

# CITY OF COCONUT CREEK SPECIAL MAGISTRATE HEARING MINUTES

Government Center 4800 W. Copans Road Coconut Creek, Florida Date: November 28, 2018

Time: 2:30 p.m. Hearing No. 2018-13

1. The Special Magistrate Richard Doody called the meeting to order at 2:35 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 Statue 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

	Property Owner/Violator	
	Address	Violation
Citation No.	Violation	Date

### Officer Briana Capone

C18110063 Cheetah Directorate LC 11/14/18

7728 Yosemite Lane Parkland, FL 33067 Violation Address: 3913 Monarch Lane Chapter 20, Section 12

Chapter 20, Section 12 Water meter bypass

**Disposition:** This case has paid the fine.

C18090219 Cordoba, Roman 09/24/18

316 Sunshine Drive Coconut Creek, FL 33066

Violation Address: 316 Sunshine Drive

Chapter 13, Section 38-a

Failure to complete permit process

Permit #: 17002274

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060112 F & L Armstrong Investments LLC

06/07/18

136 Fairways Drive Hendersonville, TN 33066

Violation Address: 367 Sunshine Drive

Chapter 13, Section 38-a

Failure to obtain permit for backyard pavers

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18070334

Jasmin, Raoul

07/31/18

4172 NW 54 Street Coconut Creek, FL 33073

Violation Address: 4172 NW 54 Street

Chapter 13, Section 38-a

Failure to obtain permit for fence

**Disposition:** This case has complied.

C18100230

JMJC Real Property MGMT LLC

10/29/18

10411 Majestic Court Parkland, FL 33076 Violation Address: 5035 Wiles Road #202

Chapter 13, Section 38-a

Failure to obtain permit for 1. Kitchen remodel, 2. A/C Unit

3. Electrical panel

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18090130

Klockziem, Louis C LE & Puffer, KA

09/12/18

Cont. from 10/24

8333 W. Lake Marion Road Haines City, FL 33844

Violation Address: 4360 Vinkemulder Road

Chapter 13, Section 332-b

A1 Agriculture District – Permitted uses:

Unapproved business

(Pompano Equipment Corp)

**Disposition:** The Special Magistrate found for the city and imposed that the property was in violation and is now in compliance.

C18080229

Machalek, Adam & Stephanie

08/14/18

4907 NW 55 Boulevard Coconut Creek, FL 33073

Violation Address: 4907 NW 55 Boulevard

Chapter 6, Section 36-b-9

Lawn/landscaping not maintained in a healthy condition

**Disposition:** This case has been continued to January 23, 2019.

<u>C18040202</u> <u>Miscio, Gretchen</u> 04/16/18

1211 Bahama Bend F2 Coconut Creek, FL 33066

Violation Address: 1211 Bahama Bend F2

Chapter 13, Section 38-a

Failure to obtain permit for interior renovations

Applied permit #: 18002514

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of February 28, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18080360 Pereira, Jose Inacio & Gomes, Maria Goretti 11/05/18

5672 NW 41 Avenue Coconut Creek, FL 33073

Violation Address: 5672 NW 41 Avenue

Chapter 13 Section 444-b-2-a-5 Invasive exotic weeds/vines On fence and back property line

**Disposition:** This case has complied.

C18100190 Pratt, David & Janine 10/22/18

4101 Edgewood Drive Coconut Creek, FL 33066

Violation Address: 4101 Edgewood Drive

Chapter 13, Section 444-b-4-b Improper tree pruning black olive

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

C18110037 Prior, Cassie Lynn & Finkelstein, Matthew 11/11/18

4291 NW 53 Court Coconut Creek. FL 33073

Violation Address: 4291 NW 53 Court

Chapter 19, Section 37-2

Utility trailer in driveway not permitted

\*Repeat Violation\*

**Disposition:** The Special Magistrate found for the city and imposed a one-time fine of \$75 with a one-time administrative fee of \$25.

C18100231 SOFIFLOR LLC %BOLISSEAU 10/29/18

13590 Jog Road Ste 6 Delray Beach, FL 33073

Violation Address: 5035 Wiles Road #102

Chapter 13, Section 38-a Failure to obtain permit 1. A/c unit 2. Electrical panel

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

January 24, 2019 and a \$50 line per day would begin with a one-time authinistrative lee of \$25.

<u>C18110048</u> Sorbet at Coconut Creek Inc 11/14/18

160 S University Drive Ste E Plantation, FL 33324

Violation Address: NW 61 Court (Sorbet)

Chapter 13, Section 444-b-4-c Improper palm pruning 12 palms

**Disposition:** The Special Magistrate found for the city and imposed a fine of \$600.

C18090257 SRP SUB LLC

09/26/18

8665 E. Hartford Drive Scottsdale, AZ 85255 Violation Address: 4903 NW 55 Boulevard Chapter 6. Section 36-b-9

Chapter 6, Section 36-b-9 Lawn and landscaping

Not maintained in a healthy condition

**Disposition:** This case has been continued to January 23, 2019.

C18090257

SRP SUB LLC

09/26/18

8665 E. Hartford Drive Scottsdale, AZ 85255 Violation Address: 4903 NW 55 Boulevard Chapter 6, Section 36-b-9

Chapter 6, Section 36-b-Lawn and landscaping

Not maintained in a healthy condition

**Disposition:** This case has complied.

C18090257

**SRP SUB LLC** 

09/26/18

8665 E. Hartford Drive Scottsdale, AZ 85255 Violation Address: 4903 NW 55 Boulevard

Chapter 6, Section 36-b-9 Lawn and landscaping

Not maintained in a healthy condition

**Disposition:** This case has complied.

C18060058

Williams, Gregory

06/05/18

4050 Edgewood Place Coconut Creek, FL 33066

Violation Address: 4050 Edgewood Place

Chapter 13, Section 38-a

Failure to obtain permit for backyard structure

**Disposition:** This case has been continued to January 23, 2019.

C18100186

Wyak, Richard

10/21/18

3852 Pebblebrook Court Coconut Creek, FL 33073

Violation Address: 3852 Pebblebrook Court

Chapter 19, Section 37-2

Trailer not permitted "Greener Image"

**Disposition:** This case has been withdrawn.

Officer Janet Clark

C18110016

Ahlijah, Michael & Loriston, Shcarah

11/05/18

1452 NW 48 Ave Coconut Creek, FL 33063 Violation Address: 1452 NW 48 Avenue

Chapter 13, Section 38-a

Failure to complete permit process for patio

Permit #17003560

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060347

Bailey-Dalrio, Lorna E

2021 NW 35 Terrace Coconut Creek, FL 33066

Violation Address: 2021 NW 35 Terrace

Chapter 6, Section 36-a-2

Roof non-maintenance:

Discoloration and disrepair present (Aged shingles)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18100049
Becker, Karen
10/08/18
Cont. from 10/24
3005 Portofino Isle L3 Coconut Creek, FL 33066
Violation Address: 3005 Portofino Isle L3
Chapter 6, Section 16
Minimum Housing Code for Broward County
Unsafe structure due to fire on 07/21/2018

**Disposition:** The Special Magistrate found for the city and imposed that the property is an unsafe structure.

C18110015

Begum, Shamsad

3228 NW 22 Avenue Oakland Park, FL 33309

Violation Address: 1801 NW 49 Avenue

Chapter 19, Section 37-2

Parking- Boat trailer

(On HOA property: exceeds size restrictions)

**Disposition:** This case has complied.

C18080137 Chea, Conrad & Chea, Robert 08/08/18
4746 NW 14 Street Coconut Creek, FL 33063
Violation Address: 4746 NW 14 Street
Chapter 6, Section 36-a-2
Non-maintenance of roof
Signs of disrepair (tarp present)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060291 De Oliveira, Luis & Miria 06/18/18

4762 NW 15 Street Coconut Creek, FL 33063

Violation Address: 4762 NW 15 Street

Chapter 13, Section 444-c-1-d-2

Minimum landscape requirements:

No lawn area may exceed

10% of gravel, stone, asphalt and concrete

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

06/18/18 C18060296 De Oliveira, Luis & Miria 4762 NW 15 Street Coconut Creek, FL 33063 Violation Address: 4762 NW 15 Street Chapter 13, Section 38-a

Failure to obtain permit(s) for rear yard renovations

Disposition: The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060308 De Oliveira, Luis & Miria 06/18/18 4762 NW 15 Street Coconut Creek, FL 33063 Violation Address: 4762 NW 15 Street Chapter 6, Section 36-b-9 Lawn and landscaping (non-maintenance): Areas of weeds and bare soil present

Disposition: The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

De Oliveira, Luis & Miria 06/18/18 C18060309 4762 NW 15 Street Coconut Creek, FL 33063 Violation Address: 4762 NW 15 Street Chapter 6, Section 36-b-1 Fence (non-maintenance): discoloration due to dirt, Grime, mold and/or mildew

Disposition: This case has complied.

C18060350 Dorante, Miguel & Ewa 06/19/18 2011 NW 35 Terrace Coconut Creek, FL 33066 Violation Address: 2011 NW 35 Terrace Chapter 6. Section 36-a-2

Roof non-maintenance: discoloration present

**Disposition:** This case has complied.

C18060426 Green, Brandon & Serrano, Jaritza 06/20/18

1921 NW 35 Terrace Coconut Creek, FL 33066

Violation Address: 1921 NW 35 Terrace

Chapter 6, Section 36-a-1

Fence non-maintenance: Discoloration present

Disposition: The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18080344 Guccione, Gregory 08/23/18 5233 NW 89 Drive Coral Springs FL 33067 Violation Address: 1805 Eleuthera Point A1 Chapter 13, Section 38-a Failure to complete permit process for permit #18000120

Permit is expired

**Disposition:** This case has been continued to January 23, 2019.

C18100018

Jean-Jacques, Frenique

10/02/18

3461 NW 20 Street Coconut Creek, FL 33066

Violation Address: 3461 NW 20 Street

Chapter 13, Section 38-a

Failure to complete permit process for permit #18000845

(Window/door)

**Disposition:** This case has complied.

C18060427

Marini, Elio & Denise

06/20/18

1911 NW 35 Terrace Coconut Creek, FL 33066

Violation Address: 1911 NW 35 Terrace Lawn and landscape non-maintenance

(Sod weeds throughout,

Bare areas due to parking, hedge untrimmed)

**Disposition:** This case has been continued to January 23, 2019.

C18060413

Marshall, Marvalin & Errol

06/20/18

1971 NW 35 Terrace Coconut Creek, FL 33066

Violation Address: 1971 NW 35 Terrace

Chapter 13, Section 38-a

Failure to obtain permit: Fence repair/replacement

(Work completed after Hurricane Irma)

**Disposition:** This case has complied.

C18060041

Ovalle, Belisario & Ana

06/04/18

4774 NW 14 Drive Coconut Creek, FL 33063

Violation Address: 4774 NW 14 Drive

Chapter 6. Section 36-a-2

Non-maintenance of roof: Signs of disrepair (tarp present)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060334

Sanmiguel, Jesus M

06/19/18

17051 SW 36 Court Miramar, FL 33027 Violation Address: 2071 NW 35 Terrace

Chapter 13, Section 38-a

Failure to obtain permit: Fence repair/replacement

(Work completed after Hurricane Irma)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18080150

Scoppettone, Teresa

08/09/18

2803 Victoria Way B2 Coconut Creek, FL 33066

Violation Address: 2803 Victoria Way B2

Chapter 13, Section 38-a Failure to obtain permit

(Interior renovation- kitchen/bath)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18100191 Scoppettone, Teresa 10/23/18
4301 Martinique Circle M1 Coconut Creek, FL 33066
Violation Address: 4301 Martinique Circle M1
Chapter 13, Section 38-a
Failure to obtain permit
(Interior renovation- kitchen/bath) (Storm shutters)

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18060516 Selebam, Lucas Federico & Martina 06/28/18

ROCA 443 \*BECCAR PROV. BSAS (1643) AR

Violation Address: 1209 Bahama Bend B1

Chapter 13, Section 38-a

Failure to obtain permit: interior renovations

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18100102 Steen, Irma 10/15/18

2201 NW 41 Terrace Coconut Creek, FL 33066

Violation Address: 2201 NW 41 Terrace

Chapter 19, Section 37-4

VW Van- Unlawful parking (Vehicle tag is expired)

FL Tag: N98-6FB \*Repeat Violation

**Disposition:** The Special Magistrate found for the city and imposed a fine of \$150 with a one-time administrative fee of \$25.

#### Officer Lori Hecht

C18090256

3880 Coconut Creek Medical Center LLC

531 N. Ocean Blvd #201 Pompano Beach, FL 33062

Violation Address: 3880 Coconut Creek, Parkway #100

Chapter 13, Section 38-a

Failure to obtain permit

**Disposition:** This case has been continued to January 23, 2019.

C18070100 Bryan, Andigue 07/12/18
4951 NW 10 Street Coconut Creek, FL 33063
Violation Address: 4951 NW 10 Street
Chapter 6, Section 36-b-9
Failure to maintain lawn & landscaping

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C17070013 Centro NP Coconut Creek Owner, LLC 06/29/17
420 Lexington Ave 7 FL New York, NY 10170

Violation Address: 4847 Coconut Creek Parkway

Chapter 13, Section 549

Failure to obtain site plan modification Publix liquor store- rolling door

**Disposition:** This case has been continued to January 23, 2019.

C18110039 Howard, Eric & Suarez, Lisbeth 11/13/18

291 Lake Drive Coconut Creek, FL 33066

Chapter 13, Section 371-8-b

Swimming pool must be secured with secured with fence

Minimum 5' high or screen enclosure

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of March 28, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18090134 If the Horseshoe Fitz LLC 09/12/18
4201 Vinkemulder Road Coconut Creek, FL 33073

Violation Address: 4201 Vinkemulder Road

Chapter 13, Section 332-b

Failure to comply with permitted use in A-1

Agriculture zoning district

**Disposition:** This case has been continued to January 23, 2019.

C18080426 Joma Star Group Inc 08/29/18

6348 NW 62 Terrace Parkland, FL 33065 Violation Address: 330 Sunshine Drive

Chapter 13, Section 38-a

Failure to complete permit process

**Disposition:** This case has been continued to January 23, 2019.

C18110065 Lieberman, Steven & Snyder, Suzanne 11/15/18

119 Larchwood Drive Turtle Creek, PA 15145 Violation Address: 3405 Bimini Lane N3

Chapter 6, Section 16

Minimum housing code for Broward County

Unsafe structure due to water heater

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of December 27, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18110066 Lieberman, Steven & Snyder, Suzanne 11/15/18

119 Larchwood Drive Turtle Creek, PA 15145

Violation Address: 3405 Bimini Lane N3 Chapter 13, Section 38-a

Failure to obtain permit for water heater

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of December 27, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18080283 Marzulli, John Michael II 08/16/18

4713 NW 7 Manor Coconut Creek, FL 33063

Violation Address: 4713 NW 7 Manor

Chapter 6, Section 36-a-2

Failure to maintain roof showing signs of mildew, dirt or grime

**Disposition:** This case has complied.

C18070305 Mendoza, Alfonso Arias 07/30/18

4723 NW 6 Place Coconut Creek, FL 33063

Violation Address: 4723 NW 6 Place

Chapter 6, Section 36-a-2

Failure to maintain roof showing signs of mildew, dirt or grime

**Disposition:** This case has complied.

C18070306 Mendoza, Alfonso Arias 07/30/18

4723 NW 6 Place Coconut Creek, FL 33063

Violation Address: 4723 NW 6 Place

Chapter 6, Section 36-b Failure to maintain driveway

**Disposition:** This case has complied.

C18090210 Simm, Cynthia & Marco 09/20/18

4290 NW 53 Court Coconut Creek, FL 33073

Violation Address: 4290 NW 53 Court

Chapter 18, Section 29

Failure to obtain business tax receipt "Mas General Svc"

**Disposition:** This case has been withdrawn.

C18100136 Tangedahl, Keith 10/17/18

4110 NW 8 Street Coconut Creek, FL 33066

Violation Address: 4110 NW 8 Street

Chapter 6, Section 36-b-7

Sources of infestation pool not maintained

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of December 14, 2018 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18110006 Victoria Isles Community Assoc %Campbell Prop Mgmt 11/01/18

1215 E. Hillsboro Boulevard Deerfield Beach, FL 33441

Violation Address: 1215 E Hillsboro Blvd

Chapter 20, Section 12 Water meter bypass

**Disposition:** This case has been continued to January 23, 2019.

# Officer Jan Moppert

C18070116 Barzola, Sergio 07/14/18
7134 Crescent Creek Lane Coconut Creek, FL 33073

Violation Address: 7134 Crescent Creek Lane

Chapter 6, Section 36-a-2

Non-maintenance of roof. Roof shows signs of mildew

Disposition: This case has complied.

C18060170 Bruce, Kimberly 06/11/18

5522 Lake Tern Place Coconut Creek, FL 33073

Violation Address: 5522 Lake Tern Place
Chapter 6, Section 36-a-2

Non-maintenance of roof: Roof shows signs of mildew

Disposition: This case has been withdrawn.

C18080133 Hillsboro Marketplace Investments Medcare Aesthetics 08/08/18
215 N. Federal Highway Boca Raton, FL 33432
Violation Address: 215 N. Federal Highway

Chapter 13. Section 38-a

Bare/brown areas and weeds

Failure to complete the permit process for sign Permit #: 18000262

**Disposition:** This case has complied.

C18070298 Roque, Elizabeth & Rosque-Paskow, Michelle 07/29/18
3741 NW 71 Street Coconut Creek, FL 33073
Violation Address: 3741 NW 71 Street
Chapter 6, Section 36-b-9
Non-maintenance of lawn

**Disposition:** The Special Magistrate found for the city and imposed a compliance date of January 24, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C18110007 Truong, David Minh & Tran, Di 11/04/18
5640 NW 40 Terrace Coconut Creek, FL 33073
Violation Address: 5640 NW 40 Terrace
Chapter 13, Section 444-b-4-b
Improper tree pruning 1 Oak tree in front yard

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

## **Status Conference**

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

**Disposition:** The Special Magistrate has accepted the request to extend the compliance date to January 24, 2019.

## **Code Fine Reduction**

C10020157	Ashworth, Julia	02/08/10
Hecht	4451 NW 8 Street Coconut Creek, FL 33066	
	Violation Address: 4451 NW 8 Street	
	Chapter 19, Section 37-2	
	Commercial vehicle not permitted in residential zone	

**FINE \$50.00** 

ADMIN. FEE \$0

**Disposition:** The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$50 the fine has been paid.

C12080078	Ashworth, Julia	08/06/12
Hecht	4451 NW 8 Street Coconut Creek, FL 33066	
	Violation Address: 4451 NW 8 Street	
	Chapter 19, Section 37-4	
	Vehicle must have current tag and registration	

FINE \$20,700.00

ADMIN. FEE \$25

**Disposition:** The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$500 the fine has been paid.

C17120076	Cardello- Papa, Suzanne & Petroski, Leigh 12/12/17
Clark	4518 Carambola Circle S #27291 Coconut Creek, FL 33066
	Violation Address: 4518 Carambola Circle S #27291
	Chapter 13, Section 38-a
	Failure to obtain permit for work completed
	Patio enclosure and sliding glass door

FINE \$6,100.00

ADMIN. FEE \$25

**Disposition:** The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$700 the fine has been paid.

**5. Acceptance of Minutes:** Hearing No. 2018-12 for October 24, 2018.

The Minutes were accepted without corrections or deletions.

# 6. ADJOURNMENT

The meeting adjourned at 4:23 p.m.

Daniella Thomas Senior Staff Assistant