

WEDNESDAY
DECEMBER 4, 2019
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 #

06789 Joanne Mullery., 5712 SW 112 Terrace., Cooper City, FL 33330

FOV- Notice of Violation: 8/5/2019 By: Code Officer Mark Reale

AF- Violation: Sec 6-40(a) Maintenance Standards-Exterior Premises Condition-Failure to maintain roof in good condition. Deterioration
Fine- roof tiles, blue tarp tattered, to prevent water and leaking into building structure.

Disposition: November 6, 2019 Hearing: **Continue to 12/04/2019-Code Officer unable to attend hearing.**

Disposition: December 4, 2019 Hearing: Respondent was present. Code Officer Mark Reale was present. FOV- Must comply with the violation on or before 01/03/2020. If not complied then must pay \$50.00 per day from 01/04/2020. Must pay \$80 administrative fee on or before 01/03/2020. **Continue to 02/05/2020.**

06990 First Baptist Church of Southwest Broward., 2700 N. Palm Avenue & Folio#5141 05 27 0010., Cooper City, FL 33026

FOV- Mailing Address: 9741 NW 29 Court., Cooper City, FL 33024

AF- Notice of Violation: 9/11/2019 By: Code Officer Lynn Duvall

Fine- Violation: Sec 8-38 Excessive Undergrowth-overgrown lots - one lot has a cow that does not have access to water.

Disposition: November 6, 2019 Hearing: **Attorney for respondent requesting continuance to December 4, 2019.**

Disposition: December 4, 2019 Hearing: **Continue to 01/08/2020.**

EEN19-0122 Vivian E, Hali N. & Adrian A. Thomas., 5329 SW 86 Way., Cooper City, FL 33328-4344

FOV- Notice of Violation: 8/15/2019 By: Building Inspector Gerry Lomastro

AF- Violation: FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to structurally modify the
Fine- front porch and replace a window at the left side of garage.

Disposition: October 2, 2019 Hearing: **Respondent requested continuance granted to 12/04/2019.**

Disposition: December 4, 2019 Hearing: Respondent was present. Building Inspector Gerry Lomastro was present. FOV- Must comply with the violation on or before 02/02/2020. If not complied then must pay \$50/day from 02/03/2020 until compliance. Must pay \$80 administrative fee on or before 01/03/2020. **Admin fee paid on 12/04/2019.**

EEN19-0128 Laudy Florentino Sr., 10438 SW 53 Street., Cooper City, FL 33328

FOV- Notice of Violation: 9/10/2019 By: Building Inspector Gerry Lomastro

AF- Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a permit for window and door replacement.

Fine-

Disposition: November 6, 2019 Hearing: **Continue to 12/05/2019**

Disposition: December 4, 2019 Hearing: Repondent was not present. Building Official Lomastro was present. **Violation complied on 11/19/2019 per Bldg Dept. Case Closed.**

EEN19-0130 Cathy Bifani & August St. Anthony Bifani., 10763 Lisbon Street., Cooper City, FL 33026-4833

FOV- **Notice of Violation:** 10/8/2019 By: Building Inspector Gerry Lomastro
AF- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit to convert a single family residence
Fine- into two separate apartments is required.

Disposition: December 4, 2019 Hearing: Respondent continuance granted to January 8, 2020.

EEN19-0131 **Current Resident., 11253 SW 55 Court., Cooper City, FL 33330-4506**

FOV- **Notice of Violation:** 10/21/2019 By: Building Inspector Gerry Lomastro
AF- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit to install an accessory structure is
Fine- required.

Disposition: December 4, 2019 Hearing: Respondent (David Balladares) was present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 2/02/2020. If not complied then must pay \$50/day fine from 02/03/2020. Must pay \$80 administrative fee on or before 01/03/2020. Paid admin fee on 12/04/2019.

EEN19-0132 **Glenn & Teresa Pritchard., 9010 SW 53 Street., Cooper City, FL 33328**

FOV- **Notice of Violation:** 10/24/2019 By: Building Inspector Gerry Lomastro
AF- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit to install a new wood fence
Fine- is required.

Disposition: December 4, 2019 Hearing: Respondent continuance granted to January 8, 2020.

EEN19-0133 **Mary K & Lawrence J. Martell., 5174 Lake Loop Road., Bldg 21., Cooper City, FL 33330**

FOV- **Mailing Address:** 5380 SW 208 Lane., Southwest Ranches, FL 33332
AF- **Notice of Violation:** 10/25/2019 By: Building Inspector Gerry Lomastro
Fine- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit to install a new shingle roof
is required.

Disposition: December 4, 2019 Hearing: Respondent was present. Building Inspector Lomastro was present. Permit issued 11/22/2019 per Bldg Dept. Case Closed

EEN19-0134 **Linet Family Limited Partnership., 9964 Griffin Road., Cooper City, FL 33328**

FOV- **Mailing Address:** 9540 Griffin Road., Cooper City, FL 33328-3416
AF- **Notice of Violation:** 10/25/2019 By: Building Inspector Gerry Lomastro
Fine- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit to install brick pavers in the existing
sidewalk and parking lot is required.

Disposition: December 4, 2019 Hearing: Yolanda Perez was present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 02/02/2019. If not complied then must pay \$50/day from 02/03/2019 until compliance. Must pay \$80 administrative fee on or before 01/03/2020. Paid admin fee on 12/04/2019.

190028 **Veronica M. Oruganti & Krishna C. Moodie., 5030 SW 91 Avenue., Cooper City, FL 33328**

FOV- **Notice of Violation:** 10/18/2019 By: Code Officer Lynn Duvall
AF- **Violation:** Sec 8-38 Excessive Undergrowth-Existence of excessive accumulation of untended growth of plants, trees, weeds,
Fine- trash and/or dead trees which is hereby prohibited and declared to be a public nuisance.

Disposition: December 4, 2019 Hearing: Respondent was present. Code Officer Lynn Duvall was present. FOV- Must comply with the violation on or before 01/3/2020. If not complied then must pay \$25/day from 01/04/2020. Must pay \$80 administrative fee on or before 01/03/2020. Special Magistrate did not find the violation as a repeat violation.

190036 **Keda Partners Inc., 9416 SW 52 Court., Cooper City, FL 33328**

FOV- **Mailing Address:** 4223 Davie Road., Davie, FL 33314
AF- **Notice of Violation:** 10/19/2019 By: Code Officer Lynn Duvall
Fine- **Violation:** Sec 25-5 Design of off-street parking.

Disposition: December 4, 2019 **Hearing:** Alicia Rushay -Resident/Tenant was present. Code Officer Lynn Duvall was present. **Violation complied on 12/03/2019.** Must pay \$80 administrative fee on or before 01/03/2020. **Admin fee paid on 12/04/2019. Case Closed--REPEAT VIOLATION.**

190037 **Keith Porro., 4972 SW 90 Terrace., Cooper City, FL 33328**
FOV- **Mailing Address: 9040 SW 52 Street., Cooper City, FL 33328**
AF- **Notice of Violation: 10/12/2019 By: Code Officer Lynn Duvall**
Fine- **Violation: Sec 25-10(a) Commercial Vehicles, RV's and Boats-Parking in a residential district.**

Disposition: December 4, 2019 **Hearing:** Respondent was present and admitted the violation. Code Officer Lynn Duvall was present. FOV- **Violation complied on 12/03/2019.** Must pay \$80 administrative fee on or before 01/03/2020. **Admin Fee paid on 12/13/2019. Case Closed**

190258 **Patricia Insel., 5225 SW 95 Avenue., Cooper City, FL 33328**
FOV- **Mailing Address: 1910 SW 58 Avenue., Plantation, FL 33317**
AF- **Notice of Violation: 10/30/2019 By: Code Officer Lynn Duvall**
Fine- **Violation: Sec 8-13 Owner to maintain premises free of litter.**

Disposition: December 4, 2019 **Hearing:** Respondent was present. Code Officer Lynn Duvall was present. FOV- Must comply on or before 12/11/2019. If not complied then must pay \$25/day fine from 12/12/2019 until compliance. Must pay \$80 administrative fee on or before 01/03/2020.

4. IMPOSITION OF FINE HEARINGS

06910 **DCL Cooper City LLC/Walgreen Co Real Estate Property Tax., 8625 Stirling Road., Cooper City, FL 33328**
FOV- **Mailing Address: PO Box 1159., Deerfield, IL 60015**
AF- **Notice of Violation: 6/21/2019 By: Code Officer Belinda Graham**
Fine- **Violation: Sec 6-32(k) General Maintenance-Failed to keep common areas maintained. Dumpster fence in disrepair concrete wall, mold/mildew overgrowth north side of wall.**

Disposition: October 2, 2019 **Hearing:** Jermaine Clarke - store manager for Walgreens was present. Code Officer Graham was present. FOV- Code Officer Duvall testified that the violation is only partially complied. FOV- Must comply with the violation on or before 11/01/2019 (overgrowth needs to be complied). If violation is not complied on or before 11/01/2019 then must pay \$50/day from 11/02/2019 until compliance.

Disposition: December 4, 2019 **Hearing:** Jermaine Clarke-manager was present. Code Officer Belinda Graham was present. Certification of fine \$50/day from 11/02/19-11/21/2019.

06933 **Edward & Jennifer Feaster III., 12009 Landing Way., Cooper City, FL 33026**
FOV- **Notice of Violation: 8/1/2019 By: Code Officer Mark Reale**
AF- **Violation: Sec 25-10(a) Parking a Commercial Vehicle-parking, storing, or keeping a trailer on privately owned property in a residentially zoned district.**
Fine-

Disposition: October 2, 2019 **Hearing:** Respondent not present. Code Officer Reale was present. FOV- **Violation complied on 09/11/2019 - after compliance date. No fine assessed.** Must pay \$80 administrative fee on or before 11/01/2019. Any further violation will result in a repeat violation.

Disposition: December 4, 2019 **Hearing:** **Admin fee paid on 12/04/2019. Case Closed**

06953 **Halbani Asset Management LLC/Izhak Halbani., 4995 SW 89 Avenue, Cooper City, FL 33328**
FOV- **Mailing Address: 4301 S. Flamingo Road., Suite 106-123, Cooper City, FL 33330**
AF- **Notice of Violation: 7/24/2019 By: Code Officer Jenny Walsh**

Fine- **Violation:** Sec 25-10(a) Parking of Commercial Vehicles-parked, stored, or kept a trailer on public or private property in a residential zone which was not enclosed or screened from view.

Disposition: **October 2, 2019 Hearing:** Isaac Halbani was present and admitted the violation. Code Officer Walsh was present. FOV- Must comply with the violation on or before 10/12/2019 if not then must pay \$50/day fine from 10/13/2019 until compliance. Must pay \$80 administrative fee on or before 11/01/2019. **Paid admin fee on 10/02/2019.**

Disposition: **December 4, 2019 Hearing:** **Case Closed. Case complied per Jenny in code on 10/09/2019.**

EEN19-0123 **Halbani Asset Management LLC., 4995 SW 89 Avenue., Cooper City, FL 33328**
FOV- **Mailing Address:** 4301 S. Flamingo Road., Suite 106-123., Davie, FL 33330
AF- **Notice of Violation:** 8/13/2019 By: Building Inspector Gerry Lomastro
Fine- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to install a wood fence.
NO ACTION
9/23/2019 **Disposition:** **October 2, 2019 Hearing:** Issac Halbani was present and denied the violation. Building Inspector Lomastro was present. FOV- Must remove the fence on or before 11/01/2019. If not complied then must pay \$25/day fine from 11/02/2019 until compliance. Must pay administrative fee on or before 11/01/2019. **Admin fee paid on 10/02/2019.**

Disposition: **December 4, 2019 Hearing:** Isaac Halbani-owner was present. Building Inspector Lomastro was present. Must comply with the violation on or before 01/03/2020. **Continue 01/08/2020 for status review.**

EEN19-0027 **Shops at Cooper City Investments LLC., 12161 Sheridan Street., Cooper City, FL 33026**
FOV- **Mailing Address:** 2199 Ponce De Leon Blvd, #301., Coral Gables, FL 33134
AF- **Notice of Violation:** 2/19/2019 By: Building Inspector Gerry Lomastro
Fine- **Violation:** FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to perform interior renovation to an exist tenant space.
NO ACTION
3/28/2019
6/26/2019 **Disposition:** April 3, 2019 Hearing: Continue to 05/01/2019. No service. Mail new notice and post property.
PERMIT APPLIED
7/25/2019 **Disposition:** May 1, 2019 Hearing: Respondent was not present. Building Inspector Gerry Lomastro was present. FOV-Must comply with the violation on or before 05/11/2019. If not complied then must pay \$50/day fine from 05/11/2019 until compliance. Must pay \$80 administrative fee on or before 05/31/2019. **Admin fee paid on 05/31/2019.**

Disposition: July 3, 2019 Hearing: Pascale Curtis-property manager was present. Umer Amed the manager of Ellie's Desi Kitchen was present. **Administrative fee paid on 05/31/2019. Continue to 08/07/2019 for status review.**

Disposition: **August 7, 2019 Hearing:** Umer Amed- manager for business. Marcia Nelson- All County General Contractors were present. Plans denied. **Continue to 10/02/2019 for status review.**

Disposition: **October 2, 2019 Hearing:** Marcia Nelson-Contractor, Pascale Curtis-Property Manager & Umer Amed-Tenant were present. Previous order has been amended to give an additional 30 days to comply with the violation (11/01/2019). If not complied on or before 11/01/2019 then must pay \$50/day from 11/02/2019 until compliance. **Continue to 12/04/2019 to certify the fine.**

Disposition: **December 4, 2019 Hearing:** Umer Amed-manager was present. Building Inspector Lomastro was present. **Permit issued 11/19/2019. Case Closed.**

5. REDUCTION OF FINE HEARINGS

06957 **Darlana Bailey Est., 8906 SW 49 Court., Cooper City, FL 33328**
FOV- **Mailing Address:** 4301 SW 77 Avenue., Davie, FL 33328
AF- **Notice of Violation:** 9/4/2019 By: Code Officer Jenny Walsh
Fine- **Violation:** Sec 6-40(b)(1)&(2) 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.
\$25/day from 09/04/2019 through 11/06/2019= \$1,575.00

Disposition: November 6, 2019 Hearing: Jim Bailey (son) was present. Code Officer Walsh was present. FOV- Must pay \$25/day fine from 09/04/2019 through 11/06/2019. Complied in the afternoon of 11/06/2019 per Code Officer Walsh. Must pay \$80 admin fee on or before 12/06/2019. **Paid admin fee on 11/07/2019.** (REPEAT VIOLATION) Scheduled for 01/08/2020 for Certification of Fine. Submitted request from respondent to be heard on 12/04/2019.

Disposition: December 4, 2019 Hearing: Respondent was not present. Reduction of fine case was not heard.

06958 Darlena Bailey Est., 8906 SW 49 Court., Cooper City, FL 33328

FOV- Mailing Address: 4301 SW 77 Avenue., Davie, FL 33328

AF- Notice of Violation: 9/4/2019 By: Code Officer Jenny Walsh

Fine- Violation: Sec 8-38 Accumulation of junk, trash-public nuisance-allowed the existence of rubbish & trash in back yard which is a declared public nuisance & adversely affects economic welfare of adjacent properties.

\$25/day from 09/04/2019 through 11/06/2019= \$1,575.00

Disposition: November 6, 2019 Hearing: Jim Bailey (son) was present. Code Officer Walsh was present. FOV- Must pay \$25/day fine from 09/04/2019 through 11/06/2019. Complied in the afternoon of 11/06/2019 per Code Officer Walsh. Must pay \$80 admin fee on or before 12/06/2019. **Paid admin fee on 11/07/2019.** (REPEAT VIOLATION) Scheduled for 01/08/2020 for Certification of Fine. Submitted request from respondent to be heard on 12/04/2019.

Disposition: December 4, 2019 Hearing: Respondent was not present. Reduction of fine case was not heard.

6 ADJOURNMENT

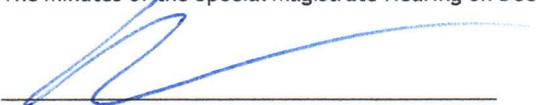
This meeting adjourned at 11:13 a.m.

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 Respondents shall be strictly limited to presenting evidence and testimony to those matters specifically set forth within their written statement, as 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) 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 One or more members of the City Commission and/or advisory boards of the City may be in attendance at the Special Magistrate proceedings.

The Minutes of the Special Magistrate Hearing on December 4, 2019 were approved on

12/23/19


Hofit Lottenberg, Esq., Special Magistrate


Ruth Freeston, Clerk of the Special Magistrate