

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room
Monday, June 16, 2014 at 5:00 P.M.

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:00 p.m. on Monday, June 16, 2014. Assistant Town Manager Bud Bentley and Code Compliance Officers Carmen Sanchez and Sharon Foster were present at the hearing. Also present was Clerk Idalia Gutierrez to record the minutes of the hearing. Special Magistrate Tom Ansbro explained the procedures for the hearing.

II. SWEARING OF WITNESSES

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

III. OPENING STATEMENT

A. PREVIOUS HEARING MINUTES – May 19, 2014

May 19, 2014 Code Hearing – The minutes of 05/19/14 were not discussed.

The Special Magistrate briefly explained the new State law and asked for public comments at this time or when a case was called. No one from the public spoke now.

IV. CODE CASES

Clerk Idalia Gutierrez noted the following cases were either in compliance or continued:

COMPLIED

- | | | |
|---------|----------|-----------------------|
| 1. C#: | 13120005 | 3230 Seaward Dr |
| 2. C#: | 14050009 | 254 Lombardy Ave |
| 3. C#: | 14050010 | 4512 Bougainvillea Dr |
| 4. C#: | 14050011 | 4512 Bougainvillea Dr |
| 12. C#: | 14040050 | 4337 Seagrape Dr |
| 13. C#: | 14040054 | 4549 Poinciana St |
| 30. C#: | 14050041 | 1760 Bel-Air Ave |

CONTINUED TO JULY 21, 2014

- | | | |
|--------|----------|-----------------|
| 5. C#: | 14050022 | 1840 Bel-Air Dr |
|--------|----------|-----------------|

Clerk Idalia Gutierrez called the first case to be heard.

ITEM #IV.33

***TAKEN OUT OF SEQUENCE**

Case #: 13120027 – Building Code Violations

Property Owner: Florida Development Group Inc

Address/Folio: 4546 El Mar Dr

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

Chapter 30 – Unified Land Development Regulations Section 30-477(a)

Chapter 6 – Building and Building Regulations Section 6-36(1)(a)

Chapter 6 – Building and Building Regulations Section 6-36(2)

Chapter 6 – Building and Building Regulations Section 6-36(5)

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

Florida Building Code Section 109.6 Section 110.15 Building
Safety Inspection Program 110.15

ITEM #IV.34

Case #: 14010008 – Hotel Outreach

Property Owner: Florida Development Group

Address/Folio: 4660 N Ocean Dr

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-317(d)

Chapter 30 – Unified Land Development Regulations Section 30-317(e)

Chapter 30 – Unified Land Development Regulations Section 30-317(f)

Chapter 6 – Building and Building Regulations Section 6-36(1)(a)

Chapter 6 – Building and Building Regulations Section 6-36(2)

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

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

Florida Building Code Section 105 Section 105.1 Required.

Code Compliance Officer Carmen Sanchez presented these two cases for certification of fines. She further stated the attorneys and agents were present for these two properties to ask for an extension. Ms. Nectaria Chakas, Esq. was present on behalf of the property owner. She was requesting the date of compliance on the Final Orders for both agenda items be extended to six months. She said they had discussions with staff and were still working on the comprehensive development plan. Most of the life safety issues have been rectified and they just needed additional time to develop the plan. Ms. Chakas answered the Special Magistrate that one of the properties was being occupied and the life safety issues have been addressed. Code Compliance Officer Carmen Sanchez said she did not object with their request.

One of the properties, 4546 N Ocean Dr, is closed to the public. Ms. Chakas verified that the life safety issues for the other property, 4660 N Ocean Dr, have been taken care of. The Special Magistrate asked if they were requesting a six-month postponement for the certification of lien. Attorney Chakas answered that May 18, 2014 was the compliance date on the Final Order. She is requesting a six-month extension from that date of compliance with no fines accruing. The Special Magistrate ordered both fines abated back to May 19, 2014 with no fines running for a period of six months and then fines would resume unless they were addressed or brought back to the Special Magistrate. The date of six months from today was determined to be December 15, 2014. The Special Magistrate administered the oath to Mr. Bud Bentley. Mr. Bentley stated the Town Commission acted on a request for mitigation of fines from the Florida Development Group for the 4116 property and Lion Caprice and set a milestone date of December 31, 2014. He is suggesting to revise the Final Order compliance date to December 31, 2014 and not December 15, 2014 as stated previously. **The Special Magistrate ordered**

the new compliance date for both cases be adjusted to December 31, 2014 with no fines accruing. Fines will resume if not in compliance or brought back to the Special Magistrate.

The Special Magistrate resumed the regular order of the agenda.

ITEM #IV.6

***TAKEN OUT OF SEQUENCE**

Case #: 13090020 – Permits Required Violations
Property Owner: Lumels, Jack
Address/Folio: 4013 N Ocean Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-241(a)(l) a & b RM-25 district
Florida Building Code Section 105 Section 105.1 Required.

Code Compliance Officer Carmen Sanchez testified that at the last hearing, the Special Magistrate requested a status update and reminded the Special Magistrate this case was for work without permits for unit 304. Mr. Lumels testified they hired a new contractor, Mr. Vincent Lacota. Mr. Lacota testified they submitted all the paperwork and had the permits transferred over. The previous contractor will finish the plumbing and electrical which just needs final inspections. Also, final building and final fire inspections were needed. Ms. Sanchez said the Town did not object to any extension. She stated the property has been running fines since January 18, 2014 at \$150/day per violation. She informed the Special Magistrate that the owner has been actively working on the violations, the demolition permit is complete and a new permit was pulled for the sliding glass doors. **The Special Magistrate ordered to re-set the case to be heard at the July 21st hearing, fines will continue to accrue and if in compliance, the fines will be dealt with at the next hearing.**

ITEM #IV.7

Case #: 14010005 – Permits Required Violations
Property Owner: Karakaya Inc
Address/Folio: 4608 N Ocean Dr
Code Section(s): Florida Building Code Section 105 Section 105.1 Required.

ITEM #IV.8

Case #: 14010006 – Permits Required Violations
Property Owner: Karakaya Inc
Address/Folio: 4600 N Ocean Dr
Code Section(s): Florida Building Code Section 105 Section 105.1 Required.

Code Compliance Officer Carmen Sanchez testified that for these two cases, at the last hearing, the Special Magistrate requested a status update. The two properties are in compliance but they ran fines. For case #14010005, 4608 N Ocean Dr, the fines started running on February 25, 2014 and came into compliance on May 22, 2014. The amount owed is \$17,400.

For case #14010006, 4600 N Ocean Dr, fines started running on March 18, 2014 and came into compliance on May 22, 2014. The amount owed is \$13,200. Both Administrative Costs have been paid.

Mr. Vedat Cokgoren said that he is the owner's agent. He testified that all the permits were pulled and they started working about three weeks ago. Code Compliance Officer Carmen Sanchez answered the Special Magistrate that the fines were for work without permits. She

further stated that he has been working diligently in obtaining the permits. The Town leaves the decision for mitigation to the Special Magistrate. The Special Magistrate reduced both fines to \$3,500 each.

After discussion and reading the minutes from the previous hearing, the Special Magistrate ruled that he would combine both cases and the cost for each case would be \$1,500 for a total cost of \$3,000. Code Compliance Officer Carmen Sanchez answered the Special Magistrate that the plans went through various revisions with the Town and this caused the permitting process to slow down. She answered the Town has been before the Special Magistrate regarding this case about five times for code compliance and she believes the \$3,000 charge is fair. The Special Magistrate advised Mr. Cokgoren that the owner needs to be diligent with these properties and cautioned Mr. Cokgoren to timely complete the permitted work. **The Special Magistrate reduced the fines to \$1,000 for each case, for a total of \$2,000 to be paid within 15 days by July 1, 2014.**

ITEM #IV.18

***TAKEN OUT OF SEQUENCE**

Case #: 14020017 – Permits Required Violations

Property Owner: Kraft, Patricia

Address/Folio: 1480 S Ocean Dr. (Blvd.)

Code Section(s): Florida Building Code Section 105 Section 105.1 Required.

Code Compliance Officer Sharon Foster testified that on November 14, 2013 she received a complaint from a Building Inspector that there was a kitchen that was gutted. She inspected the kitchen and confirms it was gutted. Ms. Foster issued a Courtesy Notice due to the holidays approaching and the Owners going away and stated they did not know a contractor was needed to do the work. A Notice of Violation was issued on February 11, 2014 because no permits were pulled. This case has been continued on multiple occasions. Ms. Foster was told that the condo association told the Owners it was okay to do the work.

Ms. Patricia Kraft's husband, Barry Weiss, is here today to provide a status update. The Building Department informed Ms. Foster that an inspection was called in for tomorrow, June 17, 2014. Mr. Weiss said that several contractors refused to do the work and they hired a contractor who later decided he did not want to do a job as small as theirs. Now that they secured a contractor, they have been diligent in moving the work along. The work is complete and is scheduled for plumbing and electrical inspections tomorrow and the structural inspection should be completed this week. Ms. Foster answered that there were no fines running at this time and the Town is requesting a \$100 Administrative Cost. **The Special Magistrate imposed the \$100 Administrative Cost to be paid in ten days by June 26, 2014 and a fine of \$50/day if the work is not completed by July 21, 2014. The Special Magistrate explained that if the work is completed by July 21, 2014, Mr. Weiss would not have to come back and there will be no \$50/day fine.**

ITEM #IV.16

***TAKEN OUT OF SEQUENCE**

Case #: 14050012 – Zoning Violations

Property Owner: B & C Real Estate Holdings LLC

Address/Folio: 221 E Commercial Blvd

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-56(e)

Code Compliance Officer Carmen Sanchez testified that this is a commercial property, the SunTrust Bank building. The Notice of Violation was sent on May 8, 2014 to the owner and

registered agent via certified mail and service was obtained. The property has a conditional use for the parking lot that allows them to provide paid private parking with certain conditions. One of those conditions is to provide paid parking only in marked parking spaces. The Town has observed vehicles parked on the aisle and underneath the drive-thru. Ms. Sanchez submitted pictures and a copy of the conditional use. Ms. Sanchez stated the pictures accurately depict the condition of the property and requested they be entered into evidence. As of June 7th, the violation is still occurring. She is submitting pictures of that as well. The Town is requesting an Administrative Cost of \$150. Code Compliance Officer Carmen Sanchez showed the pictures to Mr. Jim Bryant. The Special Magistrate accepted the pictures into evidence without objection as the Town's Composite Exhibit.

Mr. Jim Bryant is the owner and managing member of the LLC. He stated they were unaware there was a conditional parking restriction on the property and they would like to apply for a new permit to remove that restriction, if possible. He also stated they will be happy to pay the Administrative Cost. Mr. Peter Solitino from Gold Coast Parking and Mr. Jim Bryant both stated they are aware now of what they are not allowed to do. Mr. Solitino said that only over the weekend do they use the drive-thru parking because it has no impact on safety. He also stated he understands about parking on the aisle.

The Special Magistrate ordered to immediately cease all the parking not allowed under the conditional use. The Special Magistrate ordered a fine of \$150/day for each day the Town finds the violation after today. The Special Magistrate informed the owner to go back to the Town to work out the parking issues for possible changes to the conditional use. However, those parking spaces not permitted cannot be used until the issues have been addressed. A \$150 Administrative Cost was imposed by the Special Magistrate and to be paid in fifteen days by July 1, 2014. The Special Magistrate instructed Code Compliance Officer Carmen Sanchez to take pictures, date them and have initialed by the person taking the pictures to document future parking violations.

ITEM #IV.17

Case #: 14050016 – Citizen Complaints

Property Owner: Iwata, Akira LE Iwata, Mika LE

Address/Folio: 250 Basin Dr

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

Code Compliance Officer Carmen Sanchez testified that the property is a duplex and the Notice of Violation was sent via certified mail. Service was obtained and the property was also posted. On May 7, 2014, Ms. Sanchez received a complaint from one of the tenants in unit #2 about a leak in his unit. When she inspected, she noted the leak and also found the roof was in disrepair and missing roof tiles. The tenant stated that the roof by the kitchen leaks when it rains. A Courtesy Notice was issued. However, on May 27th, the violation still existed and a Notice of Violation was sent. Ms. Sanchez took pictures of the property on May 7th, May 27th, and June 13th that accurately depict the condition of the property. She requests they be entered into evidence. She was also requesting an Administrative Cost of \$150. For the record, the tenant is present tonight and so is the agent for the property. They did not request to see the pictures. The Special Magistrate entered the pictures into evidence as the Town's Composite Exhibit. Ms. Sanchez stated for the record the tenant informed her that the Fire Department was at the property and turned off the electricity for the outlets in the kitchen and the ceiling fan. Ms. Sanchez stated the pictures show the water damage to the ceiling fan light and the roof. The Special Magistrate stated the Town does not enforce landlord/tenant obligations. The

Town acts upon a violation of the Zoning and/or Building Code, but does not represent the tenant or landlord.

Mr. Joseph Sullivan, tenant of the unit, stated he complained about the leaks to the realtor, the landlord's agent, and to the owner. He answered the Special Magistrate that they made an effort to fix but the work was not completed. He answered the Special Magistrate that there is power in the kitchen but he cannot use the light over the kitchen counter.

Ms. Jocelyn Blaykek, realtor for the owner, stated the property is on the market for sale. She testified the roof needs to be repaired and Mr. Sullivan knew there was a leak when he moved in. The leak was repaired but now there is another leak in the kitchen. Ms. Blaykek stated Mr. Sullivan is not paying rent and the landlord cannot afford to fix the roof. A tarp was placed on the roof to stop the water leak until the unit is sold. She stated that if the rent was paid, the landlord would probably make the repairs to the roof. Ms. Blaykek stated the tenant does not allow her to show the unit to prospective buyers. The Special Magistrate said he cannot order the tenant to pay rent and he cannot order the tenant to allow his unit to be shown because he does not have jurisdiction in these matters. He will address the code violations. The Special Magistrate explained to Ms. Blaykek that the landlord has to repair the roof or a daily fine would be imposed. Code Compliance Officer Carmen Sanchez answered 30 days is sufficient time to secure a permit, if needed, and make the repairs. She also stated if the job is less than \$1,500, a permit is not required if an invoice is presented to the Town.

Mr. Sullivan testified that his security deposits were spent and under Florida Statutes, the money he is preserving now is for his security deposits. Mr. Sullivan asked if any work was done on the roof before he moved in on March 3, 2014. No one had any knowledge and a reply was not provided. **The Special Magistrate imposed an Administrative Cost of \$150 to be paid in fifteen days by July 1, 2014 and ordered a status update at the July 21, 2014 hearing. He stated if the work is completed and meets code, the case would not have to come back and if more time is needed, depending on the situation, it would be addressed on July 21st. The Special Magistrate also encouraged the agent and tenant to work together and be accommodating to each other.**

ITEM #IV.10

***TAKEN OUT OF SEQUENCE**

Case #: 13120016 – Inoperative vehicles

Property Owner: Loguercio, Stephen T Loguercio, Elizabeth Rev Liv TR

Address/Folio: 4552 N Ocean Dr

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-41(a)(12)

Code Compliance Officer Carmen Sanchez testified that this is a multi-family triplex property scheduled for the last hearing but re-scheduled for today to obtain proper service. This is a repeat violation of case #13050007 for a vehicle stored on the property with an expired tag. Ms. Sanchez reminded the Special Magistrate that this case was presented before him and he gave Mr. Loguercio some time to comply. In reviewing the file, Ms. Sanchez noted that previous Code Compliance Officer Tuchette Torres gave the owner 30 days to comply when she first issued the violation. Ms. Sanchez also noted that the owner has knowledge of this violation. She presented recent pictures of the vehicle with the expired tag taken on May 15, 2014 and June 5, 11 and 13, 2014. Ms. Sanchez is requesting a fine of \$500/day for the four days the pictures show the violation exists for a total of \$2,000. She is requesting an Administrative Cost of \$250. Code Compliance Office Carmen Sanchez showed the pictures to Mr. Loguercio and Mr. Loguercio answered the Special Magistrate that this is the same van as the previous

violation. The Special Magistrate entered the pictures into evidence without objection as the Town's Composite Exhibit.

Mr. Loguercio testified he was in Broward County Court today to get his driver's license and he explained why it is taking a long time. If he has to, his wife could renew her license. Then he could get insurance and a new tag. Mr. Loguercio answered Inspector Sanchez that he cannot remove the vehicle from the property. He stated there is a car on Bougainvillea Drive that has been there for years and he further stated there is a manhole in front of his property that is associated with the adjacent streetlight which is caved in and someone could break their ankle. Code Compliance Officer Carmen Sanchez stated for the record the vehicle Mr. Loguercio is talking about on Bougainvillea Drive has a code case and is running fines.

The Special Magistrate imposed the \$500/day fine for the four days the pictures show the car is on the property (as well as Mr. Loguercio's testimony) for a current total fine of \$2,000. This fine would be dealt with at the July 21, 2014 hearing.

The Special Magistrate reduced the Administrative Cost from \$250 to \$150 to be paid by July 20, 2014. Mr. Loguercio has until the day before the next hearing, July 20, 2014, to either - 1) have a current sticker for the tag; or 2) remove the vehicle from the property. If the car remains on the property after July 20, 2014, a fine of \$500/day will be imposed.

The Special Magistrate will address the \$2,000 fine at the July 21, 2014 hearing, if Mr. Loguercio has to come back. If he complies by July 20, 2014, Mr. Loguercio would not have to come back to the July 21, 2014 hearing and fines will not accrue. The Special Magistrate warned Mr. Loguercio about repeat violations and to not have another vehicle on his property in this situation again.

ITEM #IV.9

***TAKEN OUT OF SEQUENCE**

Case #: 14050013 – Zoning Violations
Property Owner: Lion Caprice LLC
Address/Folio: 4112 El Mar Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-477(a)

Code Compliance Officer Carmen Sanchez testified that this is a vacant lot with a violation of dead grass on the property. The Notice of Violation was sent to the property owner and certified agent via certified mail and service was obtained. As of June 16th, the violation still exists. Ms. Sanchez took pictures of the property on May 12, 2014 and June 13, 2014. She stated the pictures accurately depict the condition of the property and she requests they be admitted into evidence. She is requesting an Administrative Cost of \$150. The owner or anyone to represent the owner was not in attendance. The Special Magistrate entered the pictures into evidence as the Town's Composite Exhibit. **The Special Magistrate imposed a fine of \$200/day if not corrected by July 20, 2014 and an Administrative Cost of \$150 to be paid by July 20, 2014.**

ITEM #IV.11

***TAKEN OUT OF SEQUENCE**

Case #: 14040047 – Vacation Rental
Property Owner: ATJ Max LLC
Address/Folio: 231 Hibiscus Ave
Code Section(s): Chapter 12 – Licenses Section 12-2(d)(l) Required.

Chapter 30 – Unified Land Development Regulations Section 30-327(a)

Chapter 30 – Unified Land Development Regulations Section 30-327(c)

Code Compliance Officer Carmen Sanchez requested to withdraw this case. **The Special Magistrate accepted the withdrawal of this case.**

ITEM #IV.14

Case #: 14040055 – No Garbage/Trash Service

Property Owner: Intuitive Logistic Solutions Inc

Address/Folio: 4641 Bougainvillea Dr

Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Carmen Sanchez requested this case be continued to get proper service. **The Special Magistrate so ordered the continuance of this case to the next hearing of July 21, 2014.**

ITEM #IV.15

Case #: 14050005 – No Garbage/Trash Service

Property Owner: 4301 Ocean Dr Inc

Address/Folio: 4301 N Ocean Dr

Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Carmen Sanchez presented this case as a delinquent account for garbage service. Ms. Sanchez testified Waste Services sent her a list of delinquent accounts for their garbage services and on April 14, 2014, a Courtesy Notice was sent to the property owner. Waste Services send updated lists of delinquent accounts and the property remains delinquent. On May 1, 2014, a Notice of Violation was sent via certified mail and service was obtained. The updated list sent via e-mail on June 12, 2014 shows no payment on the delinquent account. Ms. Sanchez recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. Ms. Sanchez stated she did not know the amount currently owed. She answered the Special Magistrate that this is a 7-Eleven Store. **The Special Magistrate ordered compliance in ten days by June 26, 2014, or a fine of \$25/day will accrue until the amount owed for the garbage account is paid and he imposed an Administrative Cost of \$100 to be paid by June 26, 2014.**

ITEM #IV.19

Case #: 14050020 – Property Maintenance

Property Owner: Bridgewater Design & Development LLC

Address/Folio: 1937 Coral Reef Dr

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(I)
Chapter 6 – Building and Building Regulations 6-8 (d) I-4

Code Compliance Officer Sharon Foster testified that on April 2, 2014 she received a complaint that there is no dumpster at an active construction site. The property was inspected and found to have no dumpsters. There were piles of construction debris on the property and a Courtesy Notice was sent. The property did not come into compliance and on May 28, 2014, the property was inspected again. The debris still remains and the chain link fence that surrounds the property was found to be in disrepair. The Notice of Violation was sent via certified mail and

service was not was obtained. The property was posted and the Affidavit of Posting is in the file. Ms. Foster took pictures of the property on April 21, 2014, May 28, 2014 and June 2, 10 and 16, 2014 that accurately depict the condition of the property and requests the pictures be entered into evidence. As of today, none of the items are complied. The Town is requesting an Administrative Cost of \$150. She answered the Special Magistrate that this is an active construction site. **The Special Magistrate ordered compliance in ten days by June 26, 2014, or a fine of \$250/day will accrue. He also imposed an Administrative Cost of \$150 to be paid by June 26, 2014.**

ITEM #IV.20

Case #: 14050023 – Business Tax
Property Owner: Koeberl, Johann & Julianna
Address/Folio: 1580 E Terra Mar Dr
Code Section(s): Chapter 12 – Licenses Sec 12-2(e)(I)

Code Compliance Officer Sharon Foster testified that on April 24, 2014 she observed a property with a “For Rent” sign posted. There is no record of the property having a Business Tax Receipt (BTR) for renting. On May 28, 2014, a Notice of Violation was sent via certified mail and service was not obtained. The property was posted and the Notice of Posting is in the file. Ms. Foster took pictures on April 24, 2014 and May 28, 2014 of the “For rent” sign. The pictures accurately depict the condition of the property and she is requesting they be entered into evidence. The Town is requesting an Administrative Cost of \$150. Ms. Foster stated the property is not in compliance and there is no contact with the owner. She sent the BTR application to the broker but it was not received. **The Special Magistrate imposed an Administrative Cost of \$150 to be paid by July 20, 2014. The Special Magistrate ordered a fine of \$150/day if not in compliance by July 20, 2014. He instructed Ms. Foster to send a copy of the mailing to the broker as well.**

ITEM #IV.21

Case #: 14050026 – No Garbage/Trash Service
Property Owner: William B Regis Liv Tr Regis, William B Trustee
Address/Folio: 3241 Spanish River Dr
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent for May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was obtained. The updated list sent via e-mail shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town’s Exhibit. **The Special Magistrate ordered compliance by July 20, 2014, or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.22

Case #: 14050027 – No Garbage/Trash Service
Property Owner: J J K & S G O Ltd
Address/Folio: 3241 Fiesta Way
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via regular mail on May 28, 2014 because the property owner lives in Canada and USPS certified mail is not available in Canada. The property was posted and the Affidavit of Posting is in the file. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.** Ms. Foster answered the Special Magistrate that the property is occupied.

ITEM #IV.23

Case #: 14050031 – No Garbage/Trash Service
Property Owner: Deutsche Bank Natl Tr Co Trstee
Address/Folio: 2036 Sailfish Pl
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(l)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was not obtained. The property was posted and the Affidavit of Posting is in the file. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.24

Case #: 14050033 – No Garbage/Trash Service
Property Owner: Grassano, Cindy K Grassano, Nicholas R
Address/Folio: 2020 Waters Edge
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(l)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was not obtained. The property was posted and the Affidavit of Posting is in the file. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.25

Case #: 14050034 – No Garbage/Trash Service
Property Owner: Gladys Salmon Rev Tr Salmon, Gladys Trstee
Address/Folio: 1972 Coco Palm Pl
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was obtained. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.26

Case #: 14050037 – No Garbage/Trash Service
Property Owner: Woodrum, Faythe P H/E Woodrum, Timothy P & Dawn M
Address/Folio: 1936 Waters Edge
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was not obtained. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.27

Case #: 14050038 – No Garbage/Trash Service
Property Owner: Breitberg, Dyane
Address/Folio: 1931 Waters Edge
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(I)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was obtained. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will begin to accrue until the**

amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.

ITEM #IV.28

Case #: 14050039 – No Garbage/Trash Service
Property Owner: Crovetto, Gilda Salazar, George
Address/Folio: 1912 Ocean Mist Dr
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(l)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was not obtained. The property was posted and the Affidavit of Posting is in the file. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Costs of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.29

Case #: 14050040 – No Garbage/Trash Service
Property Owner: Spina, Steven
Address/Folio: 1800 E Terra Mar Dr
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-27(a)(l)

Code Compliance Officer Sharon Foster testified that on March 27, 2014 Waste Services sent her a list of delinquent accounts for garbage services and on April 8, 2014, a Courtesy Notice was sent to the property owner. Waste Services sent updated lists of delinquent accounts and the property remains delinquent on May 1, 2014 and May 16, 2014. A Notice of Violation was sent via certified mail on May 28, 2014 and service was obtained. The updated list sent via e-mail on June 13, 2014 shows no payment on the delinquent account. Ms. Foster recommends a \$10 daily fine and an Administrative Cost of \$100. She presented the Special Magistrate the e-mail and he accepted it into evidence as the Town's Exhibit. **The Special Magistrate ordered compliance by July 20, 2014 or a fine of \$10/day will accrue until the amount owed for garbage services is paid and imposed an Administrative Cost of \$100 to be paid by July 20, 2014.**

ITEM #IV.31

Case #: 14010019 – Citizen Complaints
Property Owner: North Pointe Investments LLC
Address/Folio: 4116 N Ocean Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-38(2)

ITEM #IV.32

Case #: 14040045 – Building Code Violations
Property Owner: North Pointe Investments LLC
Address/Folio: 4116 N Ocean Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-12(b)
Chapter 6 – Building and Building Regulations Section 6-38(2)

Code Compliance Officer Carmen Sanchez presented these two cases for certification of fines. For the first case, #14010019, there is \$13,000 in fines plus a \$250 Administrative Cost to certify. **The Special Magistrate ordered the certification of fines and the Administrative Cost.**

For the second case, #14040045, Ms. Sanchez testified the fines started running on June 4, 2014 at \$250/day for one violation. The property is not in compliance for 13 days and continues to accrue the fine. Ms. Sanchez stated the amount in fines to date is \$3,250 plus an Administrative Cost of \$100 and is requesting the Special Magistrate certify the fines and the Administrative Cost. **The Special Magistrate so ordered the certification of fines and the Administrative Cost.**

ITEM #IV.35

Case #: 14050006 – Nuisance/Abandoned Homes
Property Owner: Glynn,Raymond E & Glynn,Deborah F
Address/Folio: 297 Tropic Dr
Code Section(s): Chapter 11 – Junked, Wrecked, Stolen or Abandoned Property
Section 11-23(I)

ITEM #IV.36

Case #: 14050007 – Nuisance/Abandoned Homes
Property Owner: Glynn,Raymond E & Glynn,Deborah F
Address/Folio: 297 Tropic Dr
Code Section(s): Chapter 11 – Junked, Wrecked, Stolen or Abandoned Property
Section 11-23(a)
Chapter 11 – Junked, Wrecked, Stolen or Abandoned Property
Section 11-23(c)
Chapter 6 – Building and Building Regulations Section 6-36(a)

Code Compliance Officer Carmen Sanchez testified that for the first case, #14050006, fines started running June 4, 2014 at \$500/day for one violation. The property is not in compliance for 13 days and continues to accrue the fine. Ms. Sanchez stated the amount in fines to date is \$6,500 plus an Administrative Cost of \$100 and is requesting the Special Magistrate certify the fines and the Administrative Cost. **The Special Magistrate so ordered the certification of fines and the Administrative Cost.**

For the second case, #14050007, Ms. Sanchez testified that fines started running on June 4, 2014 at \$150/day for three violations. The property is not in compliance for 13 days and continues to accrue the fine. She stated the amount in fines to date is \$5,850 plus an Administrative Cost of \$100 and is requesting the Special Magistrate certify the fines and the Administrative Cost. **The Special Magistrate so ordered the certification of fines and the Administrative Cost.**

Code Compliance Officer Carmen Sanchez stated that for this property, the Town will have to abate the violations. They have an estimate of costs. Ms. Sanchez asked if the final invoice amount for the abatement of violations has to be presented before the Special Magistrate to certify or does the Town record the invoice with the County? The Special Magistrate replied that he briefly spoke with Bud Bentley about this before the meeting and stated that it depends on the Town's Code. If the Code says that it is required to present the invoice before the

Special Magistrate to certify, then it is what you do. If not, and you give ample notice, you can record with the County. Ms. Sanchez stated she will check the Code.

ITEM #IV.37

Case #: 13110014 – Garbage Carts
Property Owner: Fisherman's Pier Inc
Address/Folio: Bougainville Dr
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28(g) Maintenance.
Chapter 10 – Garbage and Refuse Section 10-31(I) Dumpster type containers.
Chapter 30 – Unified Land Development Regulations Section 30-271.xxx B-1 district.

Code Compliance Officer Carmen Sanchez presented this case for certification of fines and testified the property is the lot adjacent to 216 Commercial Boulevard. Ms. Sanchez stated the fines started running on June 2, 2014 at \$200/day for one violation. The property is not in compliance for 15 days and continues to accrue the fine. She stated the amount in fines to date is \$3,000. She answered the Special Magistrate that the Administrative Cost was paid. **The Special Magistrate so ordered the certification of fines and Administrative Cost if still owed.**

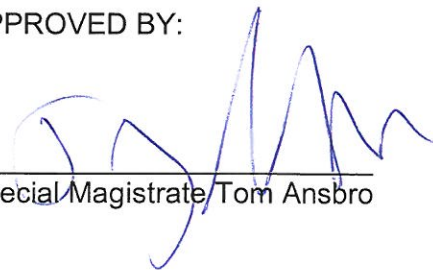
Clerk Idalia Gutierrez brought up the additional \$100 Administrative Cost for all the cases heard for certification of fines. **The Special Magistrate answered that if the Code or the Town Attorney authorizes to do this, then he orders \$100 Administrative Cost for all the cases with fines certified today.**

V. FIRE CASES

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on June 16, 2014 at approximately 6:37 p.m.

APPROVED BY:


Special Magistrate Tom Ansbro

ATTEST:


Idalia Gutierrez, Special Magistrate Clerk
Town of Lauderdale-By-The Sea, Florida