

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, October 24, 2019 at 5:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:10 PM on Thursday, October 24, 2019. Building Official Randal Clutter and Code Compliance Inspector Bethany Banyas were present as well as Special Magistrate Clerk Anna Ernst to record the minutes.

II. SWEARING OF WITNESSES

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

III. OPENING STATEMENT

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

IV. PUBLIC COMMENTS

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

V. CODE CASES

Cases would be called first if someone was in attendance and/or if it was the Building Official's case or both. Special Magistrate Clerk Anna Ernst called case #18070024 (agenda item #61) first but then all the agenda items for this property (Jade Beach West) were called into the record (agenda items #55 through #71).

OLD BUSINESS

ITEM #V.55

***TAKEN OUT OF SEQUENCE**

Case #: 18070017 – Property Maintenance

Property Owner: Arrieta Myriam LE Garay, Javier & Garay, Custodio

Address/Folio: 1751 S Ocean Boulevard #101W

Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.56

Case #: 18070029 – Property Maintenance

Property Owner: Pell, Abbi

Address/Folio: 1751 S Ocean Boulevard #102W

Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.57

Case #: 18070032 – Property Maintenance
Property Owner: Wheatley, Mark H & Andrea J
Address/Folio: 1751 S Ocean Boulevard #103W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.58

Case #: 18070018 – Property Maintenance
Property Owner: Baker, Marlene S
Address/Folio: 1751 S Ocean Boulevard #104W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.59

Case #: 18070020 – Property Maintenance
Property Owner: Busztein, Trudy & Adam
Address/Folio: 1751 S Ocean Boulevard #107W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.60

Case #: 18070022 – Property Maintenance
Property Owner: Araujo, Sinval P & Gina Maria SMPW QUADRA 14 Conjunto
Address/Folio: 1751 S Ocean Boulevard #108W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.61

Case #: 18070024 – Property Maintenance
Property Owner: Harmony Liv Tr Green, Marvin D Trstee Etal
Address/Folio: 1751 S Ocean Boulevard #109W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.62

Case #: 18070033 – Property Maintenance
Property Owner: Yockey, Harry R
Address/Folio: 1751 S Ocean Boulevard #205W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.63

Case #: 18070023 – Property Maintenance
Property Owner: Enright, Kevin O'Connor, Dennis
Address/Folio: 1751 S Ocean Boulevard #206W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.64

Case #: 18070021 – Property Maintenance
Property Owner: Candiotti, Americo L Candiotti, Alfred A
Address/Folio: 1751 S Ocean Boulevard #207W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.65

Case #: 18070027 – Property Maintenance
Property Owner: Mazewski, Aloysius Mazewski, Janice
Address/Folio: 1751 S Ocean Boulevard #208W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.66

Case #: 18070030 – Property Maintenance
Property Owner: Reedy, Gigi M William H & Zula Reedy Tr
Address/Folio: 1751 S Ocean Boulevard #209W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.67

Case #: 18070028 – Property Maintenance
Property Owner: Mazewski, Marilyn
Address/Folio: 1751 S Ocean Boulevard #305W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.68

Case #: 18070025 – Property Maintenance
Property Owner: Hughes, Karen L
Address/Folio: 1751 S Ocean Boulevard #306W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.69

Case #: 18070019 – Property Maintenance
Property Owner: Budzinski, Anna M Budzinski, Vincent J
Address/Folio: 1751 S Ocean Boulevard #307W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.70

Case #: 18070031 – Property Maintenance
Property Owner: Tierney, David H
Address/Folio: 1751 S Ocean Boulevard #308W
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-512(a)
Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

ITEM #V.71

Case #: 18070026 – Property Maintenance
 Property Owner: Kobryn, Charles W Vitale, Charlene P
 Address/Folio: 1751 S Ocean Boulevard #309W
 Code Section(s): Chapter 30 – Unified Land Development Regulations
 Section 30-512(a)
 Chapter 6 – Building and Building Regulations Section 6-41(a)(17)

Inspector Bethany Banyas testified that the railings were installed. On a continuous basis, there has been a fine running at \$14/day per unit (17 units) starting after the compliance date of February 13, 2019. The original violation was for stucco in disrepair but since August 22, 2019, this case has been in compliance. She said that a member of the board submitted a request for mitigation or a retroactive extension compliance date. Ms. Banyas stated that the Town was not in opposition to either of the requests. If the request was not honored, then each unit's fine would be \$2,660 for each of the seventeen units and would total \$45,220. They were out of compliance from February 14, 2019 through August 22, 2019 (190 days). (\$14/unit/day x 190 days = \$2,660 x 17 units = \$45,220). The Special Magistrate was answered that all Administrative Fees were paid and if he ordered a retroactive compliance date of August 22, 2019, then no fines would be due. The Special Magistrate ordered a revised Final Order with a new, retroactive compliance date of August 22, 2019 for all 17 units plus no Administrative Fees for today's hearing. (The same order for all 17 units.)

Ms. Ernst said that cases 5 through 54 are for the Whittier Towers and she would call them into the record next.

ITEM #V.5***TAKEN OUT OF SEQUENCE**

Case #: 18050001 – Property Maintenance
 Property Owner: Dicaire Louise Nadeau Richard Louise
 Address/Folio: 1439 S Ocean Blvd. 101
 Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
 Chapter 6 – Building Regulations Section 6-41(a)(17)
 Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.6

Case #: 18050002 – Property Maintenance
 Property Owner: Senoj Enterprise LLC
 Address/Folio: 1439 S Ocean Blvd. 102
 Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
 Chapter 6 – Building Regulations Section 6-41(a)(17)
 Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.7

Case #: 18050059 – Property Maintenance
 Property Owner: Jochimsen, Sharon E
 Address/Folio: 1439 S Ocean Blvd. 104
 Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
 Chapter 6 – Building Regulations Section 6-41(a)(17)
 Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.8

Case #: 18050003 – Property Maintenance
 Property Owner: Bland, Rosa
 Address/Folio: 1439 S Ocean Blvd. 105
 Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)

Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.9

Case #: 18050004 – Property Maintenance
Property Owner: Robitaille, Andre
Address/Folio: 1439 S Ocean Blvd. 106
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.10

Case #: 18050005 – Property Maintenance
Property Owner: Rheume, Sylvia R Rheume, Debra J
Address/Folio: 1439 S Ocean Blvd. 107
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.11

Case #: 18050046 – Property Maintenance
Property Owner: Pizzi, Thomas III Pizzi, Thomas Jr. ET AL
Address/Folio: 1439 S Ocean Blvd. 108
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.12

Case #: 18050006 – Property Maintenance
Property Owner: Lima, Gail A
Address/Folio: 1439 S Ocean Blvd. 109
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.13

Case #: 18050007 – Property Maintenance
Property Owner: Brown, Mark H Corgie, James
Address/Folio: 1439 S Ocean Blvd. 110
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.14

Case #: 18050008 – Property Maintenance
Property Owner: Cullinan Family Trust
Address/Folio: 1439 S Ocean Blvd. 111
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.15

Case #: 18050049 – Property Maintenance
Property Owner: Schweitzer, Michael K
Address/Folio: 1439 S Ocean Blvd. 112
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.16

Case #: 18050048– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 114
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.17

Case #: 18050019– Property Maintenance
Property Owner: Whiteleather, Daniel
Address/Folio: 1439 S Ocean Blvd. 115
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.18

Case #: 18050020– Property Maintenance
Property Owner: Trezza, Anthony Trezza, Jeana
Address/Folio: 1439 S Ocean Blvd. 116
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.19

Case #: 18050021– Property Maintenance
Property Owner: Schaefer, Curtis L & Catherine A
Address/Folio: 1439 S Ocean Blvd. 117
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.20

Case #: 18050050– Property Maintenance
Property Owner: Galullo, Kathy Ann
Address/Folio: 1439 S Ocean Blvd. 118
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.21

Case #: 18050009– Property Maintenance
Property Owner: Galvin, John R & Andrea A
Address/Folio: 1439 S Ocean Blvd. 201
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.22

Case #: 18050010– Property Maintenance
Property Owner: Young, Leonard Young, Georgia
Address/Folio: 1439 S Ocean Blvd. 202
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.23

Case #: 18050011– Property Maintenance

Property Owner: Frigerio, Alejandro
Address/Folio: 1439 S Ocean Blvd. 203
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.24

Case #: 18050047– Property Maintenance
Property Owner: Guthrie, Timothy F Guthrie, Carla M
Address/Folio: 1439 S Ocean Blvd. 204
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.25

Case #: 18050012– Property Maintenance
Property Owner: Wilding, Lorraine
Address/Folio: 1439 S Ocean Blvd. 205
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.26

Case #: 18050013– Property Maintenance
Property Owner: G&L USA LLC
Address/Folio: 1439 S Ocean Blvd. 206
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.27

Case #: 18050014– Property Maintenance
Property Owner: Zimmerman, Annette Zimmerman, James
Address/Folio: 1439 S Ocean Blvd. 207
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.28

Case #: 18050015– Property Maintenance
Property Owner: Kian US LLC
Address/Folio: 1439 S Ocean Blvd. 208
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.29

Case #: 18050016– Property Maintenance
Property Owner: Rand, Joeanna Rand, Jory
Address/Folio: 1439 S Ocean Blvd. 209
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.30

Case #: 18050022– Property Maintenance
Property Owner: Grieser, Marian
Address/Folio: 1439 S Ocean Blvd. 210

Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.31

Case #: 18050017– Property Maintenance
Property Owner: Goddard, Dulce Galindo Goddard, Gary William
Address/Folio: 1439 S Ocean Blvd. 211
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.32

Case #: 18050023– Property Maintenance
Property Owner: Mastro, Louis Mastro, Sarah
Address/Folio: 1439 S Ocean Blvd. 212
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.33

Case #: 18050025– Property Maintenance
Property Owner: White-Duate, Marcio White-Duate, Michael E
Address/Folio: 1439 S Ocean Blvd. 214
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.34

Case #: 18050026– Property Maintenance
Property Owner: Dansa Corporation
Address/Folio: 1439 S Ocean Blvd. 215
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.35

Case #: 18050027– Property Maintenance
Property Owner: Armas, Victoria Asuaje
Address/Folio: 1439 S Ocean Blvd. 216
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.36

Case #: 18050028– Property Maintenance
Property Owner: Sawicki, Stanley D
Address/Folio: 1439 S Ocean Blvd. 217
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.37

Case #: 18050029– Property Maintenance
Property Owner: Mastro, Joseph & Mary LE and Rev Liv Tr
Address/Folio: 1439 S Ocean Blvd. 218
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)

Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.38

Case #: 18050030– Property Maintenance
Property Owner: Tamaz, Mariane
Address/Folio: 1439 S Ocean Blvd. 301
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.39

Case #: 18050031– Property Maintenance
Property Owner: Nomaderia, Inc.
Address/Folio: 1439 S Ocean Blvd. 302
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.40

Case #: 18050032– Property Maintenance
Property Owner: Ferreira, Luis & Marielba Ferreira, Maria Alexandra
Address/Folio: 1439 S Ocean Blvd. 303
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.41

Case #: 18050033– Property Maintenance
Property Owner: Ferreira, Luis & Ferreira, Marielba
Address/Folio: 1439 S Ocean Blvd. 304
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.42

Case #: 18050034– Property Maintenance
Property Owner: Kline, Norman & Marilyn
Address/Folio: 1439 S Ocean Blvd. 305
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.43

Case #: 18050035– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 306
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.44

Case #: 18050036– Property Maintenance
Property Owner: Brennan, Maria C H/E Brennan, Karina
Address/Folio: 1439 S Ocean Blvd. 307
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.45

Case #: 18050037– Property Maintenance
Property Owner: Strom, Terje Mikal Strom, Mona Kristin FILTVEDT
Address/Folio: 1439 S Ocean Blvd. 308
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.46

Case #: 18050038– Property Maintenance
Property Owner: Viola Maximilian
Address/Folio: 1439 S Ocean Blvd. 309
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.47

Case #: 18050039– Property Maintenance
Property Owner: Rose Vitale
Address/Folio: 1439 S Ocean Blvd. 310
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.48

Case #: 18050040– Property Maintenance
Property Owner: McGhee, Jessie Marilyn McGhee, William McKay
Address/Folio: 1439 S Ocean Blvd. 311
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.59

Case #: 18050041– Property Maintenance
Property Owner: Via Sales & Leasing Inc. (previously Roberts, Lorene & Baker, Lucille)
Address/Folio: 1439 S Ocean Blvd. 312
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.50

Case #: 18050042– Property Maintenance
Property Owner: Moussa, Soufaine Ben Touatl, Hedi
Address/Folio: 1439 S Ocean Blvd. 314
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.51

Case #: 18050043– Property Maintenance
Property Owner: Hoard, Oreo & Hoard, Nancy
Address/Folio: 1439 S Ocean Blvd. 315
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.52

Case #: 18050058– Property Maintenance

Property Owner: Imperial Sun LLC
Address/Folio: 1439 S Ocean Blvd. 316
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.53

Case #: 18050045– Property Maintenance
Property Owner: Anne Michaelides Rev Tr Michaelides, Anne Trstee
Address/Folio: 1439 S Ocean Blvd. 317
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

ITEM #V.54

Case #: 18050044– Property Maintenance
Property Owner: Pouliot Family Limited Partnership
Address/Folio: 1439 S Ocean Blvd. 318
Code Section(s): Chapter 6 – Building Regulations Section 6-41(a)(13)
Chapter 6 – Building Regulations Section 6-41(a)(17)
Chapter 6 – Building Regulations Section 6-41(a)(5)

There was no one here to represent the property owner. Inspector Banyas testified that this was for all fifty cases. Building Official Randal Clubber testified that this was an ongoing concrete restoration project. Two of the three permits applied for were issued. The issued carport permit was completed and finalized out. Cars were now parked there. The second permit for concrete restoration was ongoing. The third permit was for the seawall restoration. It has to be thoroughly understood who owned what piece of the property as Whittier Towers owned the seawall but not the dock. The water was owned by two neighbors. It has to be legally understood who owned the dock and who would build it. Then the permit could be approved. It was explained that this area was made safe but the permit still needed to be issued. Ms. Banyas explained that after a meeting, the Town Manager suggested that the Special Magistrate stay the fines as of today and then reset the hearing for January 23, 2020 to evaluate progress with no Administrative Fees assessed for today. The Special Magistrate ordered the fines stayed (stopped) as of today and these fifty agenda items would be heard at the January 23, 2020 Hearing (until that day, no fines would run) and there would be no Administrative Fee for today's hearing. (The same order for all 50 units.) For the record, the last time this was heard, several of the units have changed ownership since the original Notice of Violation was issued and Ms. Banyas then read into the record the new owners' name and the previous owners' name.

ITEM #V.73

***TAKEN OUT OF SEQUENCE**

Case #: 18020015 – Property Maintenance
Property Owner: Anglin Fam Tr % Raymond Anglin
Address/Folio: 2 Commercial Blvd
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(1)

There was no one present to represent the property owner. Inspector Bethany Banyas testified that this is the pier in Lauderdale-By-The-Sea. It was currently accruing fines for failure to maintain caused by Hurricane Irma damage. The project began and they made some progress. The Town Manager has held meetings with the responsible parties. He recommended that the Special Magistrate should stay the fines and reconvene at the January 23, 2020 Hearing for a Status Hearing. For the record, a \$53,050 fine accrued plus a previous \$50 Administrative Fee

was still owed. The Special Magistrate ordered the fines stayed (stopped) as of today and this agenda item would be heard at the January 23, 2020 Hearing for a Status Hearing plus there was a \$50 Administrative Fee still owed but no Administrative Fee was assessed for today's hearing.

ITEM #V.72

***TAKEN OUT OF SEQUENCE**

Case #: 18100015 – Building Code Violations
Property Owner: NPLH Holdings LLC
Address/Folio: 1984 Windward Dr
Code Section(s): Florida Building Code Section 105.1 Required.

There was no one in attendance to represent the property owner. Inspector Banyas testified that the property was not in compliance. The Town recommended continuing this agenda item to the November 14, 2019 Hearing to give the respondent time to comply. If the respondent wishes, and if in compliance, then they could talk about mitigation. The Town would be happy to hear his request for mitigation but with a slight objection. The Special Magistrate ordered continuance to the November 14, 2019 Special Magistrate Hearing and no Administrative Fee for today's hearing.

CERTIFICATION OF LIEN

ITEM #V.80

***TAKEN OUT OF SEQUENCE**

Case #: 19050008 – Permits Required Violations
Property Owner: Shaeffer, Elaine Shaeffer, Ronald
Address/Folio: 1500 S Ocean Blvd 1108
Code Section(s): Florida Building Code 105.1 Required

There was no one in attendance to represent the property owners. Inspector Banyas testified that this property was not in compliance. By October 23, 2019 all after-the-fact permits were to be closed or a fine of \$100/day/violation. Ms. Banyas requested continuance to the November 14, 2019 Hearing so she could review this case and speak with the owner and the contractor to find out what was causing the delay. She answered the Special Magistrate that there were no Administrative Fees for today's hearing. The Special Magistrate ordered continuance to the November 14, 2019 Hearing with no Administrative Fees for today's hearing

OLD BUSINESS

ITEM #V.78

***TAKEN OUT OF SEQUENCE**

Case #: 18120007 – Permits Required Violations
Property Owner: Marchetti, Steven Mercante, Robert
Address/Folio: 4422 Seagrape Dr
Code Section(s): Florida Building Code Section 105.1 Required.

There was no one in attendance to represent the property owners. Inspector Banyas testified that the Town requested a continuance of this case with no costs for today's hearing. The respondent would attend the November 14, 2019 Hearing in order to request mitigation. The Special Magistrate ordered continuance to the November 14, 2019 Hearing and no Administrative Fee for today's hearing.

Special Magistrate Clerk Anna Ernst read into the record cases listed on the agenda as either complied or continued.

COMPLIED				Page #
1	C#:	19090002	250 Tropic Dr	88
2	C#:	19070004	4337 Bougainvillea Dr	47
3	C#:	19070005	4339 Bougainvillea Dr	49
CONTINUED				To
4	C#:	19090001	4137 Seagrape Dr 1 – 2	11/14/19

OLD BUSINESS

ITEM #V.74

Case #: 19090003 – Nuisance

Property Owner: Kythira LLC

Address/Folio: 262 Corsair Ave

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(f)

Chapter 6 – Building and Building Regulations Section 6-38(b)

Chapter 6 – Building and Building Regulations Section 6-41(a)(5)

There was no one in attendance to represent the property owner. Inspector Banyas testified that this case was in compliance but noted that the pool was actually complied nine days after the comply-by date but the compliance for the gate/fence began immediately. October 17, 2019 was the date this agenda item was considered in compliance. Ms. Banyas notified the owner that a fine accrued and the owner submitted a request for an extension. The Town did not object to this request but noted on the record that a \$50 Administrative Fee had to be paid. The cost for servicing the pool would also have to be paid. The Town would allow the owner to pay the \$50 Administrative Fee along with the Town's pool cleaning invoice. The Special Magistrate ordered a revised Final Order with an extension for a new comply-by date reflective of when the property was complied so there would be no fine but both (1) the previous \$50 Administrative Fee and (2) the Town's invoice for their cost of servicing the pool must be paid within thirty days of the mailing date of the new revised Final Order. If not timely paid, this agenda item would revert back to the original compliance date creating a fine amount due, and that fine plus but not limited to the Town's pool servicing invoice, as well as the previous \$50 Administrative Fee would be due and brought back in front of the Special Magistrate at a future hearing to certify this lien after due notice to the respondent. No Administrative Fee was assessed for this hearing.

ITEM #V.75

Case #: 18080019 – Permits Required Violations

Property Owner: 3RM Investments LLC

Address/Folio: 4144 El Mar Dr

Code Section(s): Florida Building Code 6th Edition (2017) FBC BCA Section 105.1.
Permits Required.

ITEM #V.76

Case #: 18080020 – Property Maintenance

Property Owner: 3RM Investments LLC

Address/Folio: 4144 El Mar Dr

Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-477(a)
Chapter 30 – Unified Land Development Regulations
Section 30-512(a)

Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-37(a)(2)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)

ITEM #V.77

Case #: 18080021 – Zoning Violations
Property Owner: 3RM Investments LLC
Address/Folio: 4144 El Mar Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-242(a)(2)

There was no one in attendance to represent the property owner. Inspector Banyas testified that she consulted with the Building Official and the Property Manager. The Town wanted to provide time for Staff to meet with the contractor since this was not moving at an appropriate pace. The Town recommended continuing all three cases to November 14, 2019 with no additional costs for today's hearing. The Special Magistrate ordered continuance of the three agenda items #18080019, #18080020, and #18080021 to the November 14, 2019 hearing with no Administrative Fee assessed for today's hearing.

ITEM #V.79

Case #: 18060013 – Vacation Rental
Property Owner: Bartczak, Jennifer C Marcus, Patrick A
Address/Folio: 4548 Poinciana St
Code Section(s): Chapter 12 – Licenses Section 12-2(e)(1)
Chapter 30 – Unified Land Development Regulations
Section 30-242(a)(3) RM-25 District

There was no one in attendance to represent the property owner. Inspector Banyas testified that the Town requested certifying the fines for this case. Ms. Banyas was requesting to submit her emails into evidence showing her thorough communication with this owner and that she gave him a number of chances to comply. She also explained the documents needed for a long-term business tax receipt (BTR). She had advertisements for the short-term vacation rentals that still exist allowing bookings in violation of the prohibition of the code in that area. She testified that the Town requested certifying the fine through today which would continue to run until compliance was reached. The previous \$50 Administrative Fee needed to be certified as well plus \$200 to cover the cost of recording and in the future to possibly release the lien. She answered the Special Magistrate that her last correspondence with the owner was about one month ago. The Special Magistrate accepted all of the Town's documents into evidence as Town Composite Exhibit. He ordered certification of lien in the amount of the fine due through today, plus a previous \$50 Administrative Fee, and \$200 Costs for recording.

CERTIFICATION OF LIEN

ITEM #V.81

Case #: 19070012 – Vacation Rental
Property Owner: Affordable Lux Properties LLC
Address/Folio: 4326 N Ocean Dr. s/b 4328 N Ocean Dr 1-3
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-327(e)

There was no one in attendance to represent the property owner. Inspector Banyas testified that the Town recommended continuing this case because they were unable to accommodate

the owner's request for the Business Tax Receipt (BTR) Inspection to get the BTR issued. The Town requested this case continued to the November 14, 2019 Hearing with no additional costs. Also, the case number is correct but the address appears incorrectly on the agenda. It should be 4328 N Ocean Dr 1-3. The Special Magistrate ordered this case continued to the November 14, 2019 Hearing with no costs for today's hearing.

ITEM #V.82

Case #: 19020009 – Landscape Violations
Property Owner: FDG Central LLC
Address/Folio: 4546 El Mar Drive
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-10(c)

There was no one in attendance to represent the property owner. Inspector Banyas testified that this was being continued to the November 14, 2019 Hearing to have the opportunity to review the records and to determine compliance in the scope of what the Town was asking for. Ms. Banyas answered the Special Magistrate that there was a lot done and explained what was done and how it looked now but that it still needed work. She said that there were no costs for today's hearing. The Special Magistrate ordered continuance to the November 14, 2019 Hearing with no costs assessed for today's hearing.

ITEM #V.83

Case #: 18050061 – Zoning Violations
Property Owner: Seva Florida Tropicair LLC
Address/Folio: 4553 Bougainvillea Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations
Section 30-321(k)5

There was no one in attendance to represent the property owner. Inspector Banyas testified that the Town requested continuing this until the November 14, 2019 Hearing to allow the respondent time for a final inspection and to come back before the Special Magistrate to request an extension or mitigation. There would not be any costs for today's hearing. The Special Magistrate ordered this agenda item continued to the November 14, 2019 Hearing with no costs assessed for today's hearing.

The following fire cases were read into the record by Special Magistrate Clerk Anna Ernst as complied. Ms. Banyas explained that the Fire Marshal reported each case listed on the agenda was complied.

FIRE CASES

ITEM #V.84

Case #19-1139 (Complied)
Property Address: 256 Imperial Lane

ITEM #V.85

Case #19-1140 (Complied)
Property Address: 258 N Tradewinds Avenue

ITEM #V.86

Case #19-1141 (Complied)

Property Address: 4548 Seagrape Drive

ITEM #V.87

Case #19-1142 (Complied)

Property Address: 4430 Seagrape Drive

ITEM #V.88

Case #19-1143 (Complied)

Property Address: 4209 Seagrape Drive #1-2

ITEM #V.89

Case #19-1144 (Complied)

Property Address: 4215-4217 Seagrape Drive

ITEM #V.90

Case #19-1145 (Complied)

Property Address: 1711 W Terra Mar Drive

ITEM #V.91

Case #19-1146 (Complied)

Property Address: 4411 Seagrape Drive #1-2

ITEM #V.92

Case #19-1147 (Complied)

Property Address: 4431 W Tradewinds Avenue #A

ITEM #V.93

Case #19-1174 (Complied)

Property Address: 288 Allenwood Drive

ITEM #V.94

Case #19-1175 (Complied)

Property Address: 284 Allenwood Drive

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on October 24, 2019 at approximately 5:55PM.

APPROVED BY:

ATTEST:

Special Magistrate Tom Ansbro

Anna Ernst

Anna Ernst, Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida

ITEM #V.86

Case #19-1141 (Complied)
Property Address: 4548 Seagrape Drive

ITEM #V.87

Case #19-1142 (Complied)
Property Address: 4430 Seagrape Drive

ITEM #V.88

Case #19-1143 (Complied)
Property Address: 4209 Seagrape Drive #1-2

ITEM #V.89

Case #19-1144 (Complied)
Property Address: 4215-4217 Seagrape Drive

ITEM #V.90

Case #19-1145 (Complied)
Property Address: 1711 W Terra Mar Drive

ITEM #V.91

Case #19-1146 (Complied)
Property Address: 4411 Seagrape Drive #1-2

ITEM #V.92

Case #19-1147 (Complied)
Property Address: 4431 W Tradewinds Avenue #A

ITEM #V.93

Case #19-1174 (Complied)
Property Address: 288 Allenwood Drive

ITEM #V.94

Case #19-1175 (Complied)
Property Address: 284 Allenwood Drive

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on October 24, 2019 at approximately 5:55PM.

APPROVED BY:


Special Magistrate Tom Ansbro

ATTEST:

Anna Ernst

Anna Ernst, Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida