 2025 the owner was cited for violating the Town Code for renting their property for less than the minimum of seven consecutive days. For service, the signed green card was in the file. They were now compliant prior to this hearing and the Town was recommending a Finding of Fact that if the violation happened again, we could treat it as a repeat. They were also recommending \$100 hearing cost for today's hearing. The Special Magistrate reiterated that this was a Finding of Fact for a violation that existed by incorrect advertising but was corrected prior to this hearing and the property was adjudicated with the Finding of Fact plus \$100 hearing cost for today's hearing would be assessed. The code officer had evidence for the file which the Special Magistrate accepted into the record as Town's Exhibit 1 (previous incorrect advertisement) and Town's Exhibit 2 (corrected advertisement of rental for a minimum of seven nights). The Special Magistrate ordered a Finding of Fact that if the same violation reoccurred within the next five years under the same ownership, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 hearing cost for today's hearing due immediately or payable within thirty days.

**ITEM #V.21**

Case #: 25040002 - Inoperative Vehicles  
Property Owner: Dailey, Chester A Reese, Melissa M  
Address/Folio: 2100 Bel-Air Dr  
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-41(a)(12)  
- Maintenance of exterior of premises.

For the record, no one was in attendance to represent the property. Code Officer Williams answered the Special Magistrate that the car was still on the property. He said that the initial courtesy notice was in January and the Notice of Violation was issued April 1, 2025 to the owners. Notice was achieved by posting the property. He said that the vehicle did not have a license plate. The Special Magistrate asked if it still did not have a license plate and Code Officer Williams answered in the affirmative. He further clarified that they now block the back of the vehicle with a golf cart. The Town was recommending a Final Order with a May 21, 2025 compliance date or \$100/day fine to commence May 22, 2025 until the issue was resolved. The officer said that Melissa Reese told the code officer in the end of January that she was holding the car for a friend who would remove it or get it towed. The car was in the driveway. The Special Magistrate reminded that the fine would not start until May 22, 2025 so there is a month now that they have to take the car away. He gave his evidence to the Special Magistrate who accepted it into the record as Town's Exhibit 1 (Affidavit of Non-Compliance), and Composite Exhibit 2 (five pictures of the car parked with a little golf cart behind it). The Special Magistrate ordered a Final Order with compliance by May 21, 2025 by putting a license plate on the car or moving it out of there or \$100/day fine to commence May 22, 2025 until compliance was achieved plus \$100 hearing cost due immediately or payable withing thirty days and return to the May 22, 2025 Hearing if not in compliance.

**ITEM #V.22**

Case #: 25040003 - Building Code (FBC) Violation  
Property Owner: Common Area  
Address/Folio: 4520 El Mar Dr #31  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required:

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that this was a work done without permits violation. This item was added at the last hearing but there was now an Administrative Change in regard to the case number. Tonight was to add that case number (25040003) into the record. The Special Magistrate asked if this was the case regarding a complete makeover and she was answered in the affirmative. Assistant Director Boyd said that everything remained the same but the Town wanted to enter into the record the case number. She answered the Special Magistrate that the owners have not submitted any paperwork and they were already running a fine. This would be continued to the next hearing. The Special Magistrate ordered case #25040003 correctly added to this case and to continue this agenda item to the May hearing.

**ITEM #V.23**

Case #: 25040005 - Building Code (FBC) Violation  
Property Owner: 34 Elm LLC  
Address/Folio: 4520 El Mar Dr 19  
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits. Permits. Required:

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that both the Building Official and Code Compliance identified this unit as totally gutted and there were no permits on file for this unit. The Town was recommending compliance by May 21, 2025 or a \$250/day fine to commence May 22, 2025 until the permit violation was in compliance plus \$100 for today's hearing. For the record, the Assistant Director informed that the Town issued a citation to the owner of the property in the amount of \$2,000 for the egregiousness and irreversibility of this safety situation which caused the block (all units) to lose their electricity. She answered the Special Magistrate that the owner of the property instructed the contractor to keep them out of the unit. As the contractor did not sound very competent, the Special Magistrate asked if they had a license and the Assistant Director would have to check with the Building Department. The Special Magistrate ordered a Final Order with compliance by May 21, 2025 regarding permits for all work done without permits or \$250/day fine to commence May 22, 2025 until compliance was attained plus \$100 for today's hearing due immediately but payable within thirty days.

**ITEM #V.26**

Case #: 25040011 - Vacation Rental Other  
Property Owner: APCE Acquisitions LLC Arnold, Joan G  
Address/Folio: 4420 E Tradewinds Ave  
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-327(f)10-Vacation Rentals Agreement

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that this violation was related to a BSO call. There was a noise disturbance call that BSO responded to and the music was turned down. The Town was requesting a Finding Of Fact that if this should happen again within the next five years under the same ownership, it could be deemed a repeat violation. She explained why the Town was keeping a record of all violations for vacation rentals and short-term rentals and answered the Special Magistrate that she did not have the BSO report and did not know the date of this violation. The Special Magistrate said that this property was adjudicated for the noise violation discussed tonight and she ordered a Finding of Fact that since BSO was required to respond to a noise violation and the music was turned down remedying the violation prior to this hearing, if this violation should reoccur within the next five years under the same ownership, it could be deemed a repeat violation subject to immediate

and higher fines plus \$100 costs for today's hearing due immediately but payable within thirty days.

**ITEM #V.27**

Case #: 25030013 - Business Tax Receipt (BTR)  
Property Owner: Zara, Michael J  
Address/Folio: 1967 S Ocean Blvd 308  
Code Section(s): Sec. 12-2(e)(1) - Business tax receipt required. Rental property.  
Chapter 30 - Unified Land Development Regulations Section 30-327(b)-Vacation rentals and short term rentals.

For the record, no one was in attendance to represent the property. Code Officer Williams testified that the Notice of Violation was issued March 29, 2025. Service was achieved by posting the property. They did not acquire a BTR and they also were renting for less than seven days. The fine was suggested to be \$150/day but the fine was decided to be determined by the Town to ensure if there was a cap on the daily fine per Code for BTR and the seven-day rental was not applicable as this was a condo. The Town was recommending a Final Order with compliance by May 21, 2025 and the daily fine amount for the BTR fine would be determined by the Town according to the Code's highest amount of allowable BTR fine. The Special Magistrate ordered a Final Order for compliance by May 21, 2025 for the BTR or a fine to be determined by the Town in the highest amount allowed by Code commencing May 22, 2025 until compliance was achieved plus \$100 hearing cost due immediately but payable within thirty days. The Code Officer submitted evidence which was accepted into the record by the Special Magistrate. The Affidavit of Non-Compliance was Town's Exhibit 1 and Exhibit 2 was photos, and Composite Exhibit 3 was a record of the advertising and the ratings in Spanish and English.

**SPECIAL SET**

**ITEM #V.28**

Case #: 25040016  
Property Owner: Buerosse, Aaron & Christina SW TR Etal  
Address/Folio: 227 Imperial Ln  
Code Section(s): Chapter 19-Traffic and Motor Vehicles Section 19 – 21 (b)(4)f  
Parking or storage of motor vehicles and vessels in the West zone of the Town.

For the record, no one was in attendance to represent the property. Code Officer Williams testified that the Notice of Violation was issued April 15, 2025. Service was obtained through the signed and dated green card in the file. He explained that the Town had some things to look over and would like to bring this back to the next hearing. He answered the Special Magistrate that a trailer was parked there. There would be no costs for today's hearing but the Town requested this item to be continued to the next hearing on May 22, 2025. The Special Magistrate ordered this continued to the May 22, 2025 hearing.

*Special Magistrate Clerk Small then read into the record the cases that were continued to the May 22, 2025 Hearing.*

| <b>CONTINUED TO MAY 22, 2025</b> |               |                         |
|----------------------------------|---------------|-------------------------|
| <b>Item #</b>                    | <b>Case #</b> | <b>Property Address</b> |
| 13                               | 25040010      | 222 N Tradewinds Ave    |
| 14                               | 21100022      | 1620 S Ocean Blvd       |
| 25                               | 25040009      | 1624 Bel-Air Ave        |

*Special Magistrate Clerk Small then read into the record the case that was continued to the June 26, 2025 Hearing.*

| CONTINUED TO JUNE 26, 2025 |          |                          |
|----------------------------|----------|--------------------------|
| Item #                     | Case #   | Property Address         |
| 24                         | 25040006 | 4644 Bougainvilla Dr 1-5 |

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

| COMPLIED CASES |          |                    |
|----------------|----------|--------------------|
| Item #         | Case #   | Property Address   |
| 1              | 25030006 | 238 Corsair Ave    |
| 3              | 25030011 | 251 Hibiscus Ave   |
| 8              | 25020001 | 4618 Sea Grape Dr  |
| 9              | 25010003 | 3260 Oleander Way  |
| 10             | 21120003 | 2000 S Ocean Blvd  |
| 11             | 25040004 | 2072 Ocean Mist Dr |

*Special Magistrate Clerk Small then read into the record the case that was withdrawn.*

| WITHDRAWN |          |                      |
|-----------|----------|----------------------|
| Item #    | Case #   | Property Address     |
| 4         | 25030012 | 4520 El Mar Drive 22 |

#### ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Judith Secher adjourned the Hearing on April 24, 2025 at approximately 6:25PM.

APPROVED BY:



Special Magistrate Judith Secher

ATTEST:



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