



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

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

**Date: April 28, 2021
Time: 2:30 p.m.
Hearing No. 2021-04**

- 1. The Special Magistrate Richard Doody called the meeting to order at 2:33 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

<u>C21040001</u>	<u>Coconut Fields LLC</u>	<u>04/01/21</u>
	521 NE Spanish Trail Boca Raton, FL 33432	
	Violation Address: 6806 N. State Road 7	
	Chapter 13, Section 444-b-4-b	
	Improper pruning of 19 trees: Live Oak and Royal Poinciana	

Disposition: This case has complied.

<u>C21020133</u>	<u>Frany Realty Co LLC</u>	<u>02/16/21</u>
	101 W. 55 Street New York, NY 10019	
	Violation Address: 4525 Wiles Road	
	Chapter 13, Section 38-a	
	Failure to obtain permit 1. Gas pumps 2. Monument Sign	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$75 fine per day would begin with a one-time administrative fee of \$25.

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C21020135	Keane Realty Holding LLC	02/16/21
	6850 Lyons Technology Cir Coconut Creek, FL 33073	
	Violation Address: 6850 Lyons Tec Cir	
	Chapter 13, Section 444-b-4-b	
	Improper tree pruning 14 Crape Myrtles 5 Gumbo Limbos	

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

C21020140	Lyons 7600 LLC	02/16/21
	12740 Yardley Drive Boca Raton, FL 33428	
	Violation Address: 7650 Lyons Road	
	Chapter 19, Section 37-2	
	Parking: commercial recreational/trailers not permitted	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21020141	Lyons 7600 LLC	02/16/21
	12740 Yardley Drive Boca Raton, FL 33428	
	Violation Address: 7650 Lyons Road	
	Chapter 13, Section 241-i	
	Sidewalk discoloration & vegetation	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21030019	Lyons 7600 LLC	03/03/21
	12740 Yardley Drive Boca Raton, FL 33428	
	Violation Address: 7650 Lyons Road	
	Chapter 6, Section 36-b	
	Exterior premise condition: outside storage not permitted	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21030113	Lyons Corporate Park LLLP 6601 Lyons Road #C1 Coconut Creek, FL 33073 Violation Address: 6601 Lyons Road #D8 Chapter 13, Section 38-a Failure to complete permit process commercial alterations *Stop work order issued 3/16/21*	03/16/21
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Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25. This case has been set for Status Conference on May 26, 2021.

C21030114	Lyons Corporate Park LLLP 6601 Lyons Road #C1 Coconut Creek, FL 33073 Violation Address: 6601 Lyons Road #D8 Chapter 6, Section 16 Unsafe structure *minimum housing code for Broward County Commercial Alterations	03/16/21
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Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25. This case has been set for Status Conference on May 26, 2021.

C21040055	Rudolf Winston Sr Est %Jolonda Rudolf	04/08/21
	18115 NW 42 Court Miami, FL 33055	
	Violation Address: 4920 NW 48 Avenue	
	Chapter 20, Section 12	
	Water meter bypass	

Disposition: The Special Magistrate found for the city and imposed a one-time fine of \$100 with a one-time administrative fee of \$25.

C21020022	Tulloch, Dionne R	02/02/21
	5101 NW 47 Avenue Coconut Creek, FL 33073	
	Violation Address: 5101 NW 47 Avenue	
	Chapter 18, Section 29	
	Business tax receipt renewal required Golden Retreat Inc.	

Disposition: The Special Magistrate found for the city and imposed a one-time fine of \$250 with a one-time administrative fee of \$25.

C21040069	Tulloch, Dionne R	04/13/21
	5101 NW 47 Avenue Coconut Creek, FL 33073	
	Violation Address: 5101 NW 47 Avenue	
	Chapter 9, Section 2	
	Fire prevention & protection: failed inspections	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21040063	Vuscan, Rojeir & Katya	04/13/21
	9582 Lancaster Place Boca Raton, FL 33434	
	Violation Address: 4755 NW 76 Street	
	Chapter 9, Section 2	
	Fire prevention & protection Sec. F-124 uniform generator code	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21040064	Vuscan, Rojeir & Katya	04/13/21
	9582 Lancaster Place Boca Raton, FL 33434	
	Violation Address: 4755 NW 76 Street	
	Chapter 13, Section 38-a	
	Failure to obtain permit 1. Generator	
	2. Transfer switch on house panel	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

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C21040065	Whyte, Cynthia	04/13/21
	5317 NW 125 Avenue Coral Springs, FL 33076	
	Violation Address: 5030 NW 44 Avenue	
	Chapter 9, Section 2	
	Fire prevention & protection Sec. F-124 uniform generator code	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25. This case has been set for Status Conference on May 26, 2021.

C21040066	Whyte, Cynthia	04/13/21
5317 NW 125 Avenue Coral Springs, FL 33076		
Violation Address: 5030 NW 44 Avenue		
Chapter 13, Section 38-a		
Failure to obtain permit 1. Generator		

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25. This case has been set for Status Conference on May 26, 2021.

Officer Janet Clark

C21020211	Dematteo Management, Inc. %CVS Health#5215-01 Store Acting 02/24/21 1 CVS Drive MC 2320 Woonsocket, RI 02895 Violation Address: 4500 N State Road 7 Chapter 6, Section 36-b Exterior premises condition: parking lot lighting disrepair (Safety hazard) *remove & replace with a permit*
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Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25. This case has been set for Status Conference on May 26, 2021.

C21030092	Dematteo Management, Inc. %CVS Health#5215-01 Store Acting 03/11/21 1 CVS Drive MC 2320 Woonsocket, RI 02895 Violation Address: 4500 N State Road 7 Chapter 13, Section 241-i Sidewalks: failure to clean/clear Adjacent areas of sidewalks, curbs, gutters (Wiles Road)
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Disposition: This case has complied.

C21030093	Dematteo Management, Inc. %CVS Health#5215-01 Store Acting 03/11/21 1 CVS Drive MC 2320 Woonsocket, RI 02895 Violation Address: 4500 N State Road 7 Chapter 13, Section 444-b Landscaping – maintenance standards: Restore landscape to original site plan
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Disposition: The Special Magistrate found for the city and imposed a compliance date of June 10, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

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C20110055	Pompano Imports Inc.	11/17/20
	700 N. Federal Hwy Pompano Beach, FL 33062	
	Violation Address: 4401 W. Sample Road	
	Chapter 13, Section 38-a	
	Failure to obtain permit: damage to structure from vehicle accident	

Disposition: The Special Magistrate found for the city and imposed a compliance date of June 10, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

Officer Terra Johnson

C21040092	CGL Banyan Bay LP – Renter: Lewis, Valencia J	04/14/21
	P.O. Box 56607 Atlanta, GA 30343	
	Violation Address: 4501 W. Atlantic Boulevard #1510	
	Chapter 5, Section 6-c	
	Animal bite to human	

Disposition: This case has complied.

C21040035	Polanco Vargas, Benjamin & Payano Quezada, Ashmy	04/03/21
	4281 NW 53 Court Coconut Creek, FL 33073	
	Violation Address: 4281 NW 53 Court	
	Chapter 5, Section 6-c	
	Animal bite to human	

Disposition: This case has complied.

Officer Luis Montano-Garcia

C21030106	Garcia, Emmanuel	03/15/21
	1210 Bahama Bend #D1 Coconut Creek, FL 33066	
	Violation Address: 1210 Bahama Bend #D1	
	Chapter 13, Section 38-a	
	Failure to obtain permit for door replacement	

Disposition: This case has been continued to May 26, 2021.

C21020189	Johnson, Yvonne	02/22/21
Cont. from 3/24	4471 Coconut Creek Boulevard Coconut Creek, FL 33066	
	Violation Address: 4471 Coconut Creek Boulevard	
	Chapter 13, Section 444-b-4-b	
	Improper tree pruning: 1 Hong Kong Orchid & 1 Live Oak	

Disposition: This case has complied.

C20080140	Numa, Roody	08/17/20
Cont. from 3/24	514 NW 47 Avenue Coconut Creek, FL 33063	
	Violation Address: 514 NW 47 Avenue	
	Chapter 13, Section 444-b-4-b	
	Improper tree pruning: 1 Mahogany tree	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

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C20120018	Songer, Eugene & Cynthia	12/02/20
Cont. from 3/24	4470 NW 7 Street Coconut Creek, FL 33066 Violation Address: 4470 NW 7 Street Chapter 13, Section 444-b-4-b Improper tree pruning: 1 Black Olive	

Disposition: This case has complied.

C21030154	Uptown Properties LLC	03/23/21
	958 Harbor View S Hollywood, FL 33019 Violation Address: 286 Sunshine Drive Chapter 12, Section 33-3 Trash: unauthorized accumulation	

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

Officer Jan Moppert

C21040071	Aldajuste, Frederica	03/31/21
	4151 NW 62 Court Coconut Creek, FL 33073 Violation Address: 4151 NW 62 Court Chapter 13, Section 44-b-4-b Improper tree pruning: tree in front yard hatracked	

Disposition: This case has been continued to May 26, 2021.

C21020088	Johnson, Kemoy & Isiaa	02/10/21
	6261 NW 41 Way Coconut Creek, FL 33073 Violation Address: 6261 NW 41 Way Chapter 18, Section 29 Business Tax Receipt – required *Dynamic Contractor Services LLC*	

Disposition: This case has complied.

C21040006	St. Victor, Mirassania & Vilson	03/31/21
	4061 NW 62 Court Coconut Creek, FL 33073 Violation Address: 4061 NW 62 Court Chapter 13, Section 444-b-4-b Improper tree pruning: tree hatracked – left front lawn	

Disposition: This case has complied.

Officer Craig Vanek

C21030141	Frauman, David	03/20/21
	4264 NW 51 Street Coconut Creek, FL 33073 Violation Address: 4264 NW 51 Street Chapter 13, Section 38-a Failure to obtain permit: interior renovations	

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Disposition: The Special Magistrate found for the city and imposed a compliance date of June 24, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C20120027	Tanfulla, Maria Rosa	12/03/20
	1440 Coral Ridge Drive Coral Springs, FL 33071	
	Violation Address: 5304 NW 54 Street	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

Disposition: The Special Magistrate found for the city and imposed a compliance date of May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

C21030142	Tanfulla, Maria Rosa	03/20/21
	1440 Coral Ridge Drive Coral Springs, FL 33071	
	Violation Address: 5304 NW 54 Street	
	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 May 27, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

Status Conference

C19100172	Dibari, Julie & Julie A Dibari LIV TR	10/22/19
Moppert	4834 NW 57 Manor Coconut Creek, FL 33073	
	Violation Address: 4834 NW 57 Manor	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

Disposition: This case has complied.

C20080115	Lima, Cherese	08/27/20
Moppert	19199 NW 23 Court Pembroke Pines, FL 33029-5336	
	Violation Address: 4904 NW 57 Manor	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof	

Disposition: There has been no changes made to the final order for this case.

C21020131	Lyons Plaza Coconut Creek LLC	02/13/21
Clark	361 NE 167 Street North Miami Beach, FL 33162	
	Violation Address: 1301-1509 Lyons Road	
	Chapter 6, Section 36-b	
	Exterior premises condition: parking lot lighting disrepair	
	(Safety Hazard) *Remove & replace with a permit*	

Disposition: There has been no changes made to the final order for this case.

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C20070058	Thomas, Ileen	07/29/20
Clark	2343 NW 34 Terrace Coconut Creek, FL 33066	
	Violation Address: 2343 NW 34 Terrace	
	Chapter 6, Section 36-a-2	
	Non-maintenance of roof- discoloration and disrepair (tarp present)	
	Repeat Violation	

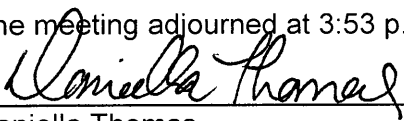
Disposition: The Special Magistrate found for the city and extended the time for compliance for June 24, 2021 or a \$50 fine per day would begin with a one-time administrative fee of \$25.

5. Acceptance of Minutes: Hearing No. 2021-03 for March 24, 2021.

The Minutes were accepted without corrections or deletions.

6. ADJOURNMENT

The meeting adjourned at 3:53 p.m.



Daniella Thomas
Senior Staff Assistant