

WEDNESDAY
NOVEMBER 6, 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 #

05170 Masood & Nibila Ahmad., 5206 SW 90 Terrace., Cooper City, FL 33328

FOV- Notice of Violation: 8/10/2019 By: Code Officer Lynn Duvall

AF- Violation: 'Sec 25-11 Junked or Abandoned Vehicles - Vehicles no tag

Fine-

Disposition: November 6, 2019 Hearing: Respondent was present. Code Officer Lynn Duvall was present. FOV- Must comply with the violation on or before 12/06/2019. If not complied then must pay \$25/day from 12/07/2019 until compliance. Must pay \$80 administrative fee on or before 12/06/2019.

05367 Olga C. Watson., 4978 SW 91 Avenue., Cooper City, FL 33328

FOV- Notice of Violation: 8/2/2019 By: Code Officer Lynn Duvall

AF- Violation: Sec 25-11 Junked or Abandoned Vehicles - Expired Tag

Fine-

Disposition: November 6, 2019 Hearing: Respondent was present. Code Officer Lynn Duvall was present. FOV- Violation complied on 10/19/2019. No fine assessed. Must pay \$80 administrative fee on or before 12/06/2019. If violation occurs in the future will be a repeat violation.

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 roof tiles, blue tarp tattered, to prevent water and leaking into building structure.

Fine-

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

06792 Guy Victor, Edith Solanges & Anne Rey ., 10224 SW 50 Street., Cooper City, FL 33328-4037

FOV- Notice of Violation: 9/17/2019 By: Code Officer Mark Reale

AF- Violation: Sec 6-40(b) Maintenance Standards-Exterior Premises Condition- failed to keep exterior premises free of nuisances, unsafe or unsightly conditions bny allowing green stagnant pool water to form. **(REPEAT VIOLATION)**

Fine-

Disposition: November 6, 2019 Hearing: Respondent was present. Code Officer Walsh testified on Code Officer Reale behalf- missed hearing due to a family emergency. FOV- Must pay \$80 administrative fee on or before 12/06/2019. Violation complied on 11/05/2019. Must pay \$25/day fine from 09/17/2019 through 11/05/2019. (50 days- \$1,475.00 + \$80.00 admin fee=\$1,555.00). If not paid then continue to 01/08/2019 for certification of fine hearing. (REPEAT VIOLATION)

06929 Benedicta De Lopes Est., 5681 SW 113 Avenue., Cooper City, FL 33330-4560

FOV- Notice of Violation: 6/25/2019 By: Code Officer Mark Reale

AF- Violation: Sec 6-40(a) Maintenance Standards-Exterior Premises Condition-Failure to maintain roof in good condition. Loose roof tiles, sandbag, tarp. Please repair and replace tiles.

Fine-

Disposition: November 6, 2019 Hearing: Respondent was present. Code Officer Jenny Walsh testified on Code Officer Mark Reale's behalf--he was not present due to a family emergency. Violation complied on 11/04/2019. Case Closed

06957 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 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.

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.

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.

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.

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.**

EEN19-0088 Wesley Mayer., 5224 SW 92 Terrace., Cooper City, FL 33328
FOV- Notice of Violation: 5/6/2019 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 construct a room in garage, construct a bedroom in covered patio and install a fence.
Fine- Disposition: **August 7, 2019 Hearing:** Jamie Meyer-wife was present. Building Insp. Lomastro was present. **Continue to 11/06/2019 for status review.**

NO ACTION
5/31/2019
7/30/2019
Fence Permit applied on
6/25/2019
NO ACTION
10/28/2019

Disposition: **November 6, 2019 Hearing:** Respondent requested continuance was denied. FOV- Must comply with the violation on or before 12/06/2019. If not complied then must pay \$50.00 per day from 12/07/2019 until compliance. Must pay \$80 admin fee on or before 12/06/2019.

EEN19-0108 Andrea Robin Zimroth H/E & Dennis Mark Toback ETAL., 4975 SW 94 Avenue., Cooper City, FL 33328
FOV- Notice of Violation: 7/1/2019 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 construct a covered patio.
Fine- Disposition: **August 7, 2019 Hearing:** Andrea Zimroth was present. Building Insp. Lomastro was present. Permit applied 08/06/2019 per Inspector Lomastro. **Continue to 11/06/2019 for status review.** Permit must be issued for compliance.

NO ACTION
7/30/2019
IN REVIEW
10/28/2019

Disposition: **November 6, 2019 Hearing:** Respondent was not present. Building Inspector Lomastro was present. FOV- Must comply on or before 12/06/2019. If not complied then must pay \$50/day from 12/07/2019 until compliance. Must pay \$80 admin fee on or before 12/06/2019.

EEN19-0112	Christine Vempala., 5101 SW 92 Avenue., Cooper City, FL 33328
FOV-	Mailing Address: 247 E 28 Street, #6C., New York, NY 10016
AF-	Notice of Violation: 7/18/2019 By: Building Official Ted Fowler
Fine-	Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a permit for renovation of kitchen and bathrooms have expired and needs to be renewed.
NO ACTION	
8/30/2019	
IN PLAN REVIEW	Disposition: September 4, 2019 Hearing: Respondent was not present. Building Official Ted Fowler was present. No action taken as of 08/30/2019. Continue to 11/06/2019 for status review.
PROCESS	
10/29/2019	Disposition: November 6, 2019 Hearing: Continue to 01/08/2020.
EEN19-0115	Christine Vempala., 5101 SW 92 Avenue., Cooper City, FL 33328
FOV-	Mailing Address: 247 E 28 Street, #6C., New York, NY 10016
AF-	Notice of Violation: 7/18/2019 By: Building Official Ted Fowler
Fine-	Violation: FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to install a shed.
NO ACTION	
8/30/2019	
NO ACTION	Disposition: September 4, 2019 Hearing: Respondent was not present. Building Official Ted Fowler was present. No action taken as of 08/30/2019. Continue to 11/06/2019 for status review.
10/29/2019	Disposition: November 6, 2019 Hearing: Continue to 01/08/2020.
EEN19-0113	B&S Sofia Ventures LLC., 3621 Washington Lane., Cooper City, FL 33026
FOV-	Mailing Address: 1002 E. Newport Center Drive #200., Deerfield Beach, FL 33442
AF-	Notice of Violation: 7/18/2019 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 shed. drywall and insulation, repair trusses and construct a raised wood floor.
NO ACTION	
8/30/2019	
NO ACTION	Disposition: September 4, 2019 Hearing: Ashley Reese-Property Manager was present. Building Inspector Gerry Lomastro was present. Permit in plan review. Continue to 11/06/2019. (The record reflects hearing date 11/04/2019.-Correct date on the order)
10/29/2019	Disposition: November 6, 2019 Hearing: Ashley Reis was present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 12/06/2019. If not complied then must pay \$50/day from 12/07/2019 until compliance.
EEN19-0120	Brian & Yvonne Ashton., 11130 Springfield Place., Cooper City, FL 33026
FOV-	Notice of Violation: 7/30/2019 By: Building Official Ted Fowler
AF-	Violation: FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to install a new brick paver driveway.
Fine-	
In Plan Review	
8/30/2019	Disposition: September 4, 2019 Hearing: Respondent was not present. Building Official Ted Fowler was present. In plan review 08/30/2019. Continue to 11/06/2019 for status review.
	Disposition: November 6, 2019 Hearing: Violation complied on 09/29/2019. Case Closed
EEN19-0126	Lori Rutkowski., 8710 SW 51 Street., Cooper City, FL 33328-4303
FOV-	Notice of Violation: 9/4/2019 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 install a storage shed.
Fine-	
NO ACTION	
10/29/2019	Disposition: November 6, 2019 Hearing: Respondent was present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 01/05/2020. If not complied then must pay \$50/day from 01/06/2020 until compliance. Must pay \$80 admin fee on or before 12/06/2019.
EEN19-0127	Van Der Fran., 11019 Nashville Drive., Cooper City, FL 33026-4965

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 a/c replacement.
Fine-
Permit Renewed Disposition: November 6, 2019 Hearing: Continue to 01/08/2020.
10/29/2019

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-
Permit Expired Disposition: November 6, 2019 Hearing: Continue to 12/05/2019
10/29/2019

EEN19-0129 Real Sub LLC., 10006 Griffin Road., Cooper City, FL 33328
FOV- Mailing Address: PO Box 407., Lakeland, FL 33802-0407
AF- Notice of Violation: 9/12/2019 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 renovate the existing commercial kitchen.
Permit Expired
10/29/2019
Disposition: November 6, 2019 Hearing: 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.

4. IMPOSITION OF FINE HEARINGS

05353 Christa Boutwell Griffin., 5018 SW 92 Avenue., Cooper City, FL 33328
FOV- Notice of Violation: 6/26/2019 By: Code Officer Lynn Duvall
AF- Violation: 'Sec 8-26 Placement of Items for Bulk Pickup-Bulk trash placed out to early. Must be removed.
Fine-
...
Disposition: August 7, 2019 Hearing: Respondent was not present. Code Officer Lynn Duvall was present. FOV-Must pay \$80.00 administrative fee on or before September 6, 2019. Original compliance date was 07/03/2019. Code Officer inspected on 07/11/2019 with no compliance achieved. Violation did comply on 07/18/2019 after the original compliance date. Any further violations will result in a repeat violation.
Disposition: November 6, 2019 Hearing: Certification of Admin Fee.

06861 Matthew Brodsky., 10357 Lima Street., Cooper City, FL 33026
FOV- Mailing Address: 1017 Radley Drive., West Chester, PA 19382-8090
AF- Notice of Violation: 4/3/2019 By: Code Officer Belinda Graham
Fine- Violation: Sec. 8-38 Excessive Undergrowth - Allowed grass and weeds to growth excess of six inches in height which is a prohibited public nuisance.
Disposition: June 5, 2019 Hearing: Tom Williams-Contractor was present. Code Officer Belinda Graham was present. FOV-City ordered to maintain the property. Declared a health and safety issue. Must pay \$80 administrative fee on or before 07/05/2019.
Disposition: August 7, 2019 Hearing: Respondent was not present. Code Officer Graham was present. Continue to 10/02/2019 for certification of fine due to lack of service.
Disposition: October 2, 2019 Hearing: Continue to 11/06/2019 for status review and certification of fine.
Disposition: November 6, 2019 Hearing: Certification of Admin Fee. Lien placed on Utility bill regarding work done by the City.

EEN19-0065 Biscayne 135 LTD., 8684 Griffin Road., Cooper City, FL 33328

FOV- Mailing Address: 18205 Biscayne Blvd, #2202., Aventura, FL 33160
AF- Notice of Violation: 4/9/2019 By: Building Official Ted Fowler
Fine- Violation: FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to demolition a restroom and build an interior wall separating business area and restrooms.
No Action \$25/day from 07/05/2019 through 08/16/2019=\$1,050.00 + \$45.50 recording/release fees=\$1,095.50
5/31/2019

Disposition: June 5, 2019 Hearing: Respondent was not present. Building Inspector Gerry Lomastro was present. FOV- Must comply with the violation on or before 07/05/2019. If not complied then must pay \$25/day fine from 07/05/2019 until compliance. Must pay \$80 administrative fee on or before 07/05/2019.

Disposition: August 7, 2019 Hearing: Horacio Mayor was present. Building Official Ted Fowler was present. Permit was applied on 08/07/2019. Continue to 11/06/2019 for certification of fine hearing.

Disposition: November 6, 2019 Hearing: Permit finalized per Bldg Dept on 08/16/2019.
Certification of Fine

EEN19-0097 Saul Kredi., 8964 SW 59 Court., Cooper City, FL 33328-5176
FOV- Notice of Violation: 5/29/2019 By: Building Official Ted Fowler
AF- Violation: FBC 105.3.2 Sec 6-7 Adoption of Florida Building Code which provides that a screen enclosure permit expired and needs to be renewed.
Fine-
No Action
7/30/2019
NO ACTION
10/29/2019

Disposition: August 7, 2019 Hearing: Respondent not present. Building Official Fowler was present. FOV- Must pay \$80 administrative fee on or before 09/06/2019. Must comply with the violation on or before 09/06/2019. If not complied then \$100/day fine from 09/07/2019 until compliance. As of 08/06/2019 violation is not complied per Bldg Insp.

Disposition: November 6, 2019 Hearing: Certification of Fine

EEN19-0101 SPG Cooper City Tr/SPG Trust Corp Trstee., 12349 SW 53 Street #202., Cooper City, FL 33330
FOV- Mailing Address: 1 Tower Bridge, 100 Front Street, #1370, West Conshohocken, PA 19428
AF- Notice of Violation: 5/30/2019 By: Building Official Ted Fowler
Fine- Violation: FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required for a commercial interior remodel.
No Action
7/30/2019
No Action
10/29/2019

Disposition: August 7, 2019 Hearing: Steve Hamilton-Tapcon Construction. Building Official Fowler & Building Insp. Lomastro were present. FOV-Must comply with the violation on or before 10/06/2019. Building Official to make a site visit. If not complied then must pay \$25/day fine from 10/07/2019 until compliance. Must pay \$80 administrative fee on or before 09/06/2019.

Disposition: November 6, 2019 Hearing: Lisa Castellanos-Property Manager was present. Building Official Lomastro was present. Violation complied on 09/12/2019-before compliance. Must pay \$80 admin fee on or before 12/06/2019. If paid then case will close. Admin fee paid on 11/06/2019. Case Closed

5. REDUCTION OF FINE HEARINGS

06784 Burgos Holdings LLC., 5138 SW 122 Terrace., Cooper City, FL 33330
FOV- Mailing Address: 82 Grogans Point Road., Spring, TX 77380
AF- Notice of Violation: 2/19/2019 By: Code Officer Mark Reale
Fine- Violation: Sec 6-40 Maintenance Standards-Exterior Premises Condition-failed to maintain awnings in good condition (mildew). Please clean and maintain awnings on north side.
\$50.00 per day from 07/06/2019 through 08/20/2019 (45 days)=\$2,250.00 + \$45.50 recording/release fees= \$2,295.50

Disposition: May 1, 2019 Hearing: Continue to 06/05/2019 due to lack service. Post property.

Disposition: June 5, 2019 Hearing: Eulises Burgos was present. Code Officer Mark Reale was present. FOV- Must comply with the

violation on or before 07/05/2019. If the violation is not complied then must pay \$50/day from 07/06/2019 until compliance. Must pay \$80 administrative fee on or before 07/05/2019.

Disposition: August 7, 2019 Hearing: Respondent was not present. Code Officer Reale was present. No compliance as of 08/06/2019 per Code. **Admin fee was paid on 06/05/2019.** Continue to 10/02/2019 for certification of fine due to lack of service.

Disposition: November 6, 2019 Hearing: Eulises Burgos was present. Fine reduced from \$2,250.00 + \$45.50 recording/release fees= \$2,295.50 to \$562.50 + \$45.50= \$608.00 to be paid on or before 12/06/2019.

6. **ADJOURNMENT**

This meeting adjourned at 11:04 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 November 6, 2019 were approved on _____

11/18/19



Hofit Lottenberg, Esq., Special Magistrate



Ruth Freeston, Clerk of the Special Magistrate