

WEDNESDAY  
AUGUST 19, 2015  
9:00 A.M.



COOPER CITY HALL  
9090 SOUTHWEST 50 PLACE  
COOPER CITY, FLORIDA

POST HEARING MINUTES  
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

1. EXPLANATION OF PROCEDURES BY SPECIAL MAGISTRATE

2. SWEARING IN

3. NOTICE OF VIOLATION HEARINGS

CASE #

43025A Max Floyd Silverberg, 10760 London Street, Cooper City, FL 33026  
Notice of Violation: 6/19/2015 By: Code Officer Belinda Graham  
Violation: Sec 17-1 Adoption of Florida Uniform Traffic Control Law- Florida State Statute 316.1945(1)(a)(2) Stopping, standing, or parking prohibited in specified places-Blocking Sidewalk  
Disposition: August 19, 2015 Hearing: Respondent was not present. FOV- Citation has been paid on 08/05/2015. Case Closed

43895A Josetta Y. Ingram., 2309 St. Lucie Boulevard, Ft. Pierce, FL 34946  
Location of Violation: 10270 SW 59 Street., Cooper City, FL 33330  
Notice of Violation: 7/7/2015 By: CSIA Dianne Peterson  
Violation: Florida State Statutes 316.1945(1)(a)(2) Stopping, standing, or parking prohibited in specified places- Blocking Sidewalk-Vehicle has no record tag-no registrant 2005 tag  
Disposition: August 19, 2015 Hearing: Respondent was present. Case dismissed.

44378A Sergio E. Lopez Gallegos., 900 NW 141 Avenue., Bldg 13, Pembroke Pines, FL 33028  
Location of Violation: 11530 S. Open Court., Cooper City, FL 33026  
Notice of Violation: 4/12/2015 By: Deputy Andrew Clark  
Violation: Sec 10-6(2) Noise- heard from the street-Party  
Disposition: June 17, 2015 Hearing: Respondent was not present. Deputy Andrew Clark was present. Continue to 07/15/2015.  
Disposition: July 15, 2015 Hearing: Deputy Clark will not be available. Case continued to August 19, 2015.  
Disposition: August 19, 2015 Hearing: Respondent not present. Deputy Andrew Clark was present. Renotice for the October 21, 2015 hearing for a different address. Post Property.

44504A Amnon Ben-Chitrit., 10414 SW 54 Street, Cooper City, FL 33328  
Notice of Violation: 7/3/2015 By: Deputy Eugino Legra  
Violation: Sec 17-18(b) Prohibited stopping, standing or parking on certain roadways-Roadway Obstruction  
Disposition: August 19, 2015 Hearing: Respondent was not present. FOV- Must pay \$80 administrative fee and \$25.00 fine on or before 09/18/2015.

02543 Michael & Jennifer Carney, 9510 SW 49 Place, Cooper City  
Notice of Violation: 3/7/2013 By: BSO Code Officer Lynn Duvall

**Violation:** City Code Section 23-90(i), entitled "Fences, walls and Hedges - Maintenance," which provides that fences must be maintained in structurally sound or aesthetically attractive manner (wood must be removed from wall and cracks must be repaired).

**Disposition:** **May 15, 2013 Hearing:** Respondents were present and denied the violation. Continue to 06/12/2013 for status review. City must check to see if permit was pulled for fence.

**Disposition:** **June 12, 2013 Hearing:** Must obtain a certified statement from an engineer that the fence meets windload standards or apply for a permit to remove the fence and/or install a new fence or screen enclosure.

**Disposition:** **April 16, 2014 Hearing:** Continue to August 20, 2014 for status review.

**Disposition:** **August 20, 2014 Hearing:** City to hire an engineer for an 8ft fence to be installed on inside of wall. If resident would like a 2 ft fence on top of wall then they are responsible for installation and engineering of fence. **Continue to 10/15/2014.**

**Disposition:** **October 15, 2014 Hearing:** Respondent was present. Code Officer Duvall was present. Continue to 01/21/2015 for status review.

**Disposition:** **January 21, 2015 Hearing:** **Continue to April 15, 2015.**

**Disposition:** **April 15, 2015 Hearing:** Respondents were present. Code Officer Duvall was present. Continue to 08/19/2015 for status review. If permits are issued and finalized the case will be closed.

**Disposition:** **August 19, 2015 Hearing:** Respondents were present. Code Officer Duvall was present. **Case Closed**

04808

**Potential Church Inc. c/o Finance Department., 12401 Stirling Road, Cooper City, FL 33330**  
**Notice of Violation:** 11/6/2014 By: BSO Code Officer Mark Reale  
**Violation:** Sec 25-22(g) Prohibited Signs- failure to acquire approval from City to erect (3) billboard signs at location. (remove unapproved signage not on file)

**Disposition:** **June 17, 2015 Hearing:** John Voigt- Attorney was present. Code Officer Mark Reale was present. FOV- Imposition of fine has been withheld. Must apply for a permit on or before 08/21/2015. Continue to 08/19/2015 for status review.

**Disposition:** **August 19, 2015 Hearing:** Attorney John Voigt was present. Code Officer Duvall testified on Code Officer Reale's behalf. If any signs not related to the school are still visible then a \$250/day will begin on 08/21/2015. Any signs related to the school can stay up until 08/31/2015, if they are still up beyond that a \$250/day fine will start to accrue from 08/31/2015 until they are removed.  
**Continue to 09/16/2015.**

05195

**Roseline Duberceau-Baptiste., 9710 NW 26 Court, Cooper City, FL 33024**  
**Notice of Violation:** 7/7/2015 By: Code Officer Lynn Duvall  
**Violation:** City Code Sec 25-11 "Junked or Abandoned Vehicles" for depositing, storing or keeping an abandoned vehicle (on jacks) in the open, upon public or private property.  
**(REPEAT VIOLATION)**

**Disposition:** **August 19, 2015 Hearing:** Respondent was present and denied the violation. Code Officer Duvall was present. Finding of violation for defendant not in violation. **Case Closed.**

05386

**Wells Fargo Bank NA Trstee c/o Aldridge Connors LLP., 8950 NW 38 Street, Cooper City, FL 33328**  
**Mailing Address:** 1615 S. Congress Avenue, Suite 200., Delray Beach, FL 33445  
**Notice of Violation:** 6/22/2015 By: Code Officer Mark Reale/Lynn Duvall

**Violation:** City Code Sec 6-40(b) "Maintenance Standards-Exterior Premises Condition" for failure to keep exterior premises free nuisances, unsafe or unsightly conditions by allowing green stagnant pool water to form.

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Code Officer Duvall was present. Violation is complied on 08/17/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$250/day from 07/02/2015 thru 08/17/2015 on or before 09/18/2015.

05429

**Deutsche Bank Natl Tr Co. Trstee., 2920 Bogota Avenue, Cooper City, FL 33026**

**Mailing Address:** 3815 SW Temple., Salt Lake City, UT 84115

**Notice of Violation:** 6/17/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 6-40(b)(1) "Maintenance Standards-Exterior Premises Condition" for allowing overgrowth of weeds in excess of six inches and litter(sofa)

**Disposition:** **August 19, 2015 Hearing:** Respondent was not present. Code Officer Graham was present. Complied on 07/21/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$250/day from 06/30/2015 thru 07/21/2015 on or before 09/18/2015.

05433

**Deutsche Bank Natl Tr Co. Trstee., 2920 Bogota Avenue, Cooper City, FL 33026**

**Mailing Address:** 3815 SW Temple., Salt Lake City, UT 84115

**Notice of Violation:** 6/30/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 6-40(a)(3)&(5)"Maintenance Standards-Exterior Premises Condition" for failure to maintain screens without rips and tears. Failed to maintain doors in good repair and weather tight.

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Code Officer Graham was present. Violation is complied on 08/14/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$250/day from 08/06/2015 thru 08/14/2015 on or before 09/18/2015.

05431

**JP Morgan Chase Bank NA., 11340 Rockinghorse Road, Cooper City, FL 33026**

**Mailing Address:** 7255 Baymeadows Way., Jacksonville, FL 32256

**Notice of Violation:** 6/22/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 6-40(b)(1) "Maintenance Standards-Exterior Premises Condition" for allowing green stagnant pool water to form and obnoxious overgrowth of trees in rear yard.

**Disposition:** **August 19, 2015 Hearing:** Paul Minoff Esq was present and denied the violation. Code Officer Graham was present. Violation complied on 08/11/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$50/day from 07/07/2015 thru 08/10/2015 on or before 09/18/2015.

05435

**Federal National Mortgage Assn c/o Financial Freedom., 3930 Fern Forest Road, Cooper City, FL 33026**

**Mailing Address:** 2900 Esperanza Crossing., Austin, TX 78758

**Notice of Violation:** 7/2/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 25-10(a) "Parking of commercial vehicles, RVs and boats" for parking, storing or keeping a trailer in the public street, public right of way or privately owned property in a residentially zoned district.

**Disposition:** **August 19, 2015 Hearing:** Respondent was not present. Code Officer Graham was present. Complied on 08/13/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$250/day from 07/17/2015 thru 08/12/2015 on or before 09/18/2015.

05439

**HSBC Bank USA NA Trstee c/o Ocwen Loan Servicing., 11275 Roundelay Road, Cooper City, FL 33026**

**Mailing Address:** 1661 Worthington Road #100., West Palm Beach, FL 33409

**Notice of Violation:** 7/7/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 6-40(b)(2) "Maintenance Standards-Exterior Premises Condition" for allowing excessive dead leaves and dead palm fronds on premises which is a public nuisance.

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Code Officer Graham was present. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$250/day from 07/20/2015 until compliance.

05451

**Gary L & Karen S. Thompson., 5176 SW 90 Avenue, Cooper City, FL 33328-3625**

**Notice of Violation:** 7/8/2015 By: Code Officer Belinda Graham

**Violation:** City Code Sec 25-10(a) Parking trailer residentially zoned district- parked, stored or kept a trailer (wave runner/jet ski) in the public street, public right of way or privately owned property which is not enclosed **(REPEAT VIOLATION)**

**Disposition:** **August 19, 2015 Hearing:** Respondent was present and admitted the violation. Code Officer Graham was present. Violation complied on 07/09/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. No fine is assessed.

05456

**Christopher & Vanessa McGonigal., 8698 SW 51 Court, Cooper City, FL 33328-4306**

**Notice of Violation:** 7/27/2015 By: Code Officer Belinda Graham

**Violation:** Sec 25-95c Prohibited Placement- for placing, storing, or keeping other articles, or materials within the public right of way which is prohibited (basketball hoop)

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Code Officer Graham was present. Violation is complied on 08/14/2015. FOV- Must pay \$80 administrative fee on or before 09/18/2015. No fine assessed.

05457

**Tracey Broussard., 10760 London Street, Cooper City, FL 33026**

**Notice of Violation:** 7/21/2015 By: Code Officer Belinda Graham

**Violation:** Sec 17-1 FSS 316.1945 (1)(a)(2) Blocking of Sidewalk- for stopping, standing or parking a vehicle on a sidewalk

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Code Officer Graham was present. Continue to 09/16/2015 for service. Post Property.

EEN15-0013

**Linnet Family Limited Partnership., 9552 Griffin Road, Cooper City, FL 33328**

**Mailing Address:** 9552 Griffin Road, Cooper City, FL 33328

**Notice of Violation:** 6/18/2015 By: Building Official Ted Fowler

**Violation:** FBC 105.11.2 Sec 6-7 Adoption of Florida Building Code provides that a sign permit and sign electric permit need to be renewed.

**Disposition:** **August 19, 2015 Hearing:** Respondent not present. Building Official Fowler was present. FOV- Must pay \$80 administrative fee on or before 09/18/2015. Must pay \$100/day fine from 06/29/2015 until compliance.

EEN15-0014

**David & Nancy McDowell., 2905 Albatross Drive, Cooper City, FL 33026-3628**

**Notice of Violation:** 6/22/2015 By: Building Official Ted Fowler

**Violation:** FBC 105.11.2 Sec 6-7 Adoption of Florida Building Code provides that a structural, electrical & plumbing permit must be renewed for an installation of a pool.

**Disposition:** **August 19, 2015 Hearing:** Renee McClellan was present on behalf of the respondent. Building Official Fowler was present. Continue to 09/16/2015.

EEN15-0015 **Damon & Amy Dembkoski., 5546 SW 100 Terrace, Cooper City, FL 33328**  
**Notice of Violation:** 6/22/2015 By: Building Official Ted Fowler  
**Violation:** FBC 105.11.2 Sec 6-7 Adoption of Florida Building Code provides that a permit must be renewed to install a concrete slab.  
**Disposition:** **August 19, 2015 Hearing:** Respondent granted continuance to 09/16/2015.

EEN15-0016 **Damon & Amy Dembkoski., 5546 SW 100 Terrace, Cooper City, FL 33328**  
**Notice of Violation:** 6/22/2015 By: Building Official Ted Fowler  
**Violation:** FBC 105.11.2 Sec 6-7 Adoption of Florida Building Code provides that a permit must be renewed to install a fence.  
**Disposition:** **August 19, 2015 Hearing:** Respondent granted continuance to 09/16/2015.

#### 4. IMPOSITION OF FINE HEARINGS

04994 **First Baptist Church of Davie/Cooper City Inc., 8950 Stirling Road, Cooper City, Florida 33024**  
**Notice of Violation:** 9/25/2014 By: BSO Code Officer Lynn Duvall  
**Violation:** Broward County Zoning Code Sec 39-249 "Uses Permitted"-Violation of permitted uses-Zone A-1 -places of worship and accessory schools and Day Care Centers. Chapter 24-Site Plan Review-failed to obtain site plan approval.  
**Disposition:** **February 18, 2015 Hearing:** **Continuance granted to April 15, 2015.**  
**Disposition:** **April 15, 2015 Hearing:** Respondents were present. Atty. Rod A. Feiner was present. Code Officer Duvall was present. **Continue to 05/20/2015 for status review.**  
**Disposition:** **May 20, 2015 Hearing:** Attorney Rod Feiner was present. Code Officer Duvall was present. Continue to 07/15/2015 for status review.  
**Disposition:** **July 15, 2015 Hearing:** Attorney Rod Feiner was present and denied the violation. Growth Management Director Matt Wood was present. Code Officer Lynn Duvall was present. Must submit an amended site plan application prior to August 19, 2015. Must submit a traffic study to the City on or before September 30, 2015. If documents are not submitted then the Church will be in violation and \$250.00 per day fine will be assessed and the school will be shut down. **Continue to August 19, 2015 for status review.**  
**Disposition:** **August 19, 2015 Hearing:** Attorney Feiner was present. \$80 administrative fee was paid on 08/14/2015. Site plan has been filed. Continue to 10/21/2015.

05015 **Christa Boutwell Griffin., 5018 SW 92 Avenue, Cooper City, Florida 33028**  
**Notice of Violation:** 1/9/2015 By: BSO Code Officer Lynn Duvall  
**Violation:** Sec 6-40 Maintenance Standards-Exterior Building Conditions- Facia in need of cleaning and painting, **awnings in need of cleaning and painting (complied)** & facia in need of repair (rotted wood)  
**Disposition:** **June 17, 2015 Hearing:** Respondent was present. Code Officer Duvall was present. FOV- Must comply on or before 08/03/2015. If not complied then a \$10/day fine must be from 06/17/2015 until compliance. No administration fee assessed.  
**Disposition:** **August 19, 2015 Hearing:** Respondent was present. Violation complied on 08/03/2015. Case Closed

05149 **Richard Manning., 5016 SW 93 Avenue, Cooper City, FL 33328**

**Notice of Violation:** 4/6/2015 By: BSO Code Officer Lynn Duvall  
**Violation:** Sec 8-38 Excessive Undergrowth, accumulation of junk, trash etc.- property in need of cutting, excessive weeds, debris on front porch and in driveway must be removed.  
**Disposition:** **June 17, 2015 Hearing:** Respondent was not present. Code Officer Lynn Duvall was present. FOV- Must pay \$80 administrative fee on or before 07/17/2015. Must pay \$50/day from 04/14/2015 until compliance.  
**Disposition:** **August 19, 2015 Hearing:** Respondent was present. Must pay \$80 administrative fee. Must comply on or before 09/11/2015. Continue to 09/16/2015 for Certification of Fine

05150

**Richard Manning., 5016 SW 93 Avenue, Cooper City, FL 33328**  
**Notice of Violation:** 4/6/2015 By: BSO Code Officer Lynn Duvall  
**Violation:** Sec 23-90(i) Fences, walls and Hedges- failed to maintain fence in structurally sound or aesthetically attractive manner. (fence in need of cleaning/painting)  
**Disposition:** **June 17, 2015 Hearing:** Respondent was not present. Code Officer Lynn Duvall. FOV- Must pay \$80 administrative fee on or before 07/17/2015. Must pay \$50/day from 05/05/2015 until compliance.  
**Disposition:** **August 19, 2015 Hearing:** Respondent was present. Code Officer Duvall was present. Must comply on or before 09/11/2015. Must pay \$80 administrative fee. Continue to 09/16/2015 for Certification of Fine

EEN14-0058

**Rolando Antonio & Maria Toulon formerly Marquitta Jones & Rodney Belidor., 10000 NW 41 Street., Cooper City, FL 33024**  
**Notice of Violation:** 7/24/2014 By: Building Official Ted Fowler  
**Violation:** FBC 105.11.2 Sec 6-7 Adoption of Florida Building Code which provides that a permit must be renewed, obtain and complete required inspections for a kitchen & bath remodel, electric, plumbing, a/c change out, concrete slab, & chain link fence  
**Disposition:** **September 17, 2014 Hearing:** Respondent was present and admitted the violation. Building Official Ted Fowler was present. FOV-Must pay \$80 admin fee on or before October 17, 2014. Must renew all permits on or before October 17, 2014. Must obtain final inspection on all work on or before December 16, 2014. If violation not complied then a \$50/day fine must be paid from October 18, 2014 until compliance.  
**Disposition:** **January 21, 2015 Hearing:** [Continue to 02/18/2015.](#)  
**Disposition:** **February 18, 2015 Hearing:** Respondent not present. Building Official Fowler was present. Continue to 04/15/2015 for status review. If final inspection has not been obtained then certify the fine and administrative fee.  
**Disposition:** **April 15, 2015 Hearing:** Continue to 05/20/2015--address to the new owners. Send notice to new owners along with original NOV and final order.  
**Disposition:** **May 20, 2015 Hearing:** Renio Rodriguez the owner of the construction company was present. Respondent was present. Building Official Fowler was present. Continue to 08/19/2015 for status review. **Paid \$80 admin fee on 05/21/2015.**  
**Disposition:** **August 19, 2015 Hearing:** [Continued by the City to September 16, 2015](#)

5. REDUCTION OF FINE HEARINGS

### **Evidence**

In general, evidence which is relevant will be admitted if, in the opinion of the Special Magistrate, it is the type of evidence upon which reasonable and responsible persons would normally rely in the conduct of everyday business and other affairs. Relevant evidence is evidence which tends to prove or disprove a matter in issue.

Respondents shall be strictly limited to presenting evidence and testimony to those matters specifically set forth within their written statement, as noticed in the Notice of Hearing Before Special Magistrate.

Any person requiring auxiliary aids and services to participate in this proceeding should contact the Office of the Clerk to the Special Magistrate at (954) 434-4300, ext. 250, at least forty-eight (48) hours prior to the hearing.

If you obtain an attorney, you or your attorney should notify the Special Magistrate Clerk in writing of the representation at least five (5) working days prior to your hearing.

One or more members of the City Commission and/or advisory boards of the City may be in attendance at the Special Magistrate proceedings.