

WEDNESDAY
APRIL 17, 2013
9:00 A.M.



COOPER CITY HALL
9090 SOUTHWEST 50 PLACE
COOPER CITY, FLORIDA

AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

1. EXPLANATION OF PROCEDURES BY SPECIAL MAGISTRATE

2. SWEARING IN

3. NOTICE OF VIOLATION HEARINGS

CASE #

40062A Kyle Anthony Eckhardt, 4084 Baton Rouge Way, Cooper City, 33026

Location of Violation: 2601 Hiatus Road

Notice of Violation: 3/18/2013 By: BSO Deputy Erick Sanchez

Violation: City Code Section 17-16(b), "Parking places for handicapped persons - Prohibitions" - for misuse of a handicapped placard.

Disposition: **April 17, 2013 Hearing:** Respondent not present. BSO Deputy Erick Sanchez was present. Finding of Violation-Must pay \$252 fine and \$80 admin fee by 04/29/2013.

40955A Brett Neiviller, 9412 SW 52 Place, Cooper city, 33328

Location of Violation: 9412 SW 52 Place

Notice of Violation: 3/5/2013 By: BSO Code Enforcement Officer Lynn Duvall

Violation: City Code Section 19-34 for violation of water restriction rules

Disposition: **April 17, 2013 Hearing:** Respondent was present and denied the violation. BSO Code Officer Lynn Duvall was present. Finding of Violation-No fine was assessed and \$80 admin fee must be paid by 04/29/2013.

42286A Zachary Frank Whalen, 14321 Mustang Trail, Southwest Ranches, FL 33330

Location of Violation: 4700 South Flamingo Road, Cooper City, FL 33330

Notice of Violation: 3/4/2013 By: BSO CSIA James Marshall

Violation: City Code Section 7-10, "Fire Lanes - Parking Prohibited" - for parking in a fire zone.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO CSIA James Marshall was present. Finding of Violation-Must pay \$100 fine and \$80 admin fee by 05/01/2013.

42287A Paul Miller, 12531 SW 12 Street, Davie, FL 33325

Location of Violation: 4700 South Flamingo Road, Cooper City, FL 33330

Notice of Violation: 3/11/2013 By: BSO CSIA James Marshall

Violation: City Code Section 17-16(b), "Parking places for handicapped persons - Prohibitions" - for parking in a handicapped space without a placard.

Disposition: **April 17, 2013 Hearing:** Respondent was present and admitted the violation. BSO CSIA James Marshall was present. Finding of Violation-Has 30 days to provide proof of placard if so then case dismissed. Continued to 05/15/2013 for status review.

42288A

Danielle Ashley Gabbidon, 12210 SW 51 Place, Cooper City, 33330

Location of Violation: 4700 South Flamingo Road, Cooper City, FL 33330

Notice of Violation: 3/11/2013 By: BSO CSIA James Marshall

Violation: City Code Section 17-16(b), "Parking places for handicapped persons - Prohibitions" - for parking in a handicapped space without a placard. **NOT GUILTY PLEA**

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO CSIA James Marshall was present. Must pay \$252 fine and \$80 admin fee by 05/01/2013.

42290A

George Bradley Tyler, 8811 NW 7th Ct., Pembroke Pines, FL 33024

Location of Violation: 2581 Hiatus Rd.

Notice of Violation: 3/12/2013 By: BSO CSIA James Marshall

Violation: City Code Section 7-10, Parking in a Fire Zone. **NOT GUILTY PLEA**

Disposition: **April 17, 2013 Hearing:** Respondent was present. BSO CSIA James Marshall was present. No violation was found - Case Closed.

42292A

Sean Issac Mawardi, 4121 Stirling Road, Apt. 105, Davie, FL 33314

Location of Violation: 4700 South Flamingo Road, Cooper City, FL 33330

Notice of Violation: 3/12/2013 By: BSO CSIA James Marshall

Violation: City Code Section 17-16(b), "Parking places for handicapped persons - Prohibitions" - for parking a motorcycle in a handicapped access area. **NOT GUILTY PLEA**

Disposition: **April 17, 2013 Hearing:** Respondent was present and denied the violation. BSO CSIA James Marshall was present. No finding of violation - Case Closed.

42294A

Steven Morrissey, 4972 SW 90 Way, Cooper City, 33328

Location of Violation: 10024 Griffin Road

Notice of Violation: 3/15/2013 By: BSO CSIA James Marshall

Violation: City Code Section 7-10, Parking in a Fire Zone (unoccupied vehicle).

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO CSIA James Marshall was present. Finding of Violation-Must pay \$30 fine and \$80 admin fee must be paid by 05/01/2013.

42339A

Thomas Cain, 512 Snowhill Church Road, Murphy, NC 28906

Location of Violation: 5600 SW 121 Avenue

Notice of Violation: 3/10/2013 By: BSO Deputy Wes Haber
Violation: City Code Section 8-3, "Litter in public places." - for disposing of trash in the grass area on canal bank.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO Deputy Wes Haber was present.
Finding of violation-Must pay \$250 fine and \$80 admin fee by 04/29/2013.

42340A Robert Freeman, 15 Thompson St., Ewing, NJ 08609

Location of Violation: 5600 SW 121 Avenue

Notice of Violation: 3/10/2013 By: BSO Deputy Wes Haber

Violation: City Code Section 8-3, "Litter in public places." - for disposing of trash in the grass area on canal bank.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO Deputy Wes Haber was present.
Finding of violation-Must pay \$250 fine and \$80 admin fee by 04/29/2013.

42342A Idalmis Montoya, 3925 SW 139 Avenue, Davie, FL 33330

Location of Violation: 4700 S. Flamingo Road

Notice of Violation: 3/12/2013 By: BSO Deputy Wes Haber

Violation: City Code Section 7-10, Parking in a Fire Zone.

Disposition: **April 17, 2013 Hearing:** Respondent was present. BSO Deputy Wes Haber was present.
Finding of Violation-Must pay \$30 fine and \$80.00 admin fee by 04/29/2013. **Paid \$110.00 fine and admin fee on 04/17/2013. Case Closed**

42607A Carlana Ruiz, 5251 SW 90 Way, Apt #1, Cooper City, 33328

Location of Violation: 5080 SW 92 Avenue

Notice of Violation: 3/11/2013 By: BSO Deputy Gloria Anton

Violation: Florida State Statute 316.1945, No parking area - posted sign

Disposition: **April 17, 2013 Hearing:** Respondent was present. BSO Deputy Gloria Anton was present.
Finding of Violation-Must pay \$15 fine and \$80.00 admin fee by 05/10/2013.

02385 Prince of Cooper City, LLC and Oriental Therapy Center, LLC, 8861 Stirling Road

Mailing: 17395 N. Bay Rd., #108, Sunny Isles Beach, FL 33160

Location of Violation: 8861 Stirling Road

Notice of Violation: 2/19/2013 By: BSO Code Officer Belinda Graham

Violation: City Code Section 6-32(k), entitled "General maintenance," for failure to maintain windows, roofs, fence, sidewalks and masonry walls in a clean condition, free from cracks, graffiti, peeling paint, missing material.

Disposition: **April 17, 2013 Hearing:** Mr. Gadali was present and admitted the violation. Code Officer Belinda Graham was present. Must comply by 07/15/2013 if not then \$200/day will be assessed from 06/01/2013 until complied. Must pay \$80 admin fee by 05/01/2013.

02386 **Prince of Cooper City, LLC and Oriental Therapy Center, LLC, 8861 Stirling Road**
Mailing: 17395 N. Bay Rd., #108, Sunny Isles Beach, FL 33160
Location of Violation: 8861 Stirling Road
Notice of Violation: 2/19/2013 By: BSO Code Officer Belinda Graham
Violation: City Code Section 6-32(j)(4), regarding maintenance standards - parking areas - striping, for failure to maintain striped areas free from peeling and have a sufficient contrast with surface to readily delineate to a person of normal visual ability the location of a parking space.

Disposition: **April 17, 2013 Hearing:** Mr. Gadali was present and admitted the violation. Code Officer Belinda Graham was present. Must comply by 07/15/2013 if not then \$200/day will be assessed from 06/01/2013 until complied. Must pay \$80 admin fee by 05/01/2013.

02389 **Anamarie Schroeder, 8971 SW 57 Street, Cooper City, 33328**
Notice of Violation: 3/5/2013 By: BSO Code Officer Belinda Graham
Violation: City Code Section 25-11(a), entitled "Junked or abandoned vehicle - Prohibition and Exemptions" which prohibits the parking or storage of an abandoned vehicle in the open on public or private property (expired tag and no tag).

Disposition: **April 17, 2013 Hearing:** Respondent was not present. BSO Code Officer Belinda Graham. Finding of Violation-Must pay \$80 admin fee and \$100 fine by 05/15/2013.

02520 **Roseline Duberceau-Baptiste, 9710 NW 26 Ct., Cooper City, 33024**
Notice of Violation: 3/11/2013 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 25-11(a), entitled "Junked or abandoned vehicle - Prohibition and Exemptions" which prohibits the parking or storage of an abandoned vehicle in the open on public or private property (disrepair).

Disposition: **April 17, 2013 Hearing:** Respondent was present and pleaded not guilty. BSO Code Officer Lynn Duvall was present. Finding of violation-No fine assessed. Violation complied. Must pay \$80 admin fee by 05/10/2013.

02532 **Eagles of Hope, Inc., 3751 NW 94 Avenue, Cooper City, 33024**
Notice of Violation: 12/23/2012 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 10-3, "Excessive Noise Prohibited" which provides that no person shall make, continue or cause to be made or continued any loud, unnecessary or excessive noise which unreasonably interferes with the comfort and repose of others within the jurisdiction of the City.

Disposition: **April 17, 2013 Hearing:** David Kurzwel-Pastor from the Church present. Neighbors present to testify. Code Officer Lynn Duvall was present. Finding of Violation-Has 45 days to cure emission of load noise which interferes with neighbors. Withheld the amount of the fine and will revisit the amount at the June 12, 2013 Hearing for status review.

02533 **Gloria Beals & Lauren Phillips, 9041 SW 52 Court, Cooper City, 33328**
Notice of Violation: 2/5/2013 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 5-3 (c), "Nuisances defined: action constituting nuisances" which provides that in all residential zoning districts it shall be unlawful to house more than (3) three dogs, excluding offspring less than four (4) months of age per dwelling unit.

Disposition: April 17, 2013 Hearing: Respondent was present and admitted the violation. Code Officer Lynn Duvall was present. Finding of Violation- Violation complied. Must pay \$40 admin fee by 05/01/13.

02554 **Gloria Beals & Lauren Phillips, 9041 SW 52 Court, Cooper City, 33328**
Notice of Violation: 3/5/2013 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 8-13, entitled "Owner to maintain premises free of litter" which provides that the owner or person in control of any private property shall at all times maintain the premises free of litter.

Disposition: April 17, 2013 Hearing: Respondent was present. Code Officer Lynn Duvall was present. Finding of violation- Must remove debris by 04/26/2013 if not then \$20/day starting on 04/27/2013. Must pay \$80 admin fee by 05/01/2013.

02544 **Debra H. Llano, 5030 SW 93 Avenue, Cooper City, 33328**
Notice of Violation: 3/25/2013 By: BSO Code Officer Lynn Duvall
Violation: Sec 6-40(b) Maintenance Standards-Exterior Premises Condition-Failed to keep exterior premises free of nuisances, unsafe or unsightly conditions by allowing green stagnant pool water to form.

Disposition: April 17, 2013 Hearing: Respondent was not present. BSO Code Officer Lynn Duvall was present. Must comply immediately - if not then \$25/day fine will start 04/17/2013 until compliance. Must pay \$80 admin fee.

02545 **Debra H. Llano, 5030 SW 93 Avenue, Cooper City, 33328**
Notice of Violation: 3/25/2013 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 8-38, entitled "Excessive undergrowth, accumulation of junk, trash, etc. declared a public nuisance - prohibited" - which provides that grass allowed to grow in excess of six inches in height is a prohibited public nuisance.

Disposition: April 17, 2013 Hearing: Respondent was not present. BSO Code Officer Lynn Duvall was present. Must comply immediately - if not then \$25/day fine will start 04/17/2013 until compliance. Must pay \$80 admin fee.

02546 **Darlene Sampier Est., 5280 SW 92 Terrace, Cooper City, 33328**
Notice of Violation: 3/26/2013 By: BSO Code Officer Lynn Duvall
Violation: City Code Section 6-40(b) for failure to maintain pool (green, stagnant water); Section 8-38 for allowing grass to grow in excess of six inches; and Section 25-11 for keeping an abandoned vehicle (expired tag) on property.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. Code Officer Lynn Duvall was present. Must post to property. Continue to 05/15/2013.

02547

Kevin Paul, 5289 SW 95 Avenue, Cooper City, 33328

Notice of Violation: 3/27/2013 By: BSO Code Officer Lynn Duvall

Violation: City Code Section 8-38, entitled "Excessive undergrowth, accumulation of junk, trash, etc. declared a public nuisance - prohibited" - which provides that grass allowed to grow in excess of six inches in height is a prohibited public nuisance. **REPEAT VIOLATION**
(Outstanding Lien for \$80 Admin Fee and \$45.50 Recording/Release of Lien Fees for Case #02427)

Disposition: **April 17, 2013 Hearing:** Respondent was not present. Code Officer Lynn Duvall was present. Must post to property. Continue to 05/15/2013.

B13-00003 **Felix and Maria Marrero, 12220 Garden Drive, Cooper City, FL 33026**

Notice of Violation: 2/6/2013 By: Building Official Ted Fowler

Violation: FBC Section 105.1 as adopted by City Code Section 6-7, provides that a permit is required prior to replacing exterior windows and sliding glass doors.

Disposition: **March 20, 2013 Hearing:** Respondents were present. Finding of Violation, must comply by May 6, 2013. Status review on April 17, 2013 Hearing. Paid \$80 Admin Fee 3/20/13.

Disposition: **April 17, 2013 Hearing:** Respondents were present. Building Official Fowler was present. Extended compliance to 05/15/2013. Continue to 05/15/2013 for status review.

B13-00005 **Michelle and Richard Simon, 13217 Majestic Way, Cooper City, 33330**

Notice of Violation: 2/14/2013 By: Building Official Ted Fowler

Violation: FBC Section 105.11.2 as adopted by City Code Section 6-7, provides that a permit must be renewed within 10 days to reapply to do interior remodeling.

Disposition: **March 20, 2013 Hearing:** Respondents not present. Must comply by obtaining a renewed permit and pay \$80 Admin Fee by April 19, 2013 or \$100/day fine. Status review on 4/17/13.
Paid \$80 Admin Fee on April 11, 2013

Disposition: **April 17, 2013 Hearing:** Respondent was present. Building Official was present. Extending compliance date to 05/10/2013. Continue to 05/15/2013.

B13-00007 **Michael and Judith Riordan, 4942 SW 95 Avenue, Cooper City, 33328**

Notice of Violation: 2/27/2013 By: Building Official Ted Fowler

Violation: FBC Section 105.1 as adopted by City Code Section 6-7, provides that a permit is required prior to replacing a front entry door and installing accordion hurricane shutters.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. Building Official Fowler was present. Finding of Violation- No admin fee assessed. Continue for status review 05/15/2013.

B13-00009 **Gator-One, Inc., c/o Gator Investments, 9740 Griffin Road, Cooper City, 33328**

Mailing: 1595 NE 163 St., North Miami Beach, FL 33162-4717

Notice of Violation: 3/12/2013 By: Building Official Ted Fowler

Violation: FBC Section 105.1 as adopted by City Code Section 6-7, provides that a permit is required prior to installing canvas awnings on the exterior of the building.

Disposition: **April 17, 2013 Hearing:** Respondent was not present. Building Official Fowler was present. Finding of Violation- Must pay \$80 admin fee by 05/15/2013. Has until 05/15/2013 to apply, obtain and final the permit or a fine of \$250/day will begin from 03/12/2013 until compliance.

4. IMPOSITION OF FINE HEARINGS

02382 **Biscayne 135 LTD, 8680 Griffin Road, Cooper City, 33328 (Fran's Cleaners)**

Mailing Address: 19401 W. Dixie Highway, Miami, FL 33180

Notice of Violation: 2/7/2013 By: BSO Code Officer Belinda Graham

Violation: FBC Section 105.1 as adopted by City Code Section 6-7, provides that a permit is required prior to installing an awning over rear door.

Disposition: **March 20, 2013 Hearing:** Respondent was not present. Finding of Violation, Order to include Fran's Cleaners as named tenant, must pay a fine of \$250/day beginning 2/7/13 until compliance and must pay \$80 Admin Fee by April 1, 2013.

Disposition: **April 17, 2013 Hearing:** Must resubmit permit package and obtain a final inspection prior to 05/15/2013 if done so then no fine. If not complied then beginning from 12/07/2012-04/11/2013 at \$250/day will be assessed. **Paid \$80 admin fee on 04/17/2013.**

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