

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, January 23, 2025 at 5:00PM

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

Special Magistrate Judith Secher called the hearing to order at approximately 5:09PM on Thursday, January 23, 2025 with Development Services Director Jhanelle Campbell, Assistant Development Services Director Terry Ann Boyd, Building Official Simo Mansor, Code Compliance Officer Donovan Williams, and Special Magistrate Clerk Megan Small to record the minutes.

II. SWEARING OF WITNESSES

The Special Magistrate announced that no one from the public was in attendance yet, probably because of the weather.

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 was in attendance to make a request to speak at this time 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.8

***TAKEN OUT OF SEQUENCE**

Case #:	21120003 - Building Code (FBC) Violation
Property Owner:	Royal Coast Condo Assn Inc
Address/Folio:	2000 S Ocean Blvd
Code Section(s):	Florida Building Code FBC BCA Section 110.15 - Building Safety Inspection Program.

For the record, no one was in attendance to represent the property. Assistant Development Services Director Terry Ann Boyd testified that for this case, the Town suggested a continuance for thirty days. Special Magistrate Clerk Megan Small answered the Special Magistrate that would be a continuation to the February 27, 2025 Hearing. The Special Magistrate ordered a continuance to the February 27, 2025 Hearing with no hearing costs assessed for today's hearing.

ITEM #V.15

Case #: 24100003 - Building Code (FBC) Violation
Property Owner: 3RM Investments LLC
Address/Folio: 4144 El Mar Dr
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-41(b) -
Maintenance of exterior of premises.
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 Development Services Director Terry Ann Boyd testified that the fines would be certified today. The Special Magistrate was answered that the fines were \$250/day and would continue to run until they were in compliance plus there was a \$50 hearing cost from the last hearing still owing. The Special Magistrate asked if they heard anything from this property and both the Assistant Director and the Building Official answered that they have not. They would also let the Special Magistrate know if they heard any outside information from any other of the cases being heard today. The Special Magistrate ordered certification of fines for this case plus payment of the outstanding \$50 hearing costs with fines continuing to run until compliance was reached.

*For the record, a woman walked in and would be asked by the Assistant Director if she was here for any of tonight's cases. After speaking with her, the Assistant Director said that the woman was here tonight regarding **case #1, item #23010015**, (see directly below) which was listed on the agenda as Complied. Assistant Director Boyd explained that the case on the agenda was complied but the woman came to discuss the accrued fines. The Assistant Director said she explained that if she wanted to seek reduction of the fines, that would be at a separate hearing and not to be heard today. However, this case could be brought back to discuss mitigation of fines.*

Cheryl Manzi explained that she was the president of the association for South Leisure By The Sea. Then Building Official Simo Mansor asked Ms. Manzi if she knew James and/or Jimmy who was handling this for 234 Hibiscus but she did not know him. He further asked about the forty year reports but she thought her management company was submitting the reports. He asked her the building number and she testified that her building was 224 Hibiscus. The Building Official explained that the case listed as complied on today's agenda was 234 Hibiscus and Ms. Manzi was talking about 224 Hibiscus which was a different building but located near 234 Hibiscus. She agreed that there were two separate buildings but said that when there was any paperwork, it usually came to 234 Hibiscus.

The Building Official said there was confusion between the two buildings but his understanding was that the Town did not receive the reports for her building (224 Hibiscus). Ms. Manzi was now also confused and thought her management company took care of that. She asked the Building Official what did she need for 224 Hibiscus. The Building Official explained again that for 234 Hibiscus, he was dealing with James. For her building, 224 Hibiscus, he would have to check what was needed and get back to her. She explained that the concrete for her building was completed and in reference to the electrical, the elevators were being replaced and not repaired. She wanted to go to the next step so they could paint to protect all the work done. Assistant Director Boyd suggested researching what information the Town had for 224 Hibiscus and the Building Official went to check on that. The Special Magistrate put the 224 Hibiscus case on recall for today so that they could figure out exactly what the Town has for 224 Hibiscus (Ms. Manzi's building) and would go on with the other cases now and get back to Ms. Manzi today. Ms. Manzi

answered the Special Magistrate Clerk that she did not have her summons with her. Please see pages 3 and 4 for the recall.

NEW BUSINESS

ITEM #V.17

***TAKEN OUT OF SEQUENCE**

Case #: 24120002 - Vacation Rental Regulation
Property Owner: Peluso, Valerie Sciarra, Vincent
Address/Folio: 1937 Ocean Mist Dr
Code Section(s): Chapter 30 - Unified Land Development Regulations Sec. 30-327.(d). - Vacation rentals and short term rentals. Duration.
Chapter 30 - Unified Land Development Regulations Sec. 30-327.(i).1 - Vacation rentals and short term rentals. Rental Agent.
Chapter 30 - Unified Land Development Regulations Sec. 30-327.(h).2.(i) - Vacation rentals. Duties of the vacation rental agent.

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that this case was for a Finding of Fact. She explained that they were cited for three violations and explained each one which has been already corrected and complied. If the same violation(s) reoccurred within the next five years under the same ownership, it could be deemed a Repeat Violation subject to immediate and higher fines. The Special Magistrate ordered a Finding of Fact that the three violations existed but were complied prior to this hearing and if the same violation(s) reoccurred within the next five years under the same ownership, it could be deemed a Repeat Violation subject to immediate and higher fines plus \$50 hearing costs for today's hearing due immediately but payable within thirty days.

ITEM #V.19

***TAKEN OUT OF SEQUENCE**

Case #: 24120010 - Business Tax Receipt Req (BTR)
Property Owner: NLV Inc
Address/Folio: 238 Commercial Blvd
Code Section(s): Chapter 17 - Streets, Sidewalks and Other Public Places Sec. 17-91(a)(8). - Revocation, suspension or denial of permit. ARTICLE VI. - SIDEWALK CAFÉS Sec. 17-91(a)(8). - Revocation, suspension or denial of permit. (a)Revocation and/or denial. The approval of a sidewalk cafe permit is conditional at all times.

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that this was a commercial business, Chicago Stuffed Pizza. The Town was asking to put on record that they were moving forward with collections regarding all outstanding fees for Chicago Stuffed Pizza's sidewalk café. The violations did exist and the fees for the sidewalk café were still outstanding. If the business did not comply, the Town would come back to the February Hearing for possible suspension or revocation. The Special Magistrate ordered a Finding of Fact that the violation still existed regarding unpaid fees for the sidewalk café and that the Town would be moving towards getting the outstanding monies/fees collected plus \$50 hearing costs due immediately but payable within thirty days.

RECALL

Building Official Mansor returned with information on Ms. Manzi's building, 224 Hibiscus. The case that was listed on today's agenda under Complied Cases was for 234 Hibiscus and was called into the record.

COMPLIED CASES**ITEM #V.1*****TAKEN OUT OF SEQUENCE**

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

The case was recalled for the member of the public, Cheryl Manzi, who was present at this hearing. She was here for **224 Hibiscus** for which discussions started earlier in the hearing (see page 2) which was spoken about during discussion for the complied case listed on today's agenda for **234 Hibiscus**. Those minutes were originally typed on page two and recalled into the record now as it was clarified that there were two different buildings. Ms. Manzi's case for 224 Hibiscus was heard now at approximately 5:29PM for 224 Hibiscus as she requested to know what had to be done for 224 Hibiscus to be compliant. Building Official Mansor explained that there was a mix up between the two buildings. (234 Hibiscus was complied but 224 Hibiscus was not.)

Building Official Mansor testified that the 224 building (the case not listed on the agenda but Ms. Manzi was here for) has not complied yet. He would suggest thirty days for the reports to be submitted, if not the building would be shut down. Ms. Manzi said that her management company and her engineering company were telling her something different, meaning that they filed everything. She would get on this tomorrow to straighten it out. There would be \$50 Hearing Costs assessed for today and to use the correct case # for the 224 Hibiscus address to be continued to the February 27, 2025 Hearing. The Building Official explained that Ms. Manzi's companies could not email their (structural and electrical) reports. They must come in and submit the correct, completed reports at the front desk. He did not want to have to close down the building, if this was not accomplished, but he would. Once the Town reviewed the correct reports (structural and electrical), the case would be closed. He had a submission in the file from 2021 for 224 Hibiscus but that was denied and there were no other submissions. The Special Magistrate ordered the 224 Hibiscus building case continued to the February 27, 2025 Hearing with fines still running and the structural and electrical reports were to be submitted to the Town at the front desk within thirty days and the case would be closed once the Town reviewed the correct, completed reports plus \$50 Hearing Costs for today's hearing due immediately but payable within thirty days.

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

COMPLIED CASES		
Item #	Case #	Property Address
2	24060011	262 Basin Dr
3	24110002	4301 N Ocean Dr
4	22040002	4213 El Mar Dr 1-6
5	24120013	4243 Bougainvillea Dr 1-2
6	24050029	4536 Poinciana St
11	24060003	1500 S Ocean Blvd
12	24090011	1 Sunset Ln
18	24120009	256 E Commercial Blvd
21	24120014	2060 Coco Palm Pl
23	24120011	260 Allenwood Dr

Special Magistrate Clerk Small then read into the record the cases that were continued to February 27, 2025.

CONTINUED TO FEBRUARY 27, 2025		
Item #	Case #	Property Address
9	21100051	1850 S Ocean Blvd
10	21120018	3900 N Ocean Dr
13	24050073	4461 W Tradewinds Ave
14	23010007	1530 S Ocean Blvd
16	24090002	230 Pine Ave
20**	24120012	1585 Blue Water Ter
22**	24050023	250 Miramar Ave
24**	24120015	4608 Seagrape Dr
25**	24120016	4531 W Tradewinds Ave
26	24110003	238 Hibiscus Ave 320

**Assistant Director Boyd clarified that cases above – case #24120012 (agenda item 20), #24050023 (agenda item 22), #24120015 (agenda item 24) and #24120016 (agenda item 25) which were being continued to the February 27, 2025 Hearing, were all cited for not having a BTR on file and not having a short-term vacation rental certificate renewed. The fees were owing. She answered the Special Magistrate that these were all renewal fees that were outstanding.

Special Magistrate Clerk Small then read into the record the case that was continued until the April Hearing.

CONTINUED TO THE APRIL 2025 HEARING		
Item #	Case #	Property Address
7	21100022	1620 S Ocean Blvd

Special Magistrate Secher welcomed Donovan Williams as the new Code Compliance Officer.

ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Judith Secher adjourned the Hearing on January 23, 2025 at approximately 5:37PM.

APPROVED BY:


Special Magistrate Judith Secher

ATTEST:


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