

# CITY OF COCONUT CREEK

## CODE ENFORCEMENT FINE REDUCTION RECOMMENDATION COMMITTEE HEARING MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: October 1, 2019  
Time: 11:30 a.m.  
Hearing No. 2019-12

1. The meeting was called to order by Deputy Director of Sustainable Development Scott Stoudenmire at 11:32 a.m.
2. Present upon roll call:  
  
Deputy City Manager/ CFO Karen Brooks  
Assistant City Attorney Eve Lewis  
Deputy Director of Sustainable Development Scott Stoudenmire  
  
Also present: Community Enhancement Manager Dan Nelson, Senior Staff Assistant Daniella Thomas, Senior Code Compliance Officer Janet Clark, Code Compliance Officer Luis Montano-Garcia and Code Compliance Officer Jan Moppert.
3. Explanation of Proceedings  
Community Enhancement Manager Dan Nelson explained the proceedings.
4. **Cases**

Citation No.	Property Owner/Violator (New Owner)	Violation Date
	Address Violation	

### Code Fine Reduction

C19060123	Bacchus, Lilian	06/19/19
Montano-Garcia	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	

**FINE \$550.00**

**ADMIN. FEE \$25**

Code Compliance Officer Luis Montano-Garcia presented that the fine for case number C19060123 accrued for 11 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$575.00. There was a total of 14 staff hours spent on this case.

Lilian Bacchus owner of the property and her husband John were present for case number C19060123. Mr. Bacchus stated that they were having issues with their contractor because they were not aware that their contractor did not apply for the permit.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to reduce the fine amount to a total of \$100.00, including administrative fees. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

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C17100143	Bank of New York Mellon	10/24/17
Moppert	8742 Lucent Boulevard #300 Highlands Ranch, CO 80129	
	Violation Address: 6050 NW 44 Lane	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

**FINE \$28,150.00**

**ADMIN. FEE \$25**

With unanimous consent, Code Compliance Officer Jan Moppert presented a brief timeline for case numbers C17100143 and C17100144. She presented that the fine for case number C17100143 accrued for 563 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$28,175.00. There was a total of 10 staff hours spent on this case.

Jeff Simons, on behalf of Computer Share who is the Asset Manager who represent the property owner was present for case numbers C17100143 and C17100144. Mr. Simons explained that the violations occurred under the prior owners and once the bank obtained ownership of the property they quickly brought the property into compliance.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to reduce the fine amount to a total of \$1,025.00, including administrative fees. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

C17100144	Bank of New York Mellon	10/24/17
Moppert	8742 Lucent Boulevard #300 Highlands Ranch, CO 80129	
	Violation Address: 6050 NW 44 Lane	
	Chapter 19, Section 37-4	
	Vehicle- inoperable condition expired tag in driveway	

**FINE \$6,600.00**

**ADMIN. FEE \$25**

With unanimous consent, Code Compliance Officer Jan Moppert presented a brief timeline for case numbers C17100143 and C17100144. She presented that the fine for case number C17100144 accrued for 132 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$6,625.00. There was a total of 12 staff hours spent on this case.

Jeff Simons, on behalf of Computer Share who is the Asset Manager who represent the property owner was present for case numbers C17100143 and C17100144. Mr. Simons explained that the violations occurred under the prior owners and once the bank obtained ownership of the property they quickly brought the property into compliance.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to reduce the fine amount to a total of \$1,225.00, including administrative fees. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

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C14100506	Barba, Michael & Vicki (Federal National Mortgage Assn)	10/25/14
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-2	
	Parking: commercial (box truck)	

**FINE \$100.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C14100506 is a one-time fine of \$100.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$125.00. There was a total of 11 staff hours spent on this case.

C15060243	Barba, Michael & Vicki (Federal National Mortgage Assn)	06/12/15
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-2	
	Parking: commercial / recreational / trailer	

**FINE \$200.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C15060243 is a one-time fine of \$200.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$225.00. There was a total of 11 staff hours spent on this case.

C15080037	Barba, Michael & Vicki (Federal National Mortgage Assn)	08/03/15
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-2	
	Parking: commercial - white box truck	

**FINE \$250.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C15080037 is a one-time fine of \$250.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$275.00. There was a total of 11 staff hours spent on this case.

C15080457	Barba, Michael & Vicki (Federal National Mortgage Assn)	08/31/15
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-2	
	Parking: commercial (box truck)	

**FINE \$250.00**

**ADMIN. FEE \$25**

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With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C15080457 is a one-time fine of \$250.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$275.00. There was a total of 11 staff hours spent on this case.

<u>C15100113</u>	<u>Barba, Michael &amp; Vicki (Federal National Mortgage Assn)</u>	<u>10/05/15</u>
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b-7	
	Sources of infestation: pool	

**FINE \$1,200.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C15100113 accrued for 24 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$1,225.00. There was a total of 16 staff hours spent on this case.

<u>C16010193</u>	<u>Barba, Michael &amp; Vicki (Federal National Mortgage Assn)</u>	<u>01/12/16</u>
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b-9	
	Non-maintenance of lawn and/or landscaping	

**FINE \$2,100.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C16010193 accrued for 42 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$2,125.00. There was a total of 16 staff hours spent on this case.

<u>C17040392</u>	<u>Barba, Michael &amp; Vicki (Federal National Mortgage Assn)</u>	<u>04/24/17</u>
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b-7	
	Sources of infestation: Pool not maintained	

**FINE \$29,900.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C17040392 accrued for 598 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$29,925.00. There was a total of 16 staff hours spent on this case.

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C17060089	Barba, Michael & Vicki (Federal National Mortgage Assn)	06/08/17
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-2	
	Parking: Commercial	

**FINE \$75.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C17060089 is a one-time fine of \$75.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$100.00. There was a total of 11 staff hours spent on this case.

C18010416	Barba, Michael & Vicki (Federal National Mortgage Assn)	01/31/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

**FINE \$13,650.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18010416 accrued for 273 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$13,675.00. There was a total of 16 staff hours spent on this case.

C18010418	Barba, Michael & Vicki (Federal National Mortgage Assn)	01/31/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b	
	Exterior premises condition: Driveway has stains	

**FINE \$13,650.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18010418 accrued for 273 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$13,675.00. There was a total of 16 staff hours spent on this case.

C18040330	Barba, Michael & Vicki (Federal National Mortgage Assn)	04/19/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 19, Section 37-4	
	Vehicle tag- no tag black truck	

**FINE \$13,800.00**

**ADMIN. FEE \$25**

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With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18040330 accrued for 276 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$13,825.00. There was a total of 16 staff hours spent on this case.

C18110050	Federal National Mortgage Assn %SHD Legal Group PA	11/14/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b-7	
	Sources of infestation: Stagnant pool	

**FINE \$3,650.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18110050 accrued for 73 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$3,675.00. There was a total of 15 staff hours spent on this case.

C18110051	Federal National Mortgage Assn %SHD Legal Group PA	11/14/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b	
	Exterior Premises Condition: 1. Driveway discoloration 2. Mailbox disrepair	

**FINE \$5,400.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18110051 accrued for 108 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$5,425.00. There was a total of 15 staff hours spent on this case.

C18110052	Federal National Mortgage Assn %SHD Legal Group PA	11/14/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-b-9	
	Non-maintenance of lawn and/or landscaping	

**FINE \$5,400.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18110052 accrued for 108 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$5,425.00. There was a total of 15 staff hours spent on this case.

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C18110053	Federal National Mortgage Assn %SHD Legal Group PA	11/14/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

**FINE \$2,250.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18110053 accrued for 45 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$2,275.00. There was a total of 15 staff hours spent on this case.

C18110054	Federal National Mortgage Assn %SHD Legal Group PA	11/14/18
Capone	1 E Broward Blvd #1400 Fort Lauderdale, FL 33301	
	Violation Address: 5524 NW 41 Terrace	
	Chapter 13, Section 444-b-3	
	Height maintenance for hedges	

**FINE \$5,400.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. She presented that the fine for case number C18110054 accrued for 108 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$5,425.00. There was a total of 15 staff hours spent on this case.

Amanda Cowan, leasing agent, and Daniel Abrahamy, Attorney with Daniel Abrahamy Esq., on behalf of the property owner, were present for case numbers C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054. Mr. Abrahamy and Ms. Cowan explained that some of these violations occurred during the previous owner's ownership of the property and that once the bank took possession of the property they quickly brought the property into compliance.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the cases (C14100506, C15060243, C15080037, C15080457, C15100113, C16010193, C17040392, C17060089, C18010416, C18010418, C18040330, C18110050, C18110051, C18110052, C18110053 and C18110054) on the subject property, made a motion to reduce the aggregate fine amount for all cases to a total of \$14,000.00, including the administrative fees. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0 vote.

C18110037	Prior, Cassie Lynn & Finkelstein, Matthew	11/11/18
Capone	4291 NW 53 Court, Coconut Creek, FL 33073	
	Violation Address: 4291 NW 53 Court	
	Chapter 19, Section 37-2	
	Parking: utility trailer in driveway	

**FINE \$75.00**

**ADMIN. FEE \$25**

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With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C18110037, C18110047 and C19020014. She presented that the fine for case number C18110037 is a one-time fine of \$75.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$100.00. There was a total of 12 staff hours spent on this case.

Matthew Finkelstein, owner of the property was present for case number C18110037. He explained that he understands that he was in violation for parking his utility trailer in the driveway.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to leave the fine at \$100.00 including the administrative fee. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

C18110047	Prior, Cassie Lynn & Finkelstein, Matthew	11/14/18
Capone	4291 NW 53 Court, Coconut Creek, FL 33073	
	Violation Address: 4291 NW 53 Court	
	Chapter 18, Section 29	
	Business tax receipt- required	

**FINE \$4,750.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C18110037, C18110047 and C19020014. She presented that the fine for case number C18110047 accrued for 95 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$4,775.00. There was a total of 15 staff hours spent on this case.

Matthew Finkelstein, owner of the property, was present for case number C18110047. He explained that he did not understand the reasoning behind the violation of failure to obtain a business tax receipt. He stated that he was not operating a business out of his home. His business has always been registered in the city in which it is physically located, not within the City of Coconut Creek.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to reduce the fine to the administrative fee of \$25.00. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

C19020014	Prior, Cassie Lynn & Finkelstein, Matthew	01/19/19
Capone	4291 NW 53 Court, Coconut Creek, FL 33073	
	Violation Address: 4291 NW 53 Court	
	Chapter 19, Section 37-2	
	Parking: utility trailer in driveway	

**FINE \$225.00**

**ADMIN. FEE \$25**

With unanimous consent, Senior Code Compliance Officer Janet Clark presented a brief timeline for case numbers C18110037, C18110047 and C19020014. She presented that the fine for case number C18110037 is a one-time fine of \$225.00 with a one-time administrative fee of \$25.00 for a total fine amount of \$250.00. There was a total of 12 staff hours spent on this case.

Matthew Finkelstein, owner of the property, was present for case number C19020014. He explained that he understands that he was in violation for parking his utility trailer in the driveway.



**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to leave the fine at \$250.00 including the administrative fee. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

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 permit: interior renovations, exterior poured concrete	

**FINE \$1,450.00**

**ADMIN. FEE \$25**

Senior Code Compliance Officer Janet Clark presented that the fine for case number C18120043 accrued for 29 days at \$50.00 per day with a one-time administrative fee of \$25.00 for a total fine amount of \$1,475.00. There was a total of 16.5 staff hours spent on this case.

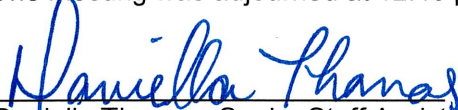
Thomas Reich, sole manager of United Properties of S. FL, LLC, was present for case number C18120043. He explained that in order for him to comply with the violation he needed to obtain a new survey and also add sod which came as a surprise to him.

**Motion:** Deputy City Manager/CFO Karen Brooks, after hearing the case on the subject property, made a motion to reduce the fine to \$800.00 with a \$25.00 administrative fee for a total amount due of \$825.00. The motion was seconded by Assistant City Attorney Eve Lewis.

Upon roll call, the motion passed by a 3-0.

## **5. ADJOURNMENT**

The meeting was adjourned at 12:46 p.m.

  
Daniella Thomas, Senior Staff Assistant

10/23/19  
date signed