



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

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

**Date: July 24, 2019
Time: 2:30 p.m.
Hearing No. 2019-8**

- 1. The Special Magistrate Richard Doody called the meeting to order at 2:30 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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Officer Briana Capone

C19040047	Caligo Crossing, LLC %Property Tax Dept P.O. Box 790830 San Antonio, TX 78279 Violation Address: 6970 N State Road 7 Chapter 13, Section 38-a Failure to complete permit process - expired permit *Safety*	04/10/19
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Disposition: The Special Magistrate found for the city and imposed a compliance date of August 15, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19070050	Dasay LLC 18201 Collins Ave #1406 Sunny Isles Beach, FL 33073 Violation Address: 4570 Lyons Road Chapter 13, Section 444-b-4-c Improper pruning of 30 palms	07/08/19
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Disposition: The Special Magistrate found for the city and imposed a one-time fine of \$1,500.

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C18100135	Hernandez, David & Rachael	10/17/18
Cont. from 6/26	5411 NW 53 Drive Coconut Creek, FL 33073 Violation Address: 5411 NW 53 Drive Chapter 13, Section 38-a Failure to obtain permit Fence	

Disposition: This case has been continued to August 28, 2019.

C19060139	Lyons Associates LTD %Integrity Property Management	06/20/19
	5665 Coral Ridge Drive Coral Springs, FL 33076 Violation Address: 4386 NW 42 Drive Chapter 13, Section 444-b-4-c Improper palm pruning 24 Sabal Palms	

Disposition: The Special Magistrate found for the city and accepted the stipulated agreement.

C19050053	Rossi, Mariana	05/08/19
	5302 NW 55 Terrace Coconut Creek, FL 33073 Violation Address: 5302 NW 55 Terrace 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 August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Janet Clark

C19060165	Advenir at Coco Plum LLC	06/26/19
	17501 Biscayne Boulevard #300 Aventura, FL 33160 Violation Address: 4080-4142 Coco Plum Circle Chapter 13, Section 444-b-4-c Improper Palm Pruning – Qty 90 Sabal Palms (\$50 per palm or stipulated agreement)	

Disposition: The Special Magistrate found for the city and accepted the stipulated agreement.

C18040167	Lyons Plaza Coconut Creek LLC	04/14/18
	361 NE 167 Street North Miami Beach, FL 33162 Violation Address: 1509 Lyons Road (1301-1507) Chapter 13, Section 408 Use of parking facilities – Limitations of uses and activities exceed	

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19030036	Lyons Plaza Coconut Creek LLC	02/27/19
	361 NE 167 Street North Miami Beach, FL 33162 Violation Address: 1509 Lyons Road (1301-1507) Chapter 18, Section 29 Business Tax Receipt Required: Limitations of uses and activities exceed	

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Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19050178	Lyons Plaza Coconut Creek LLC	05/29/19
	361 NE 167 Street North Miami Beach, FL 33162	
	Violation Address: 1509 Lyons Road (1301-1507)	
	Chapter 6, Section 36-a-5	
	Non-maintenance of windows/doors	
	Broken glass in bay door	
	(At Discount Tire Choice)	

Disposition: This case has complied.

C18070036	Wright, Jerry & Francia	07/03/18
Cont. from 6/26	1971 NW 38 Terrace Coconut Creek, FL 33066	
	Violation Address: 1971 NW 38 Terrace	
	Chapter 13, Section 38-a	
	Failure to obtain permit	
	Fence replacement	

Disposition: This case has been continued to August 28, 2019.

C18070037	Wright, Jerry & Francia	07/03/18
Cont. from 6/26	1971 NW 38 Terrace Coconut Creek, FL 33066	
	Violation Address: 1971 NW 38 Terrace	
	Chapter 6, Section 36-b-9	
	Non-maintenance of lawn & landscaping	

Disposition: This case has complied.

Officer Luis Montano-Garcia

C19060123	Bacchus, Lilian	06/19/19
	2703 Nassau Bend #B1 Coconut Creek, FL 33066	
	Violation Address: 2703 Nassau 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 August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19060037	Coronel, Adriana Elizabeth, Caso, Jennipher & Boyle, Maria	06/06/19
	11062 NW 46 Drive Coral Springs, FL 33076	
	Violation Address: 2805 Victoria Way #F2	
	Chapter 13, Section 38-a	
	Failure to obtain permit	
	(Interior Renovations)	

Disposition: This case has been continued to August 28, 2019.

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C19060110	Epstein, Elliot	06/19/19
	2905 Victoria Place #F4 Coconut Creek, FL 33066	
	Violation Address: 2905 Victoria Place #F4	
	Chapter 13, Section 38-a	
	Failure to complete permit process	
	(Permit expired)	

Disposition: This case has complied.

C19040119	Pham, Phu & Phuong, Yen	04/25/19
	4440 NW 3 Street Coconut Creek, FL 33066	
	Violation Address: 4440 NW 3 Street	
	Chapter 13, Section 38-a	
	Failure to obtain permit	
	(Interior Renovations)	

Disposition: This case has been continued to August 28, 2019.

Officer Jan Moppert

C19060048	Lee, Linda & Henry	06/07/19
Cont. from 6/26	4744 NW 76 Street Coconut Creek, FL 33073-2719	
	Violation Address: 4744 NW 76 Street	
	Chapter 13, Section 444-b-4-b	
	Improper tree pruning	
	2 Mahogany Trees	

Disposition: This case has complied.

C18100023	Vivas, Miguel E & Martinez, Reina	10/03/18
	4225 NW 61 Court Coconut Creek, FL 33073	
	Violation Address: 4225 NW 61 Court	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Craig Vanek

C19050056	4811 Lyons Tech Pkwy LLC %Principal Real Estate Investor	05/08/19
	6820 Lyons Technology Circle #100 Coconut Creek, FL 33073	
	Violation Address: 4811 Lyons Tech Pkwy Ste B11	
	Chapter 13, Section 38-a	
	Failure to obtain permit: no permit for rack system	
	(Precision Contracting Services)	

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

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C19050076 De Oliveira, Luis & Miria 05/13/19

Cont. from 6/26 4762 NW 15 Street Coconut Creek, FL 33063
Violation Address: 4762 NW 15 Street
Chapter 13, Section 374-2-d-4
Light from a property in any district
Shall not trespass over property lines

Disposition: The Special Magistrate found for the city and imposed a one-time fine of \$50 and a one-time administrative fee of \$25.

C19060163 Reed, Jean 06/26/19

3640 NW 71 Street Coconut Creek, FL 33073
Violation Address: 3640 NW 71 Street
Chapter 13, Section 371-8-b
Swimming pools and spas
Failure to meet enclosure requirements

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 14, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19060164 Reed, Jean 06/26/19

3640 NW 71 Street Coconut Creek, FL 33073
Violation Address: 3640 NW 71 Street
Chapter 6, Section 36-b-7
Sources of infestation
Stagnant pool

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 14, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

C19060104 Wal-Mart Stores East LP 06/18/19

P.O. Box 8050 Bentonville, AR 72712
Violation Address: 5571 W Hillsboro Boulevard
Chapter 13, Section 38-a
Failure to obtain permit
Subway Renovations

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25.

Status Conference

C18060462 Fix, Travis 06/25/18

Clark 1901 NW 38 Terrace Coconut Creek, FL 33066
Violation Address: 1901 NW 38 Terrace
Chapter 6, Section 36-b-9
Non-maintenance of lawn & landscaping

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25. This case is set for Status Conference on August 28, 2019.

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C19050095	Fix, Travis	05/13/19
Clark	1901 NW 38 Terrace Coconut Creek, FL 33066 Violation Address: 1901 NW 38 Terrace Chapter 6, Section 36-b-1 Non-maintenance of fences (Disrepair and discoloration)	

Disposition: This case has complied.

C18120043	United Properties of S. FL, LLC	12/04/18
Clark	1891 SW 29 Avenue Fort Lauderdale, FL 33312 Violation Address: 2811 Lyons Road Chapter 13, Section 38-a Failure to obtain permits for: Exterior concrete patio addition And interior renovations	

Disposition: The Special Magistrate has accepted that there is no change to the Final Order.

C18120048	United Properties of S. FL, LLC	12/04/18
Clark	1891 SW 29 Avenue Fort Lauderdale, FL 33312 Violation Address: 2811 Lyons Road Chapter 13, Section 444-b Landscaping: Maintenance standards not met (Weeds, dead/dying material and invasive material present)	

Disposition: The Special Magistrate found for the city and imposed a compliance date of August 29, 2019 and a \$50 fine per day would begin with a one-time administrative fee of \$25. This case is set for Status Conference on September 25, 2019.

Code Fine Reduction

C17100145	Becker, Karen (Meyerovich, Yevgeny)	10/24/17
Clark	3180 S ocean Drive #1716 Hallandale Beach, FL 33009 Violation Address: 3005 Portofino Isle L3 Chapter 13, Section 38-a Failure to obtain permit	

FINE \$15,000.00

ADMIN. FEE \$25

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$1,875.00. The fine has not been paid.

C16110143	Deluke, Casandra	11/08/16
Capone	5455 NW 49 Court Coconut Creek, FL 33073 Violation Address: 5455 NW 49 Court Chapter 6, Section 36-b-9 Non-maintenance of Lawn & Landscaping	

FINE \$24,700.00

ADMIN. FEE \$25

Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$225.00. The fine has not been paid.

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C18080344

Guccione, Gregory

08/23/18

Clark

5233 NW 89 Drive Coral Springs, FL 33067

Violation Address: 1805 Eleuthera Point A1

Chapter 13, Section 38-a

Failure to complete permit process

FINE \$4,100.00

ADMIN. FEE \$25

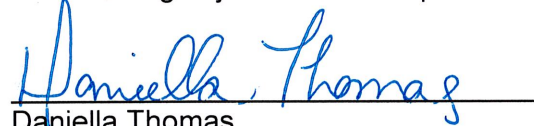
Disposition: The Special Magistrate accepted the recommendation of the Code Fine Reduction committee and certified the fine at \$1,625.00. The fine has not been paid.

5. Acceptance of Minutes: Hearing No. 2019-7 for June 26, 2019.

The Minutes were accepted without corrections or deletions.

6. ADJOURNMENT

The meeting adjourned at 3:56 p.m.



Daniella Thomas
Senior Staff Assistant