

WEDNESDAY
JUNE 7, 2017
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 #

05988

Dominick M. Dinitto., 5056 SW 94 Avenue., Cooper City, FL 33328

Notice of Violation: 10/3/2016 By: Jenny Walsh

Violation: Sec 6-40(a) Maintenance Standards-Exterior Building Conditions-failed to maintain roof free of dirt, grime, stains, mildew and free from any signs of deterioration. (roof leak, fascia & soffit)

Disposition: **April 5, 2017 Hearing:** Respondent was present. Code Officer Walsh was present. Continue to 06/07/2017 for status review. Admin fee has been withheld.

Disposition: **June 7, 2017 Hearing:** Respondent request for continuance granted to August 2, 2017. No further continuances.

06036

Cooper City Youth Investments LLC., 8951 Stirling Road., Cooper City, FL 33328

Mailing Address: PO Box 291447., Davie, FL 33329-1447

Notice of Violation: 1/11/2017 By: Belinda Graham

Violation: Sec 25-27(a) Sign Permit Required- installed wall signs without obtaining a permit from the City Building department

Disposition: **April 5, 2017 Hearing:** Respondent requested continuance granted to June 7, 2017 hearing.

Disposition: **June 7, 2017 Hearing:** Doug Millaro was present. Code Officer Graham was present. FOV- Violation complied on 04/21/2017. No fine assessed. Must pay \$80 admin fee on or before 07/07/2017. **Paid af on 06/07/2017.**

06094

Jose Alberto Rodriguez & Chucua & Angela Velkei., 2952 NW 84 Terrace., Cooper City, FL 33330

Mailing Address: 21302 Oak Ridge Court., San Antonio, TX 78258-6906

Notice of Violation: 4/11/2017 By: Mark Reale

Violation: Sec 25-11 Junked or Abandoned Vehicles- deposited, stored or kept an abandoned vehicle (no tag) on private property. Acquire valid license tag or remove or park in garage.

Disposition: **June 7, 2017 Hearing:** Jarret Freedman was present and admitted the violation. FOV- Violation complied on 05/11/2017. No fine has been assessed. Must pay \$80 admin fee on or before 07/07/2017.

06213

Linnet Family Limited Partnership., 9730 Griffin Road., Cooper City, FL 33328

Mailing Address: 9598 Griffin Road., Suite A, Cooper City, FL 33328

Notice of Violation: 4/10/2017 By: Jenny Walsh

Violation: Sec 10-3 Excessive Noise-Prohibited- no person shall make any loud unnecessary or excessive noise which unreasonably interferes with comfort & repose of other within City.

Disposition: **June 7, 2017 Hearing:** Yolanda Perez was present. Jenny Walsh was present. Ryan Shrouder & Gary Laufenberg & Alejandro Vazquez who is the owner of Crossfit testified as witnesses. FOV- Magistrate has

withheld an order. Continue to 07/12/2017 for status review.

- 06218 **Elsa & Alberto Etal Garantiva., 5305 SW 93 Avenue., Cooper City, FL 33026**
Mailing Address: 5305 SW 93 Avenue, Cooper City, FL 33328
Notice of Violation: 4/25/2017 By: Jenny Walsh
Violation: Sec 6-40(a)(5) Windows & Doors- all exterior doors, garage doors & frames & windows shall be in good repair and weathertight & infestation proof.
Disposition: **June 7, 2017 Hearing:** Joshua Mass-property vendor admitted the violation. Jenny Walash was present. FOV- Violation is not complied. Must pay \$80 admin fee on or before 07/07/2017. Must pay \$250/day fine from 05/15/2017 until compliance.
- 06219 **Jason & Mahra Sarofsky., 5501 SW 98 Way., Cooper City, FL 33328**
Notice of Violation: 4/26/2017 By: Jenny Walsh
Violation: Sec 8-38 Excessive undergrowth declared public nuisance; prohibited- excessive accumulation of untended growth of plants, trees, debris which threatens or endangers the public health, safety or welfare which is adversely affects and impairs the welfare of adjacent property or grass in excess of six (6) inches in height, is hereby prohibited and declared to be a public nuisance.
Disposition: **June 7, 2017 Hearing:** **Continue to 07/12/2017. Post to property.**
- 06230 **Micha Delima., 8961 SW 52 Place., Cooper City, FL 33328**
Mailing Address: 18320 NW 19 Street., Pembroke Pines, FL 33029-3705
Notice of Violation: 3/30/2017 By: Belinda Graham
Violation: Sec 6-40(a)(3) Maintenance Standards-Exterior Premises Condition- failed to maintain shutters or awnings in good condition and free from deterioration (mold/mildew & dirt)
Disposition: **June 7, 2017 Hearing:** Respondent was present and admitted the violation. Code Officer Graham was present. FOV- Must pay \$80 admin fee on or before 07/07/2017. Fine has been withheld. Must comply on or before 06/22/2017. Continue to 07/12/2017 for status review. If violation is not complied then fine will be assessed. **Admin fee paid on 06/07/2017.**
- 06234 **Michael Boyer Jr., 11012 Chandler Drive., Cooper City, FL 33026**
Notice of Violation: 4/19/2017 By: Belinda Graham
Violation: Sec 8-26 Placement of Trash Receptacles-placing trash bin out curbside prior to 6pm the day before a garbage pick up. Trash bin must be removed no later than 9pm the day of garbage pickup. Failure to store bin behind fence/hedge or in the garage.
Disposition: **June 7, 2017 Hearing:** Respondent was not present. Code Officer Graham was present. FOV- Must pay \$80 admin fee on or before 07/07/2017. Must pay \$25/day fine from 04/29/2017 until compliance.
- 06240 **Michael Pepe., 2565 Garden Court., Cooper City, FL 33026**
Notice of Violation: 4/28/2017 By: Belinda Graham
Violation: Sec 25-10(a) Parking of Commercial Vehicle-parked, stored, or kept a commercial vehicle in the public street, public right of way or privately owned property (not enclosed signage)
Disposition: **June 7, 2017 Hearing:** Respondent was present and admitted the violation. Code Officer Graham was present. FOV- Must pay \$80 admin fee on or before 07/07/2017. No fine has been assessed. Violation complied on 06/2/2017.

06247 Robert M. Cohen., 10858 Limeberry Drive., Cooper City, FL 33026-4759
Notice of Violation: 5/4/2017 By: Belinda Graham
Violation: Sec 8-38 Excessive undergrowth allowed grass/weeds to grow in excess of six inches in height which is prohibited public nuisance. (repeat violation)
Disposition: June 7, 2017 Hearing: Respondent was not present. Code Officer Graham was present. FOV- Must pay \$80 admin fee on or before 07/07/2017. Must pay \$500/day fine from 05/04/2017 until compliance.

06248 IH3 Property Florida LP c/o Invitation Homes., 2518 Ambassador Avenue., Cooper City, FL 33026
Mailing Address: 1717 Main Street #2000., Dallas, TX 75201
Notice of Violation: 5/5/2017 By: Belinda Graham
Violation: Sec 8-38 Excessive undergrowth allowed grass/weeds to grow in excess of six inches in height which is prohibited public nuisance.
Disposition: June 7, 2017 Hearing: Respondent was not present. Code Officer Graham was present. Violation is complied. No fine or admin fee assessed. **Case Closed**

EEN16-0183 Clarence E. & Beulah R. Glover., 5166 Waters Edge Way., Cooper City, FL 33330
Notice of Violation: 11/21/2016 By: Building Official Ted Fowler
Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a permit for pool has expired and needs to be renewed.
Disposition: January 4, 2017 Hearing: Respondent was not present. Bldg Official Fowler was present. **Continue to 03/01/2017** to issue the permit for fence. Fence will need to be installed to close the case.
Disposition: March 1, 2017 Hearing: **Continue to 04/05/2017 for status review.**
Disposition: April 5, 2017 Hearing: **Continue to 06/07/2017 for status review.**
Disposition: June 7, 2017 Hearing: Respondent was not present. Bldg Inspector Lomastro was present. **Continue to 07/12/2017 for status review.**

IMPOSITION OF FINE HEARINGS

4.
05644 Deutsche Bank Natl Tr Co Trstee c/o Ocwen Loan Servicing Attn: Vault Department., 5949 SW 112 Way., CC, FL 33330
Mailing Address: 5720 Premier Park Drive., West Palm Beach, FL 33407
Notice of Violation: 1/30/2017 By: Mark Reale
Violation: Sec 23-90(i) Fences, Walls, Hedges- failed to maintain rear wood fence in a structurally sound or aesthetically attractive manner. (rotted slats, missing boards on ground, repair & paint fence)
Disposition: April 5, 2017 Hearing: Respondent was not present. Code Officer Reale was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. Must pay \$250/day from 03/09/2017 until compliance.
Disposition: June 7, 2017 Hearing: Certification of fine

05828 Sunshine Gasoline Distributors Inc., 11173 Sheridan Street., Cooper City, FL 33330
Mailing Address: 1650 NW 87 Avenue., Miami, FL 33172
Notice of Violation: 2/3/2017 By: Belinda Graham
Violation: Sec 6-31(a/b) Property Maintenance-Conformance with City Codes- allowed exterior wall to show signs of deterioration and not in good condition(mold/mildew, grime and or rust)
Disposition: April 5, 2017 Hearing: Respondent was not present. Code Officer Graham was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. Must pay \$250/day from 03/08/2017 until compliance. **Complied on 05/03/2017 per Code.**

Disposition: **June 7, 2017 Hearing:** Claudia Gill was present. Code Officer Graham was present. Fine reduced to \$25/day - \$1,425.00 to be paid on or before 06/30/2017. **Continue to 07/12/2017 for status review.** If fine is not paid then will revert back to the original amount and COF. **Admin fee paid on 06/07/2017.**

05837 **S&G Real Investment LLC., 11058 Mainsail Drive., Cooper City, FL 33026-4725**

Mailing Address: 1915 Harrison Street., Hollywood, FL 33020

Notice of Violation: 2/25/2017 By: Belinda Graham

Violation: Sec 8-26 Littering- Placement of Trash Receptacles- placing trash bin out curbside prior to 6pm the day before a garbage pick up. Trash bin must be removed no later than 9pm the day of garbage pickup. Failure to store bin behind fence/hedge or in the garage.

Disposition: **April 5, 2017 Hearing:** Respondent was present and admitted the violation. Code Officer Graham was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. No fine assessed. Violation is complied.

Disposition: **June 7, 2017 Hearing:** Respondent was not present. Code Officer Graham was present. Certification of AF.

06037 **Sheridan Professional Centre Ltd LLC., 11011 Sheridan Street., Cooper City, FL 33330**

Mailing Address: 1800 SE 10 Avenue., Ste 300, Ft Lauderdale, FL 33316-2907

Notice of Violation: 1/14/2017 By: Belinda Graham

Violation: Sec 6-40(b) Maintenance Standards-Exterior Premises Condition- Failed to keep exterior premises free of all nuisances, unsafe or unsightly conditions. (overgrowth grass/weeds, dead tree limbs over hanging tree branches)

Disposition: **April 5, 2017 Hearing:** Respondent was not present. Code Officer Graham was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. Must pay \$250/day from 01/25/2017 until compliance.

Disposition: **June 7, 2017 Hearing:** John Halloway (owner & property manager) was present. Code Officer Graham was present. Violation not complied. **Continue to 07/12/2017 for status review.** **Admin fee paid on 06/07/2017.**

06122 **Abraha Taddese., 5281 SW 90 Way., Cooper City, FL 33328**

Mailing Address: 1504 Bay Road., #2909, Miami Beach, FL 33139

Notice of Violation: 1/31/2017 By: Jenny Walsh

Violation: Sec 25-11 Junked or abandoned vehicle- deposited, stored or kept 3 trucks (2 Ford & 1 Chevy) without tags in the open upon public or private property.

Disposition: **April 5, 2017 Hearing:** Cory Hawthorne was present and admitted the violation. Must comply on or before 04/20/2017 (remove trucks or put plates on vehicles). If not complied then \$50/day from 02/11/2017 until complied. Must pay \$80 administrative fee on or before 05/05/2017. **Paid admin fee on 04/05/2017.**
Complied on 04/23/2017 per Code. No fine per Code.

Disposition: **June 7, 2017 Hearing:** **Case Closed**

06123 **Abraha Taddese., 5281 SW 90 Way., Cooper City, FL 33328**

Mailing Address: 1504 Bay Road., #2909, Miami Beach, FL 33139

Notice of Violation: 1/31/2017 By: Jenny Walsh

Violation: Sec 6-40(b) Maintenance Standards- Failed to keep exterior premises free of nuisances, unsafe or unsightly conditions by allowing litter and debris to be stored on property.

Disposition: **April 5, 2017 Hearing:** Cory Hawthorne was present and admitted the violation. Must comply on or before 04/20/2017 (remove trucks or put plates on vehicles). If not complied then \$50/day from 02/11/2017 until complied. Must pay \$80 administrative fee on or before 05/05/2017. **Paid admin fee on 04/05/2017.**
Complied on 04/23/2017 per Code. No fine per Code.

Disposition: June 7, 2017 Hearing: **Case Closed**

06188

Paul A. Corbiere., 3840 NW 97 Avenue., Cooper City, FL 33024

Notice of Violation: 3/6/2017 By: Jenny Walsh

Violation: Sec 8-38 Excessive undergrowth declared public nuisance; prohibited- excessive accumulation of untended growth of plants, trees, debris which threatens or endangers the public health, safety or welfare which is adversely affects and impairs the welfare of adjacent property or grass in excess of six (6) inches in height, is hereby prohibited and declared to be a public nuisance.

Disposition: **May 3, 2017 Hearing:** Respondent was present. Code Officer Walsh was present. FOV- Must pay \$80 administrative fee on or before 06/02/2017. Must comply on or before 05/15/2017. If not complied then must pay \$25/day fine from 05/16/2017 until compliance. **Paid admin fee on 05/03/2017. Complied on 05/10/2017.**

Disposition: June 7, 2017 Hearing: **Case Closed**

EEN17-0027

Weingarten Realty Investors c/o Jeffrey A. Tucker, 2711 Hiatus Road., Cooper City, FL 33026

Mailing Address: PO Box 924133., Houston, TX 77292

Notice of Violation: 2/10/2017 By: Ted Fowler

Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a Building Department permit for window lettering sign permit has expired and needs to be renewed.

Disposition: **April 5, 2017 Hearing:** Respondent was not present. Bldg Official Fowler was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. Must comply on or before 04/28/2017 (renew permit). If not complied then must pay \$50/day fine from 03/15/2017 until compliance. **Complied on 04/27/2017 per Bldg Dept.**

Disposition: June 7, 2017 Hearing: Certification of Admin Fee

EEN17-0029

2015-2 IH2 Borrower LP c/o Invitation Homes - Tax Dept, 5212 SW 91 Terrace., Cooper City, FL 33328

Mailing Address: 1717 Main Street #2000., Dallas, TX 75201

Notice of Violation: 2/22/2017 By: Ted Fowler

Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a Building Department permit for a/c replacement has expired and needs to be renewed.

Disposition: **April 5, 2017 Hearing:** Respondent was not present. Building Official Fowler was present. FOV- Must pay \$80 administrative fee on or before 05/05/2017. Must pay \$150/day from 03/24/2017 until compliance.

Disposition: June 7, 2017 Hearing: Certification of Fine

5.

REDUCTION OF FINE HEARINGS

01932

Frank & Jacqueline D'Alessandro, 3300 Bridge Road, Cooper City, FL 33026

Notice of Violation: 9/28/2011 By: Belinda Graham, Code Enforcement Officer

Violation: City Code Section 23-83(a), entitled "Setback Requirements - Swimming Pools" which requires a screened enclosure or fence to surround all in-ground swimming pools.
(Repeat Violation)

Disposition: **October 19, 2011 Hearing:** Violation was upheld, no compliance, must pay \$80 administrative fee and a fine of \$500/day beginning 9/28/11 until permit is renewed and final inspection and closure of permit. **Admin fee paid on 04/17/2017.**

Disposition: **May 3, 2017 Hearing:** Continue to 06/07/2017 for reduction of fine hearing.

Disposition: **June 7, 2017 Hearing:** Lorraine Angelil was present. Code Officer Graham was present. Violation complied on 09/19/2014. Fine reduced from 543,500.00 to \$27,175.00 + \$47.00=\$27,222.00 to be paid on or before 07/07/2017. If not paid then fine will revert back to the original amount.

02626

Deutsche Bank National Tr Co.Trstee, c/o Fidelity/Saxon Mortgage, 2715 Bogota Avenue, Cooper City

Mailing Address: 4708 Mercantile Dr., N, Fort Worth, TX 76137

Notice of Violation: 5/8/2013 By: BSO Code Officer Belinda Graham

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 and existence of untended weeds are a prohibited public nuisance.

\$500.00/day fine from 05/20/2013 thru 07/10/2013=\$25,500.00 + \$45.50 recording/release fees= \$25,545.50

Disposition: **June 12, 2013 Hearing:** Respondent was not present. Repeat Violation - must pay \$500 per day beginning 5/20/13 until compliance and \$80 Admin Fee to be paid by 7/12/13. City will assume maintenance of the property, which shall be a separate lien.

Disposition: **August 14, 2013 Hearing:** Violation complied. Certification Of \$80 admin fee and \$500/fine from 05/20/2013-07/10/2013.

Disposition: **June 7, 2017 Hearing:** Fine reduced to \$1,785.00 + \$45.50=\$1,830.50 to be paid on or before 07/07/2017. If not paid then fine will revert back to the original amount.

04936

Deutsche Bank National Tr Co c/o Fidelity/Saxon Mortgage., 2715 Bogota Avenue, Cooper City, FL 33026

Mailing Address: 4708 Mercantile Dr N., Fort Worth, TX 76137

Notice of Violation: 9/11/2014 By: BSO Code Officer Belinda Graham

Violation: Sec 8-38 Excessive undergrowth-grass/weeds-allowed grass to grow in excess of six inches in height allowed for the existence of excessive accumulation of untended weeds which is a prohibited public nuisance. (grass and weeds) (Repeat Violation)

\$400.00/day fine from 09/11/2014 thru 01/13/2015=\$49,600.00 + \$45.50 recording/release fees= \$9,645.50

Disposition: **October 15, 2014 Hearing:** Maikel Eskander Esq. was present and denied the violation. FOV- Must pay \$80 admin fee on or before 11/14/2014. Must comply with the violation on or before 10/29/2014. If not the a \$400/day fine will begin 09/11/2014 until compliance.

Disposition: **December 17, 2014 Hearing:** Respondent not present. Code Officer Graham was present. City ordered to assume maintenance of grass. COF fine and admin fee from 09/11/2014 to the start of City maintaining the property.

Disposition: **June 7, 2017 Hearing:** Fine reduced to \$3472.00 + \$45.50=\$3517.50 to be paid on or before 07/07/2017. If fine not paid then will revert back to the original amount.

04937

Deutsche Bank Natl Tr Co Trstee c/o Fidelity/Saxon Mortgage., 2715 Bogota Avenue, Cooper City, FL 33026

Mailing Address: 4708 Mercantile Drive N., Fort Worth, TX 76137

Notice of Violation: 9/11/2014 By: BSO Code Officer Belinda Graham

Violation: Sec 6-40(a)(2) Maintenance Standards- failed to maintain roof or gutters free of dirt, grime, stains, mildew, peeling and free from any signs of deterioration.

\$250.00/day fine from 10/13/2014 thru 03/03/2016=\$126,795.00 + \$45.50 recording/release fees= \$126,840.50

Disposition: **November 19, 2014 Hearing:** Respondent not present. Code Officer Graham was present. Must pay \$80 administrative fee on or before 12/19/2014. Must comply with the violation and pay a \$250/day fine from 10/13/2014 until compliance.

Disposition: **January 21, 2015 Hearing:** Certification of fine and admin fee

Disposition: **June 7, 2017 Hearing:** Fine reduced to \$8875.65 + \$45.50=\$8921.15 to be paid on or before 07/07/2017. If not paid then fine will revert back to the original amount.

05599

Deutsche Bank Natl tr Co Trstee c/o Fidelity/Saxon Mtg., 2715 Bogota Avenue, Cooper City, FL 33026

Mailing Address: 4718 Mercantile Drive., Fort Worth, TX 76137-3605

Notice of Violation: 4/7/2016 By: Code Officer Belinda Graham

Violation: Sec 6-40(a)(1) Maintenance Standards-failed to maintain exterior walls & wall surfaces in good condition and prevent deterioration (structure deterioration)

\$250.00/day fine from 05/11/2016 thru 11/07/2016=\$45,000.00 + \$45.50 recording/release fees= \$45,045.50

Disposition: **July 6, 2016 Hearing:** Respondent was not present. Code Officer Graham was present. FOV- Must pay \$80 admin fee on or before 08/05/2016. Must pay \$250/day fine from 05/11/2016 until compliance. City is ordered to secure property for health safety issues.

Disposition: **September 7, 2016 Hearing:** Amend order from July hearing to reflect City maintaining roof (safeguard from the elements) Certification of Fine

Disposition: **June 7, 2017 Hearing:** Fine reduced to \$3150 + \$45.50 to be paid on or before 07/07/2017. If not paid the fine will revert back to the original amount.

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.