



**CITY OF COCONUT CREEK
SPECIAL MAGISTRATE HEARING
MINUTES**

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: October 25, 2017
Time: 2:30 p.m.
Hearing No. 2017-10**

1. The Special Magistrate Richard Doody called the meeting to order at 2:31 p.m.

2. Explanation of Proceedings by Special Magistrate

Mr. Doody explained that he was an attorney appointed by the City to hear alleged Code violations and that this was a quasi-judicial proceeding, which is more formal than an appearance before the City Commission but less formal than courtroom proceedings. Persons intending to speak would be sworn in. Both sides would have the right to cross-examine anyone who speaks, and both sides would have the right to submit evidence into the record. Although the burden to prove the case is upon the City, State Statute and local ordinances provide that those parties who are found guilty of a Municipal code violation can be subject to a fine amount or a fine amount that runs on a daily basis. Mr. Doody emphasized that his role is not that of a judge but that of a fact-finder and hearing officer to determine the facts and make a ruling on the facts that are submitted into the record. He also clarified that unlike a judge, a Special Magistrate does not have equitable powers, and he cautioned that although he would answer questions about the process at any time during the proceedings, he could not give legal advice. He requested that if a person agreed with the violation but was seeking additional time to remedy the violation, the formality of the hearing would be dispensed so that it could be addressed. In contested violations, the City would speak first with the individual's response following.

3. Swearing in of Witnesses

4. Cases

Citation No.	Property Owner/Violator Address Violation	Violation Date
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Continued Cases

C17040224	Aiello, Joseph	04/11/17
Stouffer	5062 NW 47th Ave Coconut Creek, FL 33073 Violation Address: 5062 NW 47th Ave Chapter 6, Section 36-b-8 Mechanical equipment- screening required	

Disposition: This case has complied.

C17040240	Aiello, Joseph	04/11/17
Stouffer	5062 NW 47th Ave Coconut Creek, FL 33073 Violation Address: 5062 NW 47th Ave Chapter 6, Section 36-b Driveway and sidewalk mildew	

Disposition: This case has complied.

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<u>C17050257</u>	<u>Calano, Robert and Erin</u>	<u>05/18/17</u>
Stouffer	4167 NW 42 Ter. Coconut Creek, FL 33073 Violation Address: 4167 NW 42 Ter. Chapter 6, Section 36-b-9 Lawn not maintained, bare dead areas	

Disposition: This case has complied.

<u>C17050321</u>	<u>Sagon, Paul and Bevlyn</u>	<u>05/22/17</u>
Roberts	6101 NW 44 th Lane Coconut Creek, FL 33073 Violation Address: 6101 NW 44 Ln Chapter 6, Section 36-b-9 Lawn has dead and bare areas	

Disposition: The Special Magistrate found for the city and amended the compliance date to November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

<u>C17060184</u>	<u>Taveras, Luz and Seltzer, Richard</u>	<u>06/15/17</u>
Roberts	4043 NW 63 rd St Coconut Creek, FL 33073 Violation Address: 4043 NW 63 St Chapter 6, Section 36-a-2 Roof shows signs of mildew	

Disposition: The Special Magistrate found for the city and amended the compliance date to November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

<u>C17050354</u>	<u>Veloso, Matteos</u>	<u>05/23/17</u>
Stouffer	5829 Eagle Cay Lane Coconut Creek, FL 33073 Violation Address: 5012 Pebblebrook Ter Chapter 6, Section 36-a-1 Exterior walls discolored	

Disposition: This case has been continued until November 15th, 2017.

New Cases

<u>C17070038</u>	<u>Alfonso, Fidel & Feliz, Jackeline</u>	<u>07/07/17</u>
Clark	3520 NW 21 st Coconut Creek, FL 33066 Violation Address: 3520 NW 21 st Chapter 13, Section 38-a Failure to obtain permits for A/C replacement and interior renovations- kitchen	

Disposition: The Special Magistrate found for the city and imposed a compliance date of November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

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C17090065	Bad Vibes Forever, LLC	09/20/17
Roberts	8825 Watercrest Cir W Parkland, FL 33076	
	Violation Address: 4471 NW 65 St	
	Chapter 19, Section 33-1	
	Multiple vehicles parked over sidewalk	

Disposition: The Special Magistrate found for the city and a fine of \$50 per occurrence plus \$25 in administrative costs for a total fine of \$325.00 and to be paid within 30 days from the date of the signed Final Order.

C17090068	Bueno Silveira Investments, LLC	09/21/17
Hecht	4543 San Mellina Dr Coconut Creek, FL 33073	
	Violation Address: 4543 San Mellina Dr	
	Chapter 13, Section 38-a	
	Failure to obtain permit "grow house"	

Disposition: This case has been continued until November 15th, 2017.

C17090069	Bueno Silveira Investments, LLC	09/21/17
Hecht	4543 San Mellina Dr Coconut Creek, FL 33073	
	Violation Address: 4543 San Mellina Dr	
	Chapter 6, Section 16	
	Minimum housing code, unsafe structure	

Disposition: This case has been continued until November 15th, 2017.

C17090026	Coral Pointe Homeowners Association	09/13/17
Poplawski	4240 NW 55th Dr Coconut Creek, FL 33073	
	Violation Address: Coral Pointe Common Area	
	Chapter 13, Section 444-b-4-c	
	Improper pruning 22 Sabal Palms	

Disposition: The Special Magistrate found for the city and accepted the signed Stipulated Settlement Agreement.

C17080288	Dos Santos, Igor A	08/21/17
Clark	2210 NW 34 Ter Coconut Creek, FL 33066	
	Violation Address: 2210 NW 34 Ter	
	Chapter 13, Section 38-a	
	Failure to complete permit process: permit #16002265 (fence)	

Disposition: This case has complied.

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C17080346	Feliciano, Ramon	08/28/17
Roberts	6141 NW 44 Ter Coconut Creek, FL 33073 Violation Address: 6141 NW 44 Ter Chapter 12, Section 34 Trash containers and bulk are out for collection prior to 4pm the day preceding the scheduled collection.	

Disposition: The Special Magistrate found for the city and imposed a \$25 fine and a one-time \$25 Administrative fee to be paid within 30 days from the date of the signed Final Order.

C17070349	Hoilett, Lisa	07/27/17
Clark	2901 Carambola Cir S Coconut Creek, FL 33066 (Previous owner) Palacios, Raul (Previous owner address) 2150 NW 105 Ln Coral Springs, FL 33071 Violation Address: 2901 Carambola Cir S Chapter 13, Section 38-a Failure to obtain permit application #17002518	

Disposition: The Special Magistrate found for the city and imposed compliance by January 25, 2018 or a per diem fine of \$50 per day with a one-time \$25 administrative fee.

C17090061	JSJT Construction, Inc	09/19/17
Capone	3389 Sheridan St #513 Hollywood, FL 33021 Violation Address: 4030 Edgewood Dr Chapter 12, Section 36-c Site Standards every construction site shall be kept free of any accumulation of debris, refuse and solid waste.	

Disposition: The Special Magistrate found for the city and imposed \$100 per violation with a one-time \$25 administrative fee for a total fine of \$325. The full amount to be paid in full 30 days from the date of the signed Final Order.

C17090045	Khanjian, Maral	09/14/17
Clark	4815 NW 14 th St Coconut Creek, FL 33063 Violation Address: 4815 NW 14 th St Chapter 6, Section 36-b-7 Sources of infestation- inoperable pool and attached spa	

Disposition: The Special Magistrate found for the city and imposed compliance by November 2, 2017 or a per diem fine of \$50 per day with a one-time \$25 administrative fee.

C17090053	Khanjian, Maral	09/19/17
Clark	4815 NW 14 th St Coconut Creek, FL 33063 Violation Address: 4815 NW 14 th St Chapter 13, Section 371-8-b Pool- unsecure enclosure (fence required with self-latching gates)	

Disposition: The Special Magistrate found for the city and imposed compliance by November 2, 2017 to erect a temporary barrier and compliance date of December 14, 2017 to obtain the necessary building permit for the permanent barrier or a per diem fine of \$50 per day with a one-time \$25 administrative fee.

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<u>C17070351</u>	<u>LLerena-Munhoz, Varinea and Munhoz, Pedro</u>	<u>07/27/17</u>
Clark	2731 Carambola Cir S #1906 Coconut Creek, FL 33066 (Previous owner) Palacios, Raul (Previous owner address) 2150 NW 105 Ln Coral Springs, FL 33071 Violation Address: 2731 Carambola Cir S #1906 Chapter 13, Section 38-a Failure to obtain permit application #17002522	

Disposition: The Special Magistrate found for the city and imposed compliance by January 25, 2018 or a per diem fine of \$50 per day with a one-time \$25 administrative fee.

<u>C17070010</u>	<u>Morales, Stacey</u>	<u>07/05/17</u>
Roberts	4064 NW 62 Court Coconut Creek, FL 33073 Violation Address: 4064 NW 62 Court Chapter 6, Section 36-a-2 Non maintenance of roof, shows signs of mildew	

Disposition: The Special Magistrate found for the city and imposed a compliance date of November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

<u>C17080276</u>	<u>Northland Cypress, LLC</u>	<u>08/21/17</u>
Poplawski	2150 Washington St Newton, MA 02462 Violation Address: Lyons Rd Chapter 13, Section 447 Improper preserve maintenance	

Disposition: The Special Magistrate found for the city and imposed a compliance date of December 11, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

<u>C17080128</u>	<u>Roman, Jason</u>	<u>08/09/17</u>
Roberts	5311 Eagle Cay Way Coconut Creek, FL 33073 Violation Address: 5311 Eagle Cay Way Chapter 13, Section 38-a Failure to complete permit process for A/C replacement	

Disposition: The Special Magistrate found for the city and imposed a compliance date of November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

<u>C17030308</u>	<u>Simpson Laura & Paul</u>	<u>03/16/17</u>
Roberts	7137 Pinecreek Lane Coconut Creek, FL 33073 Violation Address: 7137 Pinecreek Lane Chapter 13, Section 38-a Failure to complete permit process for pool/ spa permit # 15003389	

Disposition: The Special Magistrate found for the city and imposed a compliance date of November 30, 2017 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

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C17100062	Suarez, Amy	10/11/17
Clark	3851 NW 20 th St Coconut Creek, FL 33066 Violation Address: 3851 NW 20 th St Chapter 13, Section 371-8-b Swimming pool- enclosure (fence) requirements *health/ safety*	

Disposition: This case has been continued until January 24, 2018.

C17100063	Suarez, Amy	10/11/17
Clark	3851 NW 20 th St Coconut Creek, FL 33066 Violation Address: 3851 NW 20 th St Chapter 6, Section 36-b-7 Sources of infestation- swimming pool *health/ safety*	

Disposition: This case has complied.

C17090054	White, Douglas and Ariel	09/19/17
Capone	670 NW 49 th Ave Coconut Creek, FL 33063 Violation Address: 670 NW 49 th Ave Chapter 6, Section 36-b-7 Source of infestation stagnant pool	

Disposition: This case has complied.

C17080389	Zombek, Edward Robert	08/31/17
Capone	261 NW 42 nd Ave Coconut Creek, FL 33066 Violation Address: 261 NW 42 nd Ave Chapter 13, Section 38-a Failure to complete permit process, permit #16002487	

Disposition: This case has complied.

Status Conference:

C17010241	Raciti, Talia and Sabo, Lisa & David	04/04/17
Roberts	4967 Egret Place Coconut Creek, FL 33073 Violation Address: 4967 Egret Pl Chapter 13, Section 38-a Failure to complete permit for work done on pool	

Disposition: The Special Magistrate found no further action to be taken.

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C17040421	Schankenber, Jaquelyn and Tranchida, Anthony	04/26/17
Stouffer	4974 NW 48 Ave Coconut Creek, FL 33073	
	Violation Address: 4974 NW 48 th Ave	
	Chapter 13, Section 38-a	
	Back white fence not permitted- no permit (remove)	

Disposition: The Special Magistrate found for the city and extended the compliance date to January 15, 2018 or a \$50 fine per day would begin along with a one-time administrative fee of \$25.

5. Acceptance of Minutes: Hearing No. 2017-10 for October 25, 2017.

The Minutes were accepted without corrections or deletions.

6. ADJOURNMENT

The meeting adjourned at 3:52 p.m.



Amy Edwards
Senior Staff Assistant