



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

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

**Date: June 27, 2018
Time: 2:30 p.m.
Hearing No. 2018-06**

1. The Special Magistrate Richard Doody called the meeting to order at 2:37 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

<u>Citation No.</u>	<u>Property Owner/Violator Address Violation</u>	<u>Violation Date</u>
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Officer Janet Clark

<u>C18010408</u>	<u>Ahlijah, Michael and Loriston, Shcarah</u> 1452 NW 48 th Ave Coconut Creek, FL 33063 Violation Address: 1452 NW 48 th Ave Chapter 6, Section 36-a-2 Roof (non-maintenance) signs of disrepair (tarp)	<u>01/31/18</u>
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Disposition: The Special Magistrate found for the city and imposed a compliance date of August 23, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

<u>C18030372</u>	<u>Gaidry, Marcelene and Plati, Frank Est</u> 3600 NW 19 th St Coconut Creek, FL 33066 Violation Address: 3600 NW 19 th St Chapter 6, Section 36-a-2 Roof non-maintenance signs of disrepair (tarp) "repeat violation"	<u>03/28/18</u>
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Disposition: The Special Magistrate found for the city and imposed a compliance date of

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August 23, 2018 and a \$75 fine per day would begin with a one-time administrative fee of \$25.

C18060068	Georges, Djerry	06/06/18
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2171 NW 40 th Ter Coconut Creek, FL 33066		
Violation Address: 2171 NW 40 th Ter		
Chapter 6, Section 36-a-3		
Screens (non-maintenance) damaged/ missing at pool enclosure		

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 23, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060069	Georges, Djerry	06/06/18
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2171 NW 40 th Ter Coconut Creek, FL 33066		
Violation Address: 2171 NW 40 th Ter		
Chapter 13, Section 371-8-b		
Swimming pools and spas- enclosure requirements		

Disposition: This case has been continued until July 25, 2018.

C18010401	Henriques, Sara	01/31/18
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1441 NW 47 Ave Coconut Creek, FL 33063		
Violation Address: 1441 NW 47 th Ave		
Chapter 6, Section 36-a-2		
Roof (non-maintenance signs of disrepair (tarp)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 23, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18030388	Kaplan, Jesse	03/28/18
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1900 NW 39 th Ave Coconut Creek, FL 33066		
Violation Address: 1900 NW 39 th Ave		
Chapter 6, Section 36-a-2		
Roof (non-maintenance) signs of disrepair (tarp)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 23, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18050216	Lewis, William	05/10/18
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2220 NW 41 st Ave Coconut Creek, FL 33066		
Violation Address: 2220 NW 41 st Ave		
Chapter 13, Section 371-8-b		
Swimming pools and spas enclosure requirements		

Disposition: This case has been continued until July 25, 2018.

C18050217	Lewis, William	05/10/18
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2220 NW 41 st Ave Coconut Creek, FL 33066		
Violation Address: 2220 NW 41 st Ave		
Chapter 6, Section 36-a-3		
Screens (non-maintenance) damaged/ missing at pool enclosure		

Disposition: This case has been continued until July 25, 2018.

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C18030382	Nielsen, Maria Rosa	03/28/18
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1960 NW 39 th Ave Coconut Creek, FL 33066		
Violation Address: 1960 NW 39 th Ave		
Chapter 13, Section 38-a		
Failure to obtain permit: fence (work complete)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18030383	Nielsen, Maria Rosa	03/28/18
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1960 NW 39 th Ave Coconut Creek, FL 33066		
Violation Address: 1960 NW 39 th Ave		
Chapter 6, Section 36-b-9		
Lawn and landscaping (non-maintenance)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18030384	Nielsen, Maria Rosa	03/28/18
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1960 NW 39 th Ave Coconut Creek, FL 33066		
Violation Address: 1960 NW 39 th Ave		
Chapter 6, Section 36-b		
Exterior premises condition: driveway and walkway		
(Surface discoloration)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18030385	Nielsen, Maria Rosa	03/28/18
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1960 NW 39 th Ave Coconut Creek, FL 33066		
Violation Address: 1960 NW 39 th Ave		
Chapter 6, Section 36-a-1		
Wall surfaces (discoloration)		

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18050515	Spranger, Joshua	05/30/18
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1804 NW 48 th Ter Coconut Creek, FL 33063		
Violation Address: 1804 NW 48 th Ter		
Chapter 19, Section 37-2		
Recreational vehicle parking, time limit exceeded (RV Camper)		

Disposition: This case has complied.

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Officer Lori Hecht

C18060048	Lyons Flex Space, LLC	06/04/18
	4701 SW 72 Ave Miami, FL 33155	
	Violation Address: 6855 Lyons Tech Cir	
	Chapter 9, Section 2	
	Fire prevention and protection failed inspections	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 18, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060225	MCA Promenade Owner, LLC	06/13/18
Continued 7/25	2 Seaport Ln Boston, MA 02210-2021	
	Violation Address: 4437 Lyons Rd Ste 104	
	Chapter 9, Section 2	
	Fire prevention and protection- failed inspections	

Disposition: This case has been continued until July 25, 2018

C18060090	Sunshine Gasoline Distributors, Inc	06/07/18
	1650 NW 87 th Ave Miami, FL 33172	
	Violation Address: 4299 W Hillsboro Blvd	
	Chapter 9, Section 2	
	Fire prevention and protection- failed inspections	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 18, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Jan Moppert

C18040265	Abuali, Salwa Daoud and Rana	04/19/18
	4963 NW 10 th St Coconut Creek, FL 33063	
	Violation Address: 4963 NW 10 th St	
	Chapter 6, Section 36-b-7	
	Pool in backyard is stagnant and dark green: a source of infestation	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 18, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Winston Roberts

C18050103	Marc, Marcgenson H/E and Trinard, Natalie	05/07/18
	4084 NW 62 nd Dr Coconut Creek, FL 33073	
	Violation Address: 4084 NW 62 nd Dr	
	Chapter 13, Section 371-8-b	
	Pool fence is missing gate with self-locking/ closing device.	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 13, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

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C18040038	Martz, Cynthia	04/03/18
Continued 7/25	8291 Whispering Palm Dr. Boca Raton, FL 33496 Violation Address: 6605 NW 42 nd Ter Chapter 6, Section 36-b-9 Non-maintenance of lawn	

Disposition: This case has been continued until July 25, 2018

C18030173	Morales, Migdalia	03/12/18
Continued 7/25	6271 NW 41 Ter Coconut Creek, FL 33073-2050 Violation Address: 6271 NW 41 Ter Chapter 6, Section 36-a-2 Non-maintenance of roof. Roof shows signs of mildew	

Disposition: This case has been continued until July 25, 2018

C18010286	Weinstein, Ross and Sheila	01/24/18
	5827 NW 49 th Ln Coconut Creek, FL 33073 Violation Address: 5827 NW 49 th Ln Chapter 6, Section 36-a-2 Non-maintenance of roof. Roof shows signs of mildew	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Terrye Stouffer

C18030353	Barnswell, Tracy Plummer	03/27/18
	3824 NW 43 rd Ter Coconut Creek, FL 33073 Violation Address: 3824 NW 43 rd Ter Chapter 13, Section 38-a Failure to complete permit for fence #17003244 (applied only)	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18010233	Clarke, Kathy	01/23/18
	2015 NW 45 th Ave Coconut Creek, FL 33073 Violation Address: 2015 NW 45 th Ave Chapter 6, Section 36-a-2 Roof non-maintenance mildew, dirt, grime	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18010381	Dominick, Barbara C	01/30/18
Continued 7/25	5543 NW 55 th Ter Coconut Creek, FL 33073 Violation Address: 5543 NW 55 th Ter Chapter 6, Section 36-b-3 Fence non-maintenance disrepair	

Disposition: This case has been continued until July 25, 2018

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C18020367	Grundy, Gabrielle and Lester, Andrew	02/26/18
Continued 7/25	5610 NW 38th Ter Coconut Creek, FL 33073 Violation Address: 5610 NW 38th Ter Chapter 6, Section 36-a-2 Roof non-maintenance, mildew, dirt, grime	

Disposition: This case has been continued until July 25, 2018

C18050055	O'Berry, John	05/03/18
	6603 NW 37 th Ave Coconut Creek, FL 33073 Violation Address: 6603 NW 37 th Ave Chapter 13, Section 331-o-2 Carport exceeds permissible use. Misc items, boxes, junk	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18020274	Oluwote, Abraham and Cory C.	02/14/18
Continued 07/25	4254 NW 38 th Dr Coconut Creek, FL 33073 Violation Address: 4254 NW 38 th Dr Chapter 13, Section 38-a Failure to obtain a permit for fence	

Disposition: This case has been continued until July 25, 2018

C18010413	Ostrower, David	01/31/18
Continued 7/25	4950 NW 54 th St Coconut Creek, FL 33073 Violation Address: 4950 NW 54 th St Chapter 6, Section 36-a-2 Non-maintenance of roof, mildew, disrepair	

Disposition: This case has been continued until July 25, 2018

C18010188	Sampson, Shawn D. and Ivonnet	01/18/18
	3902 NW 42 nd Way Coconut Creek, FL 33073 Violation Address: 3902 NW 42 nd Way Chapter 13, Section 38-a Failure to obtain, permit for fence # 18000879 (applied)	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25

C18010183	Smith, James R. H/E and Rafalea	01/18/18
Continued 7/25	5532 NW 41 st Ave Coconut Creek, FL 33073 Violation Address: 5532 NW 41 st Ave Chapter 6, Section 36-a-2 Roof non-maintenance, mildew, disrepair	

Disposition: This case has been continued until July 25, 2018

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C18020303	Sugasti, William	02/21/18
	4737 N Ocean Dr Lauderdale by the Sea, FL 33308-2920	
	Violation Address; 3827 Coral Tree Cir #3827	
	Chapter 13, Section 38-a	
	Permit expired #17002090 AC	

Disposition: The Special Magistrate found for the city and imposed a compliance date of July 26, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18020231	Valencia, Julian and Ortiz, Paola	02/12/18
	5263 NW 55 th Ter Coconut Creek, FL 33073	
	Violation Address: 5263 NW 55 th Ter	
	Chapter 6, Section 36-a-2	
	Roof non-maintenance mildew, dirt, grime	

Disposition: This case has been continued until July 25, 2018

Status Conference

C18010022	Federal National Mortgage Assn	01/08/18
Stouffer	PO Box 650043 Dallas, TX 75265	
	Violation Address: 4281 NW 53 rd CT	
	Chapter 6, Section 36-a-2	
	Roof non-maintenance- discoloration from dirt, grime or mold	

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 23, 2018 and a \$50 fine per day.

Code Fine Reduction

C15010543	Deliz, Inez	01/27/15
Hecht	3104 Elk Ridge Ct NW Acworth, GA 30101	
	Violation Address: 3850 NW 23 PL	
	Chapter 6, Section 36-b-9	
	Lawn and/or landscaping non-maintenance	

FINE \$54,150**ADMIN. FEE \$25**

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$1,425.00 the fine has been paid.

Disposition:

C15010544	Deliz, Inez	01/27/15
Hecht	3104 Elk Ridge Ct NW Acworth, GA 30101	
	Violation Address: 3850 NW 23 PL	
	Chapter 6, Section 36-b	
	Exterior Premises Condition: driveway	

FINE \$750**ADMIN. FEE \$25**

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$775.00 the fine has been paid.

C17020416	Deliz, Inez	02/22/17
Clark	3104 Elk Ridge Ct NW Acworth, GA 30101	
	Violation Address: 3850 NW 23 PL	
	Chapter 6, Section 36-a-2	
	Roof non-maintenance, disrepair and discoloration	

FINE \$3100

ADMIN. FEE \$25

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$1,675.00 the fine has been paid.

C17020521	Cahow, Stephen	02/28/17
Capone	4460 NW 7 th St Coconut Creek, FL 33066	
	Violation Address: 4460 NW 7 th St	
	Chapter 6, Section 36-b-9	
	Lawn and/or landscaping (non-maintenance)	

FINE \$15,300

ADMIN. FEE \$25

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$500.00 the fine has been paid.

C16080102	Mills-Carr, Kareen H/E (KGA Investments, LLC)	08/03/16
Stouffer	6800 NW 39 th Ave Coconut Creek, FL 33073	
	Violation Address: 5464 NW 55 th Dr	
	Chapter 6, Section 36-a-2	
	Roof non-maintenance	

FINE \$20,650

ADMIN. FEE \$25

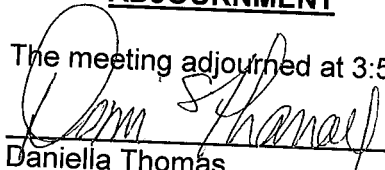
Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$2,025.00 the fine has been paid.

5. **Acceptance of Minutes:** Hearing No. 2018-05 for May 23, 2018.

The Minutes were accepted without corrections or deletions.

6. **ADJOURNMENT**

The meeting adjourned at 3:54 p.m.



Daniella Thomas
Senior Staff Assistant