APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room
Thursday, May 24, 2018 at 5:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:06PM on Thursday, May 24, 2018. Building Official Jack Morell, Development Services Director Linda Connors, Fire Marshal Stephen Paine, Code Compliance Inspector Bethany Banyas, and Code Compliance Inspector Angelica Morales were present as well as Special Magistrate Clerk Jhanelle Campbell and Kaliah Lewis to record the minutes.

II. SWEARING OF WITNESSES

The Special Magistrate 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

Special Magistrate Clerk Jhanelle Campbell called code cases for which the Building Official would speak.

OLD BUSINESS
ITEM #V.26 ***TAKEN OUT OF SEQUENCE**

Case #: 18030016 –	Permits Required Violations
Property Owner:	2024 Ocean Mist Drive LLC
Address/Folio:	2024 Ocean Mist Drive
Code Section(s):	Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Morales testified that this is work without permit. Service was obtained by previously posting the property on April 13, 2018. Building Official Jack Morell testified that this case is regarding renovations to the interior of the property done without permit. When he visited, he could not get in. He said that a permit was applied for on May 16, 2018 and it is in review. There are corrections required.

Paul Storti, owner's representative, testified that he applied for the permit but needs more time. The Special Magistrate asked Mr. Morell how much more time was necessary. He said this has

been going on and it needs compliance. The permit needs to be issued. He suggested compliance in thirty days or fines should start. Discussion ensued and he suggested that the permit should be issued by June 8, 2018. Mr. Storti testified that the plans submitted are for the entire scope of work (unpermitted work plus additional work that the owner wants). The Special Magistrate said that this would entail two separate permits. Today's case is for the interior work done without a permit and the Special Magistrate ordered sixty days to comply by July 23, 2018, or a fine of $50/day plus $50 Administrative Fee due by July 23, 2018. He also ordered that access to this property is granted by June 4, 2018. This agenda item would come back to the July 26, 2018 Hearing, to be done timely.

Special Magistrate Clerk Jhanelle Campbell called the case for the construction extension.

CONSTRUCTION EXTENSION REQUEST
ITEM #VI.48 ***TAKEN OUT OF SEQUENCE**

Case:	Construction Extension Request
Property Owner:	Todd Ostrokolowicz
Address/Folio:	297 Tropic Drive
Code Case #:	2018-CE-02

Development Services Director Linda Connors presented this case and she was sworn in. She said that this is a single-family, new construction home. The Town has a code that places a limit on the time a permit can be used for construction. In the past, if someone wanted an extension, they went to the Town Commission for an approval. The ordinance was changed over a year ago to bring the construction extension request to the Special Magistrate. A property owner is allowed one extension not to exceed a year, if warranted. This is the first construction extension requested by Todd Ostrokolowicz. Town Staff is not opposed to granting them additional time to complete the work. Properties within 400 feet were all noticed and there were all positive comments. The Town recommends a six-month time extension, by December 16, 2018 to complete their work barring an act of God. There are escalating fines if work is not timely done.

Bernie Ostrokolowicz, representing the owner, spoke about the dock but Ms. Connors said that the dock could be a separate permit. The extension of time was granted for the interior, exterior and landscaping. The Special Magistrate suggested that they meet so that Mr. Ostrokolowicz is clear as to when things are due. The Special Magistrate ordered the six-month extension, by December 16, 2018, to include the act of God clause.

Special Magistrate Clerk Jhanelle Campbell switched back to the code cases for which the Building Official would speak.

OLD BUSINESS
ITEM #V.19 ***TAKEN OUT OF SEQUENCE**

Case #: 18010003 –	Zoning Violations
Property Owner:	Oefelein, Felicitas B
Address/Folio:	4616 Bougainvilla Drive #1-3 (#1-4)
Code Section(s):	Chapter 30 – Unified Land Development Regulations
	Section 30-242(a)(1) – RM-25 district

Inspector Banyas said that this is the case in regard to the density violation on the property. This is currently a four-unit property. This property was originally built as a duplex that was converted into three units. It now contains four units but it has to go back to two units. There

are three cases on this property with this one being the density issue. A permit was submitted but it was denied due to structural and electrical comments that have not been addressed. The Town was recommending 120 days on a Final Order to comply by completing all the work and closing all associated permits. This will also be the recommendation for the subsequent two cases. The architect, Frank Smith, testified that work would commence as soon as the permit is issued. Ms. Banyas said that the Town recommended $150/day fine for each case, if not timely in compliance after the 120 day compliance period and $50 Administrative Fee for each case due within 120 days. The Special Magistrate ordered all work completed and all permits closed out within 120 days, by September 21, 2018, or $150/day fine plus $50 Administrative Fee payable immediately, but the latest date would be by June 25, 2018. For the record, Ms. Banyas said that if sufficient and diligent is progress being made, it would be taken into consideration if more time is needed.

ITEM #V.21 ***TAKEN OUT OF SEQUENCE**

Case #: 18010004 – Building Code Violations
Property Owner: Oefelein, Felicitas B
Address/Folio: 4616 Bougainvilla Drive #1-3 (#1-4)
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

This case is work without permit for converting a duplex into a triplex plus installation of a knee-high wall. Inspector Banyas testified that this case is being handled the same as the case above. The Special Magistrate ordered all work completed and all permits closed out within 120 days, by September 21, 2018, or $150/day fine plus $50 Administrative Fee payable immediately, the latest date would be by June 25, 2018.

ITEM #V.20

Case #: 18010005 – Zoning Violations
Property Owner: Oefelein, Felicitas B
Address/Folio: 4616 Bougainvilla Drive #1-3 (#1-4)
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-137(c)(3)

This case is for sealing and striping a parking lot without a permit. Inspector Banyas testified that this case is being handled the same as the case above. The Special Magistrate ordered all work completed and all permits closed out within 120 days, by September 21, 2018, or $150/day fine plus $50 Administrative Fee payable immediately, the latest date would be by June 25, 2018.

NEW BUSINESS

ITEM #V.31 ***TAKEN OUT OF SEQUENCE**

Case #: 18040004 – Building Code Violations
Property Owner: Seagrape Commons LLC
Address/Folio: 222 E Commercial Blvd
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Morales testified that this is a work without permit case. The Town requests a Final Order. Service was obtained by Certified Mail. Building Official Jack Morell testified how this interior work was discovered on April 6, 2018. He said that a permit was submitted the other day and it is under review. The work is already done but a new fire wall will have to be built. By

the next hearing, work should be completed. No one was present to represent the owner. Ms. Morales suggested $100/day fine plus $50 Administrative Fee. The Special Magistrate ordered compliance by June 27, 2018 or $100/day fine plus $50 Administrative Fee due by June 27, 2018.

ITEM #V.40 ***TAKEN OUT OF SEQUENCE**

Case #: 18050057 – Building Code Violations
Property Owner: Gilchrist, Rael M Gilchrist, Lourdes L
Address/Folio: 1931 Waters Edge
Code Section(s): Florida Building Code 107.4
Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required
Florida Building Code 5th Edition (2014) FBC BCA Section 116.116.1

Inspector Morales testified that this is an expired permit. Service was obtained by posting on May 14, 2018. Building Official Jack Morell testified that a demolition permit was obtained under false pretenses. They asked for an investigative permit for removing drywall from the wall so they could see the structure and see what they needed to do. They removed most of the windows in the building. All interior walls were removed. Some support under the roof truss system is not adequate. The permit subsequently expired. There are wires hanging and they pulled the power. The building's openings have been covered and secured. However, the permit must be renewed and the shoring plan for the roof has to be submitted for approval so the roof could be shored up. He recommends fines starting immediately and two weeks to comply.

Charles Weidner, Buffalo Engineers, testified that they have been hired by the owners. The previous contractor is no longer on this project and a new contractor has been retained. He agreed that the items Mr. Morell spoke about are correct. The designer submitted plans for a permit. The owner and the new contractor are present. The engineer explained what he and the new contractor have done, starting with boarding up the windows/openings, etc. Everything will be reviewed with Mr. Morell who was granted access to the property to review. He reiterated that the yard maintenance has been done and the property has been secured. He spoke about but not limited to new locks, gates, pool covering, plumbing cut off in the interior and capped, and the new contractor is applying for a permit to cover all items. Mr. Weidner answered the Special Magistrate that this is a single-family home.

Mr. Morell explained what would have to be done starting with a change in contractor on the existing permit and a revision would have to be submitted. Then the older permit would be closed out and move forward with a new permit. Mr. Weidner said that the plan they are submitting would show what the former contractor did including what was done that exceeded the scope of his original submittal. The Special Magistrate asked about the building's safety. Mr. Morell said that since the engineer said that they built the wall out, he will accept his word that it is safe but we need to perfect it with the plans. Mr. Weidner said they did a cordial visit to the neighbors expressing how sorry they are about the condition of the house. Mr. Morell gave his pictures to the Special Magistrate which were previously seen by Mr. Weidner. The Special Magistrate told Mr. Morell that he wants something with the engineer's seal stating that the property is safe for people to work in it. Mr. Morell testified that the unsafe building posting would still remain until they get the letter and the plans submitted. The Special Magistrate admitted the pictures into evidence as the Town's Composite Exhibit without objection. Mr. Morell gave a summary of what needs to be done: within the next ten days or sooner, submit

the paperwork for the demo portion, change contractors, add the additional subs, have the plan for shoring and securing and get the demolition part behind us. The engineer said that all the shoring and securing have already been done. The property owner, Rael Gilchrist, identified himself for the record. The new contractor is Marc Marier from Guaranteed Services Plus.

The Special Magistrate ordered by Tuesday, May 29, 2018, that there is to be a submitted letter, signed and sealed by the engineer stating that the property poses no life safety issue; by Friday, June 1, 2018, the permit will be renewed with a change of contractor and additional sub-contractors for the demo portion along with signed and sealed set of plans for the bearing walls to shore up the roof. On the following week, by June 9, 2018, this will be inspected to clear up and close the demolition permit. He further ordered $50 Administrative Fee due by June 25, 2018.

CERTIFICATION OF LIEN
ITEM #V.41

Case #: 17110007 –	Building Code Violations
Property Owner:	Marinas 2010 LLC
Address/Folio:	4221 Bougainvilla Drive
Code Section(s):	Florida Building Code Section 110.15 Building Safety Inspection Program 110.15

Inspector Banyas testified that this agenda item would be continued to the June 28, 2018 Hearing due to extenuating circumstances. The Special Magistrate ordered continuance to the June 28, 2018 Hearing.

ITEM #V.42

Case #: 18030010 –	Building Code Violations
Property Owner:	Pryor, John
Address/Folio:	4633 Bougainvilla Drive #1-6
Code Section(s):	Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Banyas testified that this is a six-unit rental property. The certification of fine is for work without permits. There was plumbing work done in the rear of the property and a propane tank was placed in an unpermitted area without a permit. Upon inspection, it was discovered that the lift station and propane tank were installed without permits. She explained that service was obtained with notice sent to the owner, who is here to speak. The property was posted on April 10, 2018. Building Official Jack Morell testified that the propane tank was installed without a permit on the property line without a separating distance. There was a permit for installation of bollards to protect the tank, however, the tank has to be moved first. He was told that Amerigas would relocate the tank. He was also told that a permit was issued for the plumbing.

The gentleman who manages the property for the owner testified that he just received the permit for the lift station yesterday. He had information from Amerigas (copies of the code regarding the placement of the tank). The installation was done in 1992 and meets County, State, and National codes because when installed, Lauderdale-By-The-Sea (LBTS) did not have local codes regarding the separation. He said that the permit to install the bollards was issued and the bollards are in. Mr. Morell spoke about N.F.P.A. 58 and that they researched Broward County records and did not find a permit for that tank. He maintains that the propane tank still has to be moved. The property manager had a copy of the application for the County permit. John Pryor, property owner, testified that he bought the building in 1991. He explained why the

propane tank was moved in 1992 properly. He gave a document to Mr. Morell who said that it did not constitute an approval for the propane tank or reflect that a permit was issued. The Special Magistrate said that he did not want to impose a lien today as this is still being resolved.

Inspector Banyas suggested continuing the case to the next hearing. This should leave enough time to complete and submit a permit to relocate, then to relocate the propane tank completely, and finish work required on the lift station by June 27, 2018 and then we will reconvene on June 28, 2018. The Special Magistrate also mentioned that the bollards would also have to be fixed and Inspector Banyas put on the record that an Administrative Fee from the last hearing is still due with no Administrative Fee for today's hearing. The Special Magistrate ordered a continuance to the June 28, 2018 Hearing.

Special Magistrate Clerk Jhanelle Campbell noticed on the sign-in sheet that people were in attendance for agenda item #32. As this item was continued, Inspector Banyas spoke with them.

NEW BUSINESS
ITEM #V.32 ***TAKEN OUT OF SEQUENCE**
Case #: 18030008 – Permits Required Violations
Property Owner: Reineke, Brandon T & Kristen D
Address/Folio: 239 Imperial Lane
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Banyas spoke to them about the continuance to the June 28, 2018 Hearing.

OLD BUSINESS
ITEM #V.25 ***TAKEN OUT OF SEQUENCE**
Case #: 18030004 – Permits Required Violations
Property Owner: Woolin, Raquel
Address/Folio: 2020 Coral Reef Drive
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

A woman (Raquel Woolin signed in) and a man in attendance were assured that this case is complied by both Inspector Morales and Inspector Banyas.

CERTIFICATION OF LIEN
ITEM #V.44 ***TAKEN OUT OF SEQUENCE**
Case #: 18030015 – Citizens Complaint
Property Owner: Bell, Robert K
Address/Folio: 4521 N Ocean Drive #1-6
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28(e)
Chapter 6 – Building and Building Regulations Section 6-36(a)
Chapter 6 – Building and Building Regulations Section 6-36(d)
Chapter 6 – Building and Building Regulations Section 6-36(e)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(5)

Inspector Banyas testified that this is a rental property. At the last hearing, a Final Order was issued for five violations (plumbing, electric, paint, trash cans and trash, litter and debris) and today is for certification of fines. For each of the violations, a fine of $250/day was set to commence if not complied by May 22, 2018 plus $200 Administrative Fee was assessed and due May 22, 2018. The Administrative Fee is unpaid and one violation of the exterior surfaces needing to be painted has been complied. The remaining violations are not in compliance as of her inspection this week. She showed her photos to Mr. Bell. They depict the remaining violations. She asked to put on the record that she could not get access into two units to inspect and one of these two had the most violations (especially the plumbing). Without access, there is no evidence if the violation(s) cured. The Town is operating under the presumption that it is still in violation.

She answered the Special Magistrate that she contacted and wrote a report to the Department of Health. Over the phone, she was told that what she observed they most likely would not be able to do anything about but they would do an inspection. Their jurisdiction is mainly over the exterior of the property. Ms. Banyas said that Mr. Bell questioned photos as one of the photos is a storage room and wondered why it had to be cleaned. She answered that a photo showed bulbs exposed on exterior lighting and inside the storage unit, the walls and surfaces are in disrepair. Mr. Bell felt the storage room was messy, but not in disrepair. Mr. Bell said the photos are of his property and then the Special Magistrate entered them into evidence as the Town's Composite Exhibit.

Officer Banyas testified that there are already about seven violations running fines on this property and that tonight is also for liens. For the record, Ms. Banyas said that she and Development Services Director Linda Connors contacted Mr. Bell after the last hearing and detailed for him all of the violations running on his property (previously existing and current). Discussion ensued about the trash can which is not concealed in anyway. Ms. Banyas testified that she could not get into unit #3 and unit #4. Mr. Bell said that he himself cannot get into a unit because his tenant would not grant him access. The Special Magistrate said that he recommended to the Town to contact the Town Attorney to see if this property could be foreclosed upon. Someone needs to take care of this property.

Ms. Banyas will e-mail Mr. Bell a spreadsheet outlining all of the violations on this property. Mr. Bell feels that he has taken care of everything on Ms. Banyas' pictures. He outlined everything he did and he does not know what Ms. Banyas is talking about. The Special Magistrate will impose the liens but will defer recording them for fifteen day pending finding out exactly what is or is not in compliance. If in compliance, there won't be a lien but if it remains out of compliance, there will be a lien. Ms. Banyas is willing to meet with Mr. Bell at the site. She said there is a $200 Administrative Fee which is still past due and to include this as well as a $200 Administrative Fee due immediately but within thirty days for today's hearing for inclusion in the lien. The Special Magistrate ordered imposing the liens (for out of compliance violations and Administrative Fees due) subject to a fifteen day delay giving the opportunity to meet at the site resolving what is or is not in compliance and for what remains out of compliance; liens will be filed on the 16th day or thereabouts.

Special Magistrate Clerk Jhanelle Campbell called the fire cases for which people were present.

FIRE CASES
ITEM #VII.61 ***TAKEN OUT OF SEQUENCE**
Case #: 18-1173
Property Owner: Bell, Robert K

Address/Folio: 4521 N Ocean Drive #1-6

Fire Marshal Stephen Paine testified that service was obtained on May 2nd when the property was posted. He photographed some of the violations today. He spoke about smoke detectors but he has to gain access into the apartments to check this out. He showed two pictures to Mr. Bell. The Special Magistrate entered them into the record as the Town's Composite Exhibit without objection. Mr. Paine said that Mr. Bell guaranteed him that he can get into the building, the fire extinguisher would be in place, and the walls would be repaired. Mr. Bell asked for thirty days to come into compliance. The Special Magistrate ordered a continuance to the June 28, 2018 Hearing. There is no Administrative Fee for today's hearing.

ITEM #VII.60 ***TAKEN OUT OF SEQUENCE**
Case #: 18-1172
Property Owner: FDG North LLC
Address/Folio: 4660 N Ocean Drive

Fire Marshal Stephen Paine testified that this is the Plunge Beach Hotel. He was notified on April 26, 2018 that the fire standpipe system located in the southeast corner of the building in the inside broke and notice was sent on April 27, 2018. They submitted plans on May 14, 2018 that were rejected. There are two buildings and the work will be in the building located at 4660 N Ocean and he explained that the address has to be corrected. The walls would need a permit in order to be repaired and he explained again about the paperwork. He showed the pictures taken today of openings in the wall, and of the standpipe to the gentleman representing the hotel. The Special Magistrate entered them into evidence as the Town's Composite Exhibit without objection. He said that this is a life safety issue and he is here to give them more time to correct.

Tom Mulroy, general manager of the hotel, testified that this is a big project but the standpipe has been capped and they re-commissioned the sprinkler system to service the area. The submissions of the permits and the drawings should be submitted by May 31, 2018. Mr. Paine suggested thirty days to come into compliance or $250/day fine plus $100 Administrative Fee for today's hearing. The hotel's chief engineer, Fernando Agras, testified that his contractor was asking for four weeks after he receives the permit. The Special Magistrate explained that he would go with the Town's suggestion but if they were diligent in getting things done, they could talk about a new compliance date at the next hearing. The Special Magistrate ordered compliance by June 25, 2018 or a fine of $250/day plus $100 Administrative Fee.

Special Magistrate Clerk Jhanelle Campbell called the rest of the fire cases. She started with calling all the cases (agenda item 49 through agenda item 59) for Oceanside At Lauderdale-By-The-Sea (LBTS) Condo.

ITEM #VII.49 ***TAKEN OUT OF SEQUENCE**
Case #: 18-1243
Property Owner: Tony Recchia & John Scrizzi
Address/Folio: 4525 Poinciana Street Unit #1 of Oceanside At LBTS Condo

ITEM #VII.50
Case #: 18-1170
Property Owner: ORSSAC Investments LLC
Address/Folio: 4525 Poinciana Street Unit #3 of Oceanside At LBTS Condo

ITEM #VII.51

Case #:	18-1247
Property Owner:	David A Davis Catalina D Davis
Address/Folio:	4525 Poinciana Street Unit #4 of Oceanside At LBTS Condo

ITEM #VII.52

Case #:	18-1171
Property Owner:	Porcelli 4565 Commercial LLC
Address/Folio:	4525 Poinciana Street Unit #5 of Oceanside At LBTS Condo

ITEM #VII.53

Case #:	18-1248
Property Owner:	Julieta Del Rio
Address/Folio:	4525 Poinciana Street Unit #6 of Oceanside At LBTS Condo

ITEM #VII.54

Case #:	18-1249
Property Owner:	Steven Wilson & Winston Velasquez
Address/Folio:	4525 Poinciana Street Unit #7 of Oceanside At LBTS Condo

ITEM #VII.55

Case #:	18-1250
Property Owner:	Thomas A. Douglas
Address/Folio:	4525 Poinciana Street Unit #8 of Oceanside At LBTS Condo

ITEM #VII.56

Case #:	18-1169
Property Owner:	Joseph C Borio
Address/Folio:	4525 Poinciana Street Unit #9 of Oceanside At LBTS Condo

ITEM #VII.57

Case #:	18-1244
Property Owner:	Albert Crawford
Address/Folio:	4525 Poinciana Street Unit #10 of Oceanside At LBTS Condo

ITEM #VII.58

Case #:	18-1245
Property Owner:	Lucretia Donoso
Address/Folio:	4525 Poinciana Street Unit #11 of Oceanside At LBTS Condo

ITEM #VII.59

Case #:	18-1246
Property Owner:	Caitlin Shay Young Matthew W Doming Coccea
Address/Folio:	4525 Poinciana Street Unit #12 of Oceanside At LBTS Condo

Fire Marshal Stephen Paine testified that this condominium is a three-story building. There are twelve units and unit #2 will appear before the Special Magistrate on June 28, 2018 because the notice was not prepared in time. Mr. Paine did an inspection today and read into the record the violations that were complied/corrected/repaired. He explained to the Special Magistrate the

pictures that he had in his hand were of the remaining violations. All the cases reflect the same violations because of the way ownership was set up. Mr. Paine suggested one week to comply the outstanding violations. The Special Magistrate ordered seven days to comply or $100/day/violation plus $50 Administrative Fee on each case due immediately but no later than within 32 days, June 25, 2018.

ITEM #VII.62

Case #:	18-1240
Property Owner:	Barbara Baleisis Dale Roberts
Address/Folio:	4613 Bougainvilla Dr #1-4

Fire Marshal Stephen Paine testified that this case would be continued. The Special Magistrate ordered continuance of this agenda item to the June 28, 2018 Hearing.

ITEM #VII.63

Case #:	18-1242
Property Owner:	Marenas 2010 LLC
Address/Folio:	4221 Bougainvilla Dr

Special Magistrate Clerk Jhanelle Campbell testified that this item is complied. This finishes the fire cases for today. As there are no other responders present, Ms. Campbell will call the cases starting with case #22.

OLD BUSINESS

ITEM #V.22 ***TAKEN OUT OF SEQUENCE**

Case #: 17060017 –	Zoning Violations
Property Owner:	SJM By The Sea LLC
Address/Folio:	256 E Commercial Blvd
Code Section(s):	Chapter 12 – Licenses Section 12-2(a) Required

Special Magistrate Clerk Jhanelle testified that this item is continued to the June 28, 2018 Hearing.

ITEM #V.23

Case #: 18010011 –	Building Code Violations
Property Owner:	Jaeger, Scott Jaeger, Kristen
Address/Folio:	4050 N Ocean Drive #210
Code Section(s):	Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle testified that this agenda item is complied.

ITEM #V.24

Case #: 18020014 –	Zoning Violations
Property Owner:	Platner, Michael H/E Nedry, Roberta K
Address/Folio:	1951 Coral Reef Drive
Code Section(s):	Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle testified that this agenda item is continued to the June 28, 2018 Hearing.

ITEM #V.27

Case #: 17080030 – Property Maintenance
Property Owner: Wallin, Anders G
Address/Folio: 1961 Windward Drive
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(1)

Special Magistrate Clerk Jhanelle Campbell testified that this agenda item is continued to the June 28, 2018 Hearing.

ITEM #V.28

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

Inspector Banyas testified that this agenda item is continued 60 days to July 26, 2018 because they obtained a permit (pier damage being repaired). She explained that there are thirteen phases to complete this job, so they are being given a continuance to the July 26, 2018 Hearing.

A gentleman, David Scaff, said that he was at the new Pompano pier on Atlantic and A-1-A. He looked at the work done by Pompano and their outlay of money. His concern is that a private owner might not be able to do this. He wishes the Town of LBTS could buy their pier back.

NEW BUSINESS

ITEM #V.29

Case #: 18030030 – Building Code Violations
Property Owner: Taylor, Barbara Ann Barbara Ann Taylor Rev Liv Tr
Address/Folio: 4445 El Mar Drive #2806
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle Campbell testified that this agenda item is complied.

ITEM #V.30

Case #: 18040038 – Vacation Rental
Property Owner: Daniels, Barbara Daniels, Jonathan W
Address/Folio: 259 Hibiscus Ave
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Banyas testified that this is a finding of fact regarding a vacation rental and work without permits. She has one photo showing where the door was put in. However, the door was removed under the supervision of the Building Official and it is now in compliance. However, the Town was requesting a finding of fact that the violation existed and should it re-occur in the future it may be considered a repeat violation and may be subject to daily fines. For the record, service was obtained via green card to the owner and also hand delivered to the vacation rental agent. There was no one in attendance to represent the property owners. The Special Magistrate accepted the photo into evidence as the Town's Exhibit. He ordered that this

violation existed but was corrected and should it re-occur in the future, it may be deemed a repeat violator subject to escalated fines.

ITEM #V.33

Case #: 18020017 – Permits Required Violations
Property Owner: Ortigas, Remedios M
Address/Folio: 1800 S Ocean Blvd #906
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle Campbell testified that this case is in compliance.

ITEM #V.34

Case #: 18020018 – Permits Required Violations
Property Owner: Bonnie Robbins Rev Tr Robbins, Bonnie Trstee
Address/Folio: 1440 S Ocean Blvd #8A
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle Campbell testified that this case is in compliance.

ITEM #V.35

Case #: 18020019 – Permits Required Violations
Property Owner: Amaturo, Joseph C & Winifred
Address/Folio: 3900 N Ocean Dr #17GH
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

Special Magistrate Clerk Jhanelle Campbell testified that this case is in compliance.

ITEM #V.36

Case #: 18030012 – Vacation Rental
Property Owner: Jay D & Donna K Wise Rev Tr
Address/Folio: 4632 Seagrape Drive
Code Section(s): Chapter 12 – Licenses Section 12-2(e)(1)
Chapter 30 – Unified Land Development Regulations Section 30-327(e)(5)

Special Magistrate Clerk Jhanelle Campbell testified that this agenda item has been continued to the June 28, 2018 Hearing.

ITEM #V.37

Case #: 18040037 – Vacation Rental
Property Owner: Daniels, Barbara Daniels, Jonathan W
Address/Folio: 259 Hibiscus Ave
Code Section(s): Chapter 20 – Utilities Section 20-121. Intent and purpose.
Chapter 30 – Unified Land Development Regulations Section 30-327(j)1 i-viii
Chapter 6 – Building and Building Regulations Section 6-36(a)
Chapter 6 – Building and Building Regulations Section 6-36(e)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(1)

Inspector Banyas testified that this property had another case previously on this agenda but this case has a list of six violations. These violations were reported by the current occupant. There was no one in attendance to represent the property owners. The violations are complied now but she read them into the record and explained what they were. She asked for a finding of fact to be issued that the violations existed and if they should re-occur in the future, they may be deemed a repeat violator and may be subject to escalated fines. Her photos were entered into the record as the Town's Composite Exhibit by the Special Magistrate. Also for the record, service was provided to the owners of record as well as to the vacation rental agent. The owners' green card is in the file and she hand delivered to the vacation rental agent. The Special Magistrate ordered a Finding of Fact that these six violations existed and if they re-occur in the future, they may be deemed a repeat violator and may be subject to escalated fines.

ITEM #V.38

Case #: 18040040 – Zoning Violations
Property Owner: Ciani, Elayna Ciani, William
Address/Folio: 112 E Commercial Blvd
Code Section(s): Chapter 17 – Streets, Sidewalks and Other Public Places Section 17-1

Inspector Banyas testified that this is a complied case. On April 14, 2018, she sent notice and received a green card back. She also mailed and e-mailed to the proprietor and received response that the notice was received. The violation was obstruction prohibited in the right-of-way. The Town was requesting a Finding of Fact and she has a photo of the violation which she gave to the Special Magistrate. He ordered a Finding of Fact that the violation existed and is now in compliance but should this re-occur in the future, it may be deemed a repeat violation and may be subject to escalated fines. For the record, there was no one in attendance to represent the respondent.

ITEM #V.39

Case #: 18040041 – Zoning Violations
Property Owner: Ciani, Elayna Ciani, William
Address/Folio: 112 E Commercial Blvd
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-271(h)(1) – Business District

Inspector Banyas testified that this is a repeat violation for outside seating. However, the Town is asking for a Finding of Fact and not assessing fines today. For the record, service was sent and obtained in the same way as explained in the above case #18040040. There was no one in attendance to represent the respondent. In this case, the outdoor seating furniture extends over the approved area and into the Town's right-of-way. For evidence, Ms. Banyas has one photo and a copy of the final order that was violated again which she gave to the Special Magistrate. He ordered a Finding of Fact that the violation existed and is now in compliance but should this re-occur in the future, it may be deemed a repeat violation and may be subject to escalated fines.

CERTIFICATION OF LIEN

ITEM #V.43

Case #: 18030007 – Building Code Violations
Property Owner: 230 Tropical Shores Development LLC
Address/Folio: 227 Shore Ct #1-2
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Inspector Banyas testified that this agenda item is in compliance.

ITEM #V.45

Case #: 17080018 – Permits Required Violations
Property Owner: 258 N Tradewinds LLC
Address/Folio: 258 N Tradewinds Ave
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.1 – Permits. Required

Special Magistrate Clerk Jhanelle Campbell testified that this case would be continued to the June 28, 2018 Hearing.

Special Magistrate Clerk Jhanelle Campbell announced the next two cases were withdrawn.

WITHDRAWN

ITEM #V.46

Case #: 18020020 – Permits Required Violations
Property Owner: Seagrape Commons LLC
Address/Folio: 222 E Commercial Blvd
Code Section(s): Florida Building Code 5th Edition (2014) FBC BCA Section 105.3.2.1 – Permits. Time Limitation

ITEM #V.47

Case #: 18030029 – Vacation Rental
Property Owner: SKY 230 LLC
Address/Folio: 259 Shore Ct
Code Section(s): Chapter 12 – Licenses Section 12-2(e)(1)
Chapter 30 – Unified Land Development Regulations Section 30-327(d)
Chapter 30 – Unified Land Development Regulations Section 30-327(e)

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

COMPLIED				
1.	C#:	18010027	4243 Bougainvilla Drive	
2.	C#:	18030006	227 Shore Court #1-2	
3.	C#:	18030020	4542 Seagrape Drive #1-2	
4.	C#:	18020003	2005 Oceanwalk Terr #313	
5.	C#:	18030017	1480 S Ocean Blvd #418	
6.	C#:	18030018	4233 Bougainvilla Drive	
7.	C#:	18020013	14 E Commercial Blvd	
8.	C#:	17080027	230 Pine Avenue	

CONTINUED				To Date:
9.	C#:	18030023	4321 El Mar Drive	07/26/18
10.	C#:	18030025	4329 El Mar Drive	07/26/18
11.	C#:	18030027	4337 El Mar Drive	07/26/18
12	C#:	18030028	4341 El Mar Drive	07/26/18
13.	C#:	18030022	4321 El Mar Drive	07/26/18
14.	C#:	18030024	4329 El Mar Drive	07/26/18
15.	C#:	18030026	4333 El Mar Drive	07/26/18
16.	C#:	18030019	4548 Seagrape Drive	06/28/18
17..	C#:	17100004	230 Basin Drive	06/28/18
18.	C#:	17100002	226 Basin Drive	06/28/18

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on May 24, 2018 at approximately 6:50 PM.

APPROVED BY:

Special Magistrate Tom Ansbro

ATTEST:

Jhanelle Campbell, Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida