

## CITY OF COOPER CITY SPECIAL MAGISTRATE HEARING

WEDNESDAY, MARCH 4, 2020  
COOPER CITY HALL  
9090 SW 50th PLACE  
COOPER CITY, FL 33338

### Post Hearing Minutes for March 4, 2020

- A. EXPLANATION OF PROCEDURES BY SPECIAL MAGISTRATE
- B. SWEARING IN
- C. NOTICE OF VIOLATION HEARING

**ITEM**

1.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190203	Dehn, James A Jr & Joyce M	5137 SW 93 AVE	5137 SW 93 AVE	COOPER CITY FL 33328	25-102 Sidewalk in need of cleaning	Lynn Duvall

**Notes**

Date	Note
3/4/2020	Resident called 3/3/2020 at 11:47 A.M. and left message to say that her and her husband were both sick. Called Code Officer Lynn Duvall and she granted a one time continuance to May 6, 2020 hearing.

2.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190204	Dehn, James A Jr & Joyce M	5137 SW 93 AVE	5137 SW 93 AVE	COOPER CITY FL 33328	6-40 Awnings in need of cleaning/painting. Fascia in need of cleaning.	Lynn Duvall

**Notes**

Date	Note
3/4/2020	Resident called 3/3/2020 at 11:47 A.M. and left message to say that her and her husband were both sick. Called Code Officer Lynn Duvall and she granted a one time continuance to May 6, 2020 hearing.

3.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190589	Zweig, Alfred J & Zweig, Beverly Anne	9742 SW 59 St	9742 SW 59 St	COOPER CITY FL 33328	8-38 Excessive weeds in zero scape	Lynn Duvall

**Notes**

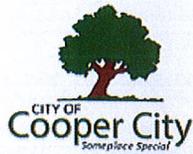
Date	Note
3/4/2020	Case continued to June 3, 2020 Hearing due to Code Officer illness.

4.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190611	Shepard, Jena & Perez, Jose C	5125 SW 93 Ave	5125 SW 93 Ave	COOPER CITY FL 33328	25-5(e)(1) Vehicles parked on front lawn	Lynn Duvall

**Notes**

Date	Note



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3/4/2020	Respondent was present and testified that they complied with the violation. Car removed from front lawn. Code Officer Duvall was not present--out sick. Case deleted per Assistant City Attorney, no final order is needed.
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5.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190650	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	EUREKA CA 95501	6-40(b) Overgrowth grass / weeds and Tree branches	Belinda Graham

**Notes**

Date	Note
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. Declared a health safety welfare issue. FOV - Must comply with the violation on or before 3/14/2020. failure to comply will result in a fine of \$150/day from 03/15/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.

6.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190651	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	EUREKA CA 95501	23-90(i) Fence Maintenance	Belinda Graham

**Notes**

Date	Note
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. FOV - Must comply with the violation on or before 4/3/2020. Failure to comply will result in a fine of \$50/day from 04/04/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.

7.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190652	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	EUREKA CA 95501	25-102(d) Sidewalk Maintenance	Belinda Graham

**Notes**

Date	Note
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. FOV - Must comply with the violation on or before 4/3/2020. Failure to comply will result in a fine of \$50/day from 04/04/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.

8.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200007	Dehn, James A Jr & Joyce M	5137 SW 93 Ave	5137 SW 93 Ave	COOPER CITY FL 33328	25-5(e) (1) Vehicles parked on lawn	Lynn Duvall



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**Notes**

Date	Note
3/4/2020	Resident called 3/3/2020 at 11:47 A.M. and left message to say that her and her husband were both sick. Called Code Officer Lynn Duvall and she granted a one time continuance to May 6, 2020 hearing.

**9.**

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200012	Tucker, Lorn Kenneth III Lorn Tucker Rev Tr	4900 SW 94 Way	4900 SW 94 Way	COOPER CITY FL 33328	25-5(e)(1) Vehicle parked on front lawn prohibited	Lynn Duvall

**Notes**

Date	Note
3/4/2020	Respondent was present and is working to comply with the violation. Code Officer Duvall not present is out sick. Case continued to May 6, 2020 hearing.

**10.**

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200089	US BANK TR NA TRSTEE	8971 SW 57 ST	323 5 ST	EUREKA CA 95501	6-40(b) Maintenance standards exterior, green stagnant pool water	Belinda Graham

**Notes**

Date	Note
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. Declared a health safety welfare issue. FOV - Must comply with the violation on or before 3/18/2020. Failure to comply will result in a fine of \$150/day from 03/19/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.

**11.**

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200126	Marin, Carlos A & Marin, Isabel C	9416 SW 50 St	5690 SW 87 AVE	FORT LAUDERDALE FL 33328	25-11 Vehicle on jacks in driveway/Hazard	Lynn Duvall

**Notes**

Date	Note
3/4/2020	Respondent was present and testified that they complied with the violation. Car removed from driveway. Code Officer Duvall not present-out sick. Case deleted per Assistant City Attorney, no final order is needed.

**12.**

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200127	Marin, Carlos A & Marin, Isabel C	9416 SW 50 St	5690 SW 87 AVE	FORT LAUDERDALE FL 33328	25-11 Vehicle on jacks in driveway/Hazard	Lynn Duvall

**Notes**



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Date	Note
3/4/2020	Respondent was present and testified that they complied with the violation. Car removed from driveway. Case deleted per Assistant City Attorney, no final order is needed.

13.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
200219	BARBARA A H/E & DEREK L KINGSBURY	5210 SW 90TH AVE	5210 SW 90TH AVE	COOPER CITY FL 33328	25-10(A) COMMERCIAL VEHICLE PARKED IN A RESIDENTIAL ZONE	Mark Reale

**Notes**

Date	Note
3/4/2020	Respondent Barbara Kingsbury was present. Code Enforcement Mark Reale was present. FOV existed and is in compliance. Must pay \$80 admin fee on or before 4/3/2020. No other fines assessed. If the violation reoccur it would be considered a repeat violation which can result in a fine up to \$500/day.

**D. BUILDING DEPARTMENT CASES**

**NONE**

**E. CERTIFICATION OF FINE**

14.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0117	AIJIA LLC	5235 SW 94 AVE	9140 SW 54 PL	COOPER CITY FL 33328	FBC 105 Sec. 6-7 Adoption of Florida Building Code which provides that a permit to construct an addition is required.	Gerry Lomastro

**Notes**

Date	Note
9/4/2019	Alice Hu-owner was present and admitted the violation. Building Inspector Gerry Lomastro was present. FOV- Must comply with the violation on or before 03/03/2020. Must pay \$80 administrative fee on or before 10/04/2019. Paid admin fee on 09/04/2019. If not complied then continue to 03/04/2020 for certification of fine hearing.
Date	Note
3/4/2020	ALICE HU-OWNER WAS PRESENT AND ADMITTED THE VIOLATION. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESENT BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. CONTINUANCE GRANTED TO 60 DAYS TO MAY 6, 2020 HEARING FOR STATUS REVIEW.

15.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
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EEN19-0122	THOMAS, VIVIAN E H/E & HALI N. & SOSA, ADRIAN A.	5329 SW 86 WAY	5329 SW 86 WAY	COOPER CITY FL 33328	Adoption of Florida Building Code which provides that a permit is required to structurally modify the front porch and replace a window at the left side of garage.	Gerry Lomastro
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**Notes**

Date	Note
10/2/2019	Respondent requested continuance granted to 12/04/2019.
12/4/2019	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. If not complied continue to 03/04/2020 for certification of fine hearing.
Date	Note
3/4/2020	RESPONDENTS VIVIAN THOMAS AND HALI THOMAS, HOME OWNERS, WERE PRESENT. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESENT BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. GRANTED 60 DAYS TO MAY 3, 2020 TO COMPLY WITH THE VIOLATION (PASS THE INSPECTIONS). IF COMPLIED CASE WILL CLOSED. FAILURE TO COMPLY THEN CONTINUE TO MAY 6, 2020 HEARING.

16.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0129	REAL SUB LLC	10006 GRIFFIN RD	PO BOX 407	Lakeland, FL 33802-0407	Adoption of Florida Building Code which provides that a permit is required to renovate the existing commercial kitchen.	Gerry Lomastro

**Notes**

Date	Note
11/6/2019	Respondent was not present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 02/04/2020. If not complied then must pay \$100/day from 02/05/2020 until compliance. Must pay \$80 admin fee on or before 12/06/2019. Paid admin fee on 11/06/2019. If not complied then continue to 03/04/2020 for certification of fine hearing.
Date	Note
3/4/2020	GENERAL CONTRACTOR FREDY ROGER AND ALEJANDRO LOPEZ WERE PRESENT. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESENT BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. GRANTED 60 DAYS CONTINUANCE TO MAY 3, 2020 TO COMPLY. IF COMPLIED CASE WILL CLOSED. FAILURE TO COMPLY WILL CONTINUE THE CASE FOR MAY 6, 2020 HEARING.

17.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0130	BIFANI, CATHY and AUGUST	10763 LISBON ST	10763 LISBON ST	Cooper City, FL 33026	Adoption of Florida Building Code which provides that a permit is required to convert a single family residence into two separate apartments.	Gerry Lomastro

**Notes**

Date	Note
12/4/2019	Respondent requested continuance granted to 01/08/2020.



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1/8/2020	Respondents were present. Building Inspector Lomastro was present. FOV-Must comply with the violation on or before 02/07/2020 (obtain and final permits). If not complied then must pay \$250/day from 02/08/2020 until compliance. Must pay \$80 administrative fee on or before 02/07/2020. If not complied then continue to 03/04/2020 for Certification of Fine.
2/7/2020	Paid Admin Fee. They're asking for more time to comply with the violation since it has taken more than 30 days to get all the permits required.
<b>Date</b>	<b>Note</b>
3/4/2020	CATHY AND AUGUST BIFANI WERE PRESENT. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESENT BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. GRANTED 60 DAYS CONTINUANCE TO MAY 3, 2020 TO COMPLY. IF COMPLIED CASE WILL CLOSED. FAILURE TO COMPLY WILL CONTINUE THE CASE FOR MAY 6, 2020 HEARING.

18.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0131	CURRENT RESIDENT	11253 SW 55 CT	11253 SW 55 CT	Cooper City, FL 33328	Adoption of Florida Building Code which provides that a permit is required to install an accessory structure.	Gerry Lomastro

**Notes**

<b>Date</b>	<b>Note</b>
12/4/2019	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. If not complied then continue to 03/04/2020 for certification of fine hearing.
<b>Date</b>	<b>Note</b>
3/4/2020	RESPONDENT WAS PRESENT. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESET BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. RESPONDENT COMPLIED WITH THE VIOLATION ON TIME BUT THE INSPECTION DID NOT TAKE PLACE TWO DAYS AFTER THE COMPLIANCE DATE DUE TO INCONVINIENCES FROM BOTH PARTIES. COMPLIANCE DAY WAS EXTENDED (MOVED) AND THE CASE ITS CLOSED.

TOTAL CASES 18  
 REQUESTS FOR EXTENSION TO COMPLY \_\_\_\_\_  
 REQUEST FOR REDUCTIONS 0  
 MOTIONS TO CONTINUE \_\_\_\_\_  
 NEXT HEARING DATE: APRIL 1, 2020 @ 9:00 A.M.

**F. ADJOURNMENT**

This meeting adjourned at 10:34 Am



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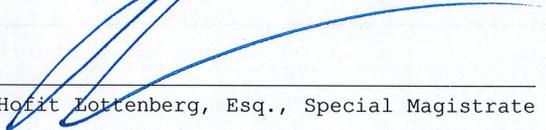
**Evidence**

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.

The Minutes of the Special Magistrate Hearing on ~~January 8, 2020~~ <sup>March 4, 2020</sup> were approved on March 18, 2020

  
\_\_\_\_\_  
Hofit Lottenberg, Esq., Special Magistrate

  
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Ruth Freeston, Clerk of the Special Magistrate