

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room
Monday, December 14, 2015 at 4:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the Hearing to order at 4:05p.m. on Monday, December 14, 2015. Building Official Jack Morrell, Fire Marshall Steven Paine, Code Compliance Inspector Carmen Sanchez and Code Compliance Inspector Sharon Foster were present at the Hearing. Also present was Clerk Idalia Gutierrez to record the minutes. 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. MINUTES OF PREVIOUS CODE HEARING

NOVEMBER 23, 2015 Code Hearing – The minutes of 11/23/15 were not discussed.

IV. PUBLIC COMMENTS

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.

V. CODE CASES

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

COMPLIED

1. C#: 15070019 5000 N Ocean Blvd #1101
2. C#: 15070025 4108 El Mar Dr
3. C#: 15070026 4110 El Mar Dr
4. C#: 15090017 6002 N Ocean Blvd
5. C#: 15100033 1431 S Ocean Blvd #19
6. C#: 15110006 4540 N Ocean Dr #408
7. C#: 15110007 1961 Ocean Mist Dr
8. C#: 15110008 2051 Waters Edge
9. C#: 15110018 4465 Poinciana St
10. C#: 15110019 287 Codrington Dr
11. C#: 15110024 4636 Bougainvilla Dr 1-4
12. C#: 15110027 4454 E Tradewinds Ave
22. C#: 15060001 4629 Poinciana St
29. C#: 15110023 4132 N Ocean Dr

CONTINUED

(Continued To)

13. C#:	15060015	226 Basin Dr	(January 25, 2016 Hearing)
15. C#:	15100031	1900 S Ocean Blvd #5D	(February 22, 2016 Hearing)
20. C#:	15110009	2036 Sailfish Pl	(January 25, 2016 Hearing)
14. C#:	15-1214	228 Commercial Blvd	(January 25, 2016 Hearing)

Clerk Idalia Gutierrez called the first case to be heard at this Hearing.

NEW BUSINESS

ITEM #V.16

Case #: 15110004 – Building Code Violations
 Property Owner: Anglin Fam Tr % Raymond Anglin
 Address/Folio: 2 E Commercial Blvd
 Code Section(s): Florida Building Code Section 105 Section 105.1 Required

Code Compliance Inspector Carmen Sanchez testified that the Notice was sent via certified mail and service was obtained. She said that this case would be presented by the Town's Building Official, Jack Morrell. Mr. Morrell said that acting on a complaint, an inspection was conducted on October 5, 2015. Numerous building code violations were observed and a detail list was attached. He said that the Fire Marshall has a separate list of observations. The Notice was sent out and discussed with the property owners. The Notice of Violation/Notice of Hearing was sent November 8, 2015 citing the numerous violations contained in the complaint. The Building Official testified that a permit application was submitted on November 19, 2015. It was reviewed November 20, 2015. The application was found to be lacking plans, detail, etc. on how to correct the various violations. The application was disapproved and through today, there has been no other action taken by the owners contractor. In addition, there is a violation of the conditional use by increasing the capacity and insufficient parking. He said that in 2008, a permit was granted to renovate the beachside café. In 2011, a permit was granted for a wooden deck on the west side of the café. The wooden deck has been expanded. The permitted plans do not reflect any electrical, awnings, benches, etc. that are now attached to the deck structure. He explained all the exhibits for the violations, the unsafe conditions, and the violation of the conditional use. He testified that sufficient time has been allotted to correct the unsafe conditions. He cautioned that the establishment owners and the tenant should not be permitted to continue ignoring what is to be corrected to ensure the health, safety and welfare of others. He said immediate emergency action is required to protect the life, safety and general welfare of people using these facilities and the general area. Mr. Morrell said that time is of the essence.

The Special Magistrate accepted the list of violations and exhibits into evidence without objection as the Town's Composite Exhibit. The Town's Building Official asked the Special Magistrate to act on this urgent matter because the unpermitted work created an unsafe condition. The Special Magistrate asked the Town's Building Official to have the power company pull the power to disconnect electrical service.

Mr. Spiro Marchelos, his contractor, and his attorney, Peter Mavrick (representing Fisherman's Pier Inc.), together with Mrs. Martha Marchelos, approached the podium. The Special Magistrate explained that there is no excuse for not having permits and he would not tolerate this on behalf of the Town. He ordered the power be pulled and the establishment vacated. Attorney Peter Mavrick said that he understands there is a history dealing with this property. He said that there has been illegal work done. The attorney explained that right now there is a corporate dispute for corporate control. He spoke about the family dynamics and control issues. He explained the ongoing litigation in Broward Circuit Court. He said that most of the violations, which the pier has control over, have been corrected. He read into the record what still needs to be done. Mrs.

Martha Marchelos testified that all the electrical work on the pier was done in 2006. Because of the weather and salt air, she said that the covers were replaced. She did not know about the need for signs on the electrical boxes on the pier and has now ordered them. Town Building Official, Jack Morrell, said that he believed they were reading from the Fire Marshal's inspection which is a separate issue from the Building Department. The Special Magistrate said they are talking about something that was not presented yet. Attorney Mavrick explained about the two separate corporations. One corporation is the landlord, Fisherman's Pier, Inc., and the other is a limited liability corporation for the Café of which Spiro Marchelos is the one managing member. Fisherman's Pier, Inc. leases a portion of the pier to the Café. He feels that the illegal work is from the Café. The Special Magistrate explained the property owners' responsibility.

Mr. Spiro Marchelos showed Martha Marchelos and Attorney Mavrick a letter which was then given to the Special Magistrate. Mr. Marchelos testified that Fisherman's Pier is ready, willing and able to correct all problems and start the work immediately. He said that every single item that needs to be corrected was discussed with the Town. He hired Arpin & Sons to immediately correct the situation. He explained his legal situation and said that as of December 7, 2015, he is able to come back to his business. He asked that the café not be closed down. The Special Magistrate said that he was told by the Town's Building Official under oath that it is unsafe, so it must be closed down. Until he gets something in writing from the Building Official and the Fire Marshal, the Special Magistrate said the café will remain closed and vacated.

Attorney Mavrick asked if the area of the pier where people fish could be left open. The Special Magistrate inquired if there were violations in the fishing area of the pier. Building Official Morrell and Fire Marshall Paine both concur that the restaurant and bait shop have to be closed but the fishing area of the pier can be left open to the public. The Special Magistrate said that he would draft an order to automatically re-open either the restaurant, the bait shop, or both when both Mr. Morrell and Mr. Paine approve each one to be re-opened. Mr. Morrell said that the Town will only deal with one contractor and there should be one permit to deal with all the violations. The Special Magistrate explained to the respondents that the last thing the Town wants is to close down this operation. Mr. Marchelos said that they would shut down everything including the fishing pier.

The Special Magistrate ordered the power pulled for the Café and bait house and the premises vacated. After the Town's Building Official and Fire Marshall both confirm the violations are permitted, cured and a certificate of occupancy is issued, a draft order will be issued to reopen the bait house and Café. The Special Magistrate imposed an Administrative Fee in the amount of \$500 against each corporation until it is determined which corporation is to be responsible. The Administrative Fee must be paid within 45 days, by January 28, 2016.

OLD BUSINESS

ITEM #V.17

Case #: 14110003 – Building Code Violations

Property Owner: Dee Jay Enterprises, Inc.

Address/Folio: 4617 El Mar Dr

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

Code Compliance Inspector Carmen Sanchez testified that this case was before the Special Magistrate at the last hearing for certifying the fines. A Status Report was requested for today. She explained that the property owner's attorney requested more time to figure out the permit and why the permit was denied. Ms. Sanchez has the printout from the Building Department regarding the history of the permit. She said the Building Official is here tonight. The Notice of this hearing

was sent via certified mail and service was obtained. The property owner or any representative for the property owner was not present. Fines started running July 18, 2015 at \$100/day for one violation. The property is out of compliance 150 days totaling \$15,000. There is a \$150 Administrative Fee from a previous hearing that was not paid and Ms. Sanchez requests \$50 Administrative Fee for today's hearing. The total amount to certify today is \$15,200 with fines continuing to run. Building Official Jack Morrell said the permit was issued in January 2015. He said there was an inspection in January 2015 which failed and he explained why.

The Special Magistrate ordered the certification of fines in the amount of \$15,150 and imposed an Administrative Fee in the amount of \$50 for today's hearing, for a total of \$15,200 with fines continuing to run. (The minutes reflect that this agenda item was recalled later in the hearing due to the late arrival of the respondent's attorney.)

CERTIFICATION OF LIEN

ITEM #V.33

***TAKEN OUT OF SEQUENCE**

Case #: 15040001 – Zoning Violations

Property Owner: Sirgany, Benita

Address/Folio: 4343 N Ocean Dr

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

Code Compliance Inspector Carmen Sanchez testified that last time this agenda item was before the Special Magistrate, the BurgerFi Restaurant was given until November 27, 2015 to comply. Ms. Sanchez said they are not in compliance but making progress. They already had a Final Order and two more Revised Final Orders. She explained to the Special Magistrate the work that still remains to be done.

Jeremy Kapper said that it would take another twenty days to complete the entire project. He mentioned that the Town Engineer has been out. The Special Magistrate said he is concerned that this has taken over a year to get done. Ms. Sanchez said that the Special Magistrate had already imposed a fine of \$250/day commencing November 28, 2015 which has been running for 17 days totaling \$4,250.

The Special Magistrate ordered a fine of \$250/day fine and retains jurisdiction over this agenda item. He ordered to stop the fine when the work is complete and continue this agenda item to the January 25, 2016 Code Hearing for a Status Report.

For the record, Ms. Sanchez said the Town Engineer has only been out one week.

Case #21 was called but there was no one in attendance, so it was heard later.

NEW BUSINESS

ITEM #V.25

***TAKEN OUT OF SEQUENCE**

Case #: 15090018 – Zoning Violations

Property Owner: K M & Buschbaum Inc.

Address/Folio: 4217 El Mar Dr

Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-112.(f)(4)(c)(3)i-iv

Code Compliance Inspector Carmen Sanchez testified that this is a hotel. The Notice was sent via certified mail and service was obtained. The previous owner, Buena Vista, was cited for this property. The property was cited for failure to submit an amendment to the original site plan. As

of today, the new owners have not submitted an amendment to the site plan. Ms. Sanchez answered the Special Magistrate that the ownership changed on September 18, 2015. The Notice was sent on September 30, 2015. The violation is for work that was done without a permit. They can either obtain a permit or return the property to the original state before the work was done. Ms. Sanchez said that there has been contact with the new owners. Linda Connors, the Town's Planning Director, has been in communication with the attorney.

Jesse Dalen said he represents the owner entity. As the new owners, they want the property to be in compliance. He said his architect has been in contact with Linda Connors. The Special Magistrate ordered a continuance until the January 25, 2016 hearing.

The Special Magistrate ordered compliance by January 24, 2016 or a fine of \$50/day and imposed an Administrative Fee in the amount of \$150 to be paid by January 4, 2016.

The architect introduced himself. He said he reviewed all of the Town's comments and gave the new owner his best advice.

ITEM #V.26

Case #: 15100028 – Building Code Violations
Property Owner: Alesa, LLC
Address/Folio: 4529 N Ocean Dr
Code Section(s): Florida Building Code Section 105 Section 105.11.2.1

Code Compliance Inspector Carmen Sanchez testified that this is a hotel. She received a list of expired building permits from the Building Department. Notice was sent via certified mail and service was obtained. The violation is an expired building permit since August 16, 2015. She said that the property owner has been working on compliance by trying to get the permit renewed. They have been in communication with the Building Department.

The owner's daughter, Aicha Saieh, answered the Special Magistrate that the hotel has ten units. She explained what the permit was for. She said she renewed the permit and fixed the pole in the parking lot but now new things were added to be done. She told the Special Magistrate what these new items were regarding this one handicap parking space. The Special Magistrate suggested that she meet with staff to understand what needs to be accomplished.

The Special Magistrate ordered to continue the case to the January 25, 2016 hearing for a Status Report and imposed an Administrative Fee in the amount of \$50, to be paid by January 4, 2016.

CERTIFICATION OF LIEN

ITEM #V.32

***TAKEN OUT OF SEQUENCE**

Case #: 15010017 – Building Code Violations
Property Owner: Southern Seas Condominium Association, Inc.
Address/Folio: 4520 El Mar Dr
Code Section(s): Florida Building Code Section 105 Section 105.1 Required
Chapter 30 – Unified Land Development Regulations Section 30-317(g)

Code Compliance Inspector Carmen Sanchez said that this case has been going on since December 2014. This was for work done without a permit for parking lot striping and sealcoating. She was here tonight to certify the fine. She said that for the last revised Final Order with an

extension, the Special Magistrate ordered compliance by August 23, 2015 or \$100/day fine. The property has been out of compliance for 113 days. There is also \$150 Administrative Fee that is outstanding. She wants to add \$75 Administrative Fee for today's hearing. The total amount to certify is \$11,525.

Teresa Delgado said she represented Southern Seas. She explained what they did and then the Town included more items to be done. Because they removed the striping, they became involved in an ADA case. They hired a surveyor who resubmitted plans which were denied. Plans again were resubmitted and they heard nothing from the Town.

The Special Magistrate ordered the fines to continue to run and continue to the case to the January 25, 2016 Code Hearing for a Status Report. He imposed an Administrative Fee in the amount of \$75 for today's hearing, for a total of \$225 due, to be paid by January 4, 2016.

He explained to Ms. Delgado that she must be diligent and get this done. Ms. Sanchez requested the fines be certified, if they are not in compliance by the January 25th hearing. Ms. Sanchez requested \$75 Administrative Fee for today and payment of \$150 Administrative Fee from a previous hearing.

ITEM #V.35

***TAKEN OUT OF SEQUENCE**

Case #: 15090016 – Nuisance
Property Owner: US Bank Trstee % Citimortgage
Address/Folio: 4236 E Tradewinds
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-38(a)
Chapter 6 – Building and Building Regulations Section 6-38(b)
Chapter 6 – Building and Building Regulations Section 6-41(a)(18)

Code Compliance Inspector Carmen Sanchez said that this is here tonight for certification of lien. Fines started running November 26, 2015 at \$200/day for one violation. The property is still not compliant for 19 days totaling \$3,800 plus \$150 Administrative Fees from a previous hearing and today's \$75 Administrative Fee. This is a vacant property with property maintenance issues. Some issues have been corrected. The dock is still in disrepair.

Ms. Denise Mahoney, realtor, said she was assigned this property on November 5, 2015. She said the bank approved the repair of the dock but the contractor said it has to be removed or rebuilt. She needs to get another approval from the bank. She said they will remove the dock and they have a buyer for the property. They just need more time to come into compliance.

The Special Magistrate ordered to stop the fines from accumulating (\$3,800) and to continue the case to the January 25, 2016 Code Hearing for a Status Report. He imposed an Administrative Fee in the amount of \$75 for today's hearing, for a total of \$225 due in Administrative Fees, to be paid by January 24, 2016.

He further expressed how pleased he was that things were getting done and he would discuss the accrued fines on another date.

OLD BUSINESS

ITEM #V.18

***TAKEN OUT OF SEQUENCE**

Case #: 15040009 – Building Code Violations
Property Owner: International Studio Apartment Association, Inc.

Address/Folio: 1480 S Ocean Blvd
Code Section(s): Florida Building Code Section 110.15 Building Safety Inspection
Program 110.15

Code Compliance Inspector Sharon Foster said that at the last hearing, the Special Magistrate stopped the fines and tonight is a Status Hearing. As of December 11, 2015 when Ms. Foster checked with the Building Department, the Forty-Year Inspection still has not been approved. She said that a permit was picked up so that the corrections could be done.

Mr. Mitch Krauss testified that he is from the management company. He said that they have the paperwork needed to get the permit submitted for the concrete repair.

The Special Magistrate ordered to continue the case to the January 25, 2016 Code Hearing for a Status Report, fines will not continue to run and the accrued fine of \$1,800 will be discussed at another time. He imposed an Administrative Fee in the amount of \$75 to be paid by January 4, 2016.

ITEM #V.34

***TAKEN OUT OF SEQUENCE**

Case #: 15070011 – Building Code Violations

Property Owner: Top of the Mile Condo

Address/Folio: 4013 N Ocean Dr

Code Section(s): Chapter 6 – Building and Building Regulations Section 6-12(d)(1-3)

Code Compliance Inspector Carmen Sanchez said that this is for the condominium's common areas. Notice was sent via certified mail and service was obtained. The violation is for the condominium going over the time limit for construction and repair. She explained that this was previously before the Special Magistrate. The condo applied for a time extension to the Town Commission which gave them an extension to November 24, 2015. Fines started accumulating on November 25, 2015 at \$50/day according to the Town Code. As of today, they are in violation twenty days for a total of \$1,000 plus today's Administrative Fee. She answered the Special Magistrate that they are doing concrete restoration.

Mr. Lee Heffstetter said that they did receive an extension and they renewed their permits. They have completed their work and documentation was provided to Mr. Morrell. Mr. Heffstetter said he was told that the documentation only went to the Building Official today. Mr. Heffstetter said that all the work is complete and a final inspection is scheduled for tomorrow.

The Special Magistrate ordered the certification of fines in the amount of \$1,000 and imposed an Administrative Fee in the amount of \$75 to be paid by January 4, 2016.

Ms. Sanchez explained to Mr. Heffstetter that after the permit is closed, he would have to apply to the Town Commission for mitigation. She answered him that up until today, the fine is \$1,000.

Clerk Idalia Gutierrez re-called case #14110003 as the respondent's attorney was now in attendance.

ITEM #V.17

***TAKEN OUT OF SEQUENCE/RE-CALLED**

Case #: 14110003 – Building Code Violations

Property Owner: Dee Jay Enterprises, Inc.

Address/Folio: 4617 El Mar Dr

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

Code Compliance Inspector Carmen Sanchez said that the Special Magistrate certified \$15,200 tonight. At the request of the Special Magistrate, Ms. Sanchez summarized what transpired this evening before Attorney Myrabelle Roche arrived. The attorney apologized and said she did not realize today's hearing started at 4:00PM. Ms. Roche said she did not get everything she requested from the Building Department. She only received screen shots which she showed to Ms. Sanchez and gave to the Special Magistrate without objection. For the record, Ms. Sanchez said that the Notices were sent via certified mail (which contained the 4:00PM hearing time) and service was obtained. Ms. Roche said she requested the inspector who inspected the property to be here today. She wanted to question him as to what instructions were given to the contractor to make sure the property was compliant. She has a contractor who can be present via phone tonight because he was present when the inspector gave the instructions for that area of the parking lot. The entire parking lot is compliant except for that area and that is why she wanted that inspector present. Ms. Sanchez said that the Building Official, Jack Morrell, was present tonight. She said that one year is ample time for the entire parking lot to become compliant. Ms. Sanchez was asking for the certification of fines to stand as they could be mitigated by the Town Commission after the property is in compliance. Ms. Roche said there is a court reporter here because they are reserving whatever legal remedies they might have.

The Special Magistrate stated his original order for the certification of fine stands.

He encouraged Ms. Roche to arrange a meeting with the Inspector and the Town's Building Official, Jack Morrell, to understand how to comply with the violation and after coming into compliance, mitigate the fines through the Town Commission.

NEW BUSINESS

ITEM #V.19

***TAKEN OUT OF SEQUENCE**

Case #: 15110003 – Building Code Violations

Property Owner: Bricmayfl LLC

Address/Folio: 5000 N Ocean Blvd #1711

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

Code Compliance Inspector Sharon Foster said that on November 5, 2015, she inspected unit #1711. Notice was sent via certified mail and service was obtained. The violation is work without a permit. Ms. Foster said the Fire Marshall informed her that work was being done in that unit. As of December 11th, the Permit Department informed her there were no permits for the work. She said that there was electrical work being done, the kitchen and bathroom were being remodeled, plus new patio doors and flooring. On November 5, 2015, she took pictures of the property that accurately depict the condition of the property. She requested that the pictures and the Building Department's e-mail regarding no permits be entered into evidence. She was requesting an Administrative Fee in the amount of \$150. She answered the Special Magistrate that there has been no contact with the owner.

The Special Magistrate ordered compliance by January 24, 2016 or a fine of \$200/day and imposed an Administrative Fee in the amount of \$150 to be paid by January 24, 2016.

ITEM #V.21

Case #: 15110028 – Building Code Violations

Property Owner: Luu, Hoa K Luu-Nguyen, Thu K

Address/Folio: 3256 Oleander Way

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

Code Compliance Inspector Sharon Foster said that on November 18, 2015, she inspected a single-family home as she observed work going on. Notice was sent via certified mail and service was obtained. The violation is work without permit. This is a vacant property. She checked with the Building Department for permits on file. Because the door of the home was open, she observed parts of the ceiling, floor and wall missing. As of December 11th, there has not been a permit issued for the demo work. On November 18th she took pictures of the property that accurately depict the condition of the property. She requests that they be entered into evidence. She was also requesting an Administrative Fee in the amount of \$150.

The Special Magistrate ordered compliance by January 24, 2016 or a fine of \$200/day and imposed an Administrative Fee in the amount of \$150 to be paid by January 24, 2016.

ITEM #V.23

Case #: 15080015 – Zoning Violations
Property Owner: Richard Barrie Jr., Inc.
Address/Folio: 226 Basin Dr
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-311(c)(11)

Code Compliance Inspector Carmen Sanchez stated the case is for the marina and is a repeat violation. For the record, the Town and the property owner have come to an agreement before tonight's hearing. She provided the history of this repeat violation. She stated for the record the twenty days she observed the repeat violation of more than two boats extending further into the canal than the mooring piles located near the center line of the canal. She said that the previous case was with the same property owner. The property is now in compliance. She will submit pictures for the record that show all the days the property was in violation. She also has a few pictures of days when the property was in compliance. The Special Magistrate accepted all the pictures into evidence as the Town's Composite Exhibit.

Ms. Sanchez explained that the Stipulated Order assesses \$100/day fine for each day in violation and an Administrative Fee in the amount of \$250 to be paid by December 21, 2015. If payment is not received by that date (12/15/2015), the fines will increase to \$150/day/boat. Ms. Sanchez has a copy of an e-mail from Mr. Bentley to the Town Commission that show these terms for the record.

The Special Magistrate ratified the Stipulated Order and asked Ms. Sanchez to continue to monitor the marina for future violations.

ITEM #V.24

Case #: 15090013 – Landscape Violations
Property Owner: Alexander Holdings Ltd
Address/Folio: 275 Commercial Blvd
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-477(a)

Code Compliance Inspector Carmen Sanchez said that the owners have requested another continuance and she has no objection to their request. The violation is for dead grass. It is a commercial property that is doing major improvements to the parking lot which delays planting new grass.

The Special Magistrate ordered to continue the case to the January 25, 2016 Code Hearing.

ITEM #V.27

Case #: 15110011 – Property Maintenance
Property Owner: HSBC Bank USA NA Trustee % Ocwen Loan Servicing LLC
Address/Folio: 4216 Seagrape Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-38(b)

Code Compliance Inspector Carmen Sanchez said that this is a vacant single-family house. The Notice was sent via certified mail and service was obtained. She posted the property. The Affidavit of Posting is in the file. There are a few minor violations needing compliance and the major violation is that the pool has stagnant water. A neighbor complained and that initiated the case. A Courtesy Notice was sent November 2, 2015 and after no response a Notice of Violation/Notice of Hearing was sent. She has pictures that were taken on two different days showing the pool getting worse. She answered the Special Magistrate that the pool is not accessible by the public. There has been no contact with the bank, etc. She is requesting an Administrative Fee in the amount of \$150.

The Special Magistrate ordered compliance by January 24, 2016 or a fine of \$150/day and imposed an Administrative Fee in the amount of \$150 to be paid by January 24, 2016.

ITEM #V.28

Case #: 15110017 – No Garbage/Trash Service
Property Owner: Vantage Holdings Corp
Address/Folio: 267 Bombay Ave
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Carmen Sanchez requested a continuance for this case because she did not get proper service on this case.

The Special Magistrate ordered to continue the case to the January 25, 2016 Code Hearing.

ITEM #V.30

Case #: 15110025 – No Garbage/Trash Service
Property Owner: Bravo US Inc.
Address/Folio: 227 Codrington Dr
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Carmen Sanchez said she received a list of delinquent garbage accounts. On October 29, 2015, Ms. Sanchez sent a Courtesy Notice. Waste Pro sent another list of delinquent accounts and Ms. Sanchez sent out the Notice of Violation on November 19, 2015 via regular mail and posted the property. The Affidavit of Posting is in the file. On December 10, 2015, Ms. Sanchez received an updated delinquent list from Waste Pro Services via e-mail and it reflected the property had not made a payment. She submitted a copy of the e-mail into evidence. She would like to suggest a fine of \$10/day and an Administrative Fee in the amount of \$100. She answered that she did not know if the property was occupied and said it was well maintained.

The Special Magistrate ordered compliance by January 25, 2016 or a fine of \$10/day and imposed an Administrative Fee in the amount of \$100 to be paid by January 25, 2016.

ITEM #V.31

Case #: 15110026 – No Garbage/Trash Service
Property Owner: Avalon Liv Tr Albers, Sandra Trstee Etal
Address/Folio: 223 Avalon Ave
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Carmen Sanchez said she received a list of delinquent garbage accounts. The last e-mail she received from Waste Pro on December 10, 2015, showed the property still in violation. She submitted a copy of the e-mail into evidence. She would like to suggest a fine of \$10/day and is requesting an Administrative Fee in the amount of \$100.

The Special Magistrate ordered compliance by January 25, 2016 or a fine of \$10/day and imposed an Administrative Fee in the amount of \$100 to be paid by January 25, 2016.

CERTIFICATION OF LIEN**ITEM #V.36**

Case #: 15100005 – No Garbage/Trash Service
Property Owner: Cheung, Chi Yoon, Sojin
Address/Folio: 4632 Seagrape Dr
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Carmen Sanchez presented this case for certification of fine. The garbage account has been delinquent and the property is out of compliance for seven (7) days for a total of \$70. The \$100 Administrative Fee from the previous case has not been paid and Ms. Sanchez requested \$75 Administrative Fee in the amount of \$75 for today, for a total of \$245 to certify.

The Special Magistrate ordered the certification of fine in the amount of \$245.

ITEM #V.37

Case #: 15100023 – Sign Violation
Property Owner: Seagrape Commons LLC
Address/Folio: 222 E Commercial Blvd
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-505(f)

Code Compliance Inspector Carmen Sanchez presented this case for certification of an Administrative Fee in the amount of \$50.

The Special Magistrate ordered the certification of the Administrative Fee in the amount of \$75.

ITEM #V.38

Case #: 15100026 – Garage Sales Violations
Property Owner: The R Group LLC
Address/Folio: 4132 N Ocean Dr
Code Section(s): Chapter 14.5 – Peddlers and Solicitors Section 14.5-2 – Permit required.

Code Compliance Inspector Carmen Sanchez presented this case for certification of an Administrative Fee in the amount of \$50.

The Special Magistrate ordered the certification of the Administrative Fee in the amount of \$50.

ITEM #V.39

Case #: 15090015 – Nuisance
Property Owner: Wells Fargo Delaware Tr Co Trste % Caliber Home Loans
Address/Folio: 2020 Waters Edge
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-41(a)(3)

Code Compliance Inspector Sharon Foster presented this case for certification of fine. Fines started running November 26, 2015 at \$200/day for three (3) violations. The property is not in compliance. It has been out of compliance 19 days. The fine is \$11,400 plus a previous \$150 Administrative Fee and an Administrative Fee of \$100 for today. The total amount to certify is \$11,650.

The Special Magistrate ordered the certification of fine in the amount of \$11,650.

ITEM #V.40

Case #: 15100009 – No Garbage/Trash Service
Property Owner: Breitberg, Dyana
Address/Folio: 1931 Waters Edge
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Sharon Foster presented this case for certification of fine. Fines started running December 8, 2015 at \$10/day per one violation. The property is not in compliance. It has been out of compliance 7 days. The fine is \$70 plus a previous \$100 Administrative Fee and an Administrative Fee of \$75 for today. The total amount to certify is \$245.

The Special Magistrate ordered the certification of fine in the amount of \$245.

ITEM #V.41

Case #: 15100014 – No Garbage/Trash Service
Property Owner: Eid, Naomi
Address/Folio: 1615 Blue Water Ter
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-27 (a)(1)

Code Compliance Inspector Sharon Foster presented the case for certification of fines. Fines started running December 8, 2015 at \$10/day per one violation. The property is not in compliance. It has been out of compliance 7 days. The fine is \$70 plus a previous \$100 Administrative Fee and an Administrative Fee of \$75 for today. The total amount to certify is \$245.

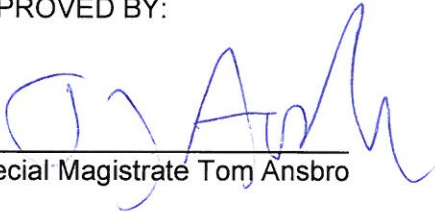
The Special Magistrate ordered the certification of fine in the amount of \$245.

VI. FIRE CASES

VII. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the Hearing on December 14, 2015 at approximately 5:56p.m.

APPROVED BY:


Special Magistrate Tom Ansbro

ATTEST:


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