



City Hall Commission Chambers
3650 NE 12 Avenue
Oakland Park, Florida 33334

SPECIAL MAGISTRATE MEETING
AGENDA
Tuesday, October 25, 2016 3:00 P.M.

A. CALL TO ORDER

B. MINUTES

Approve minutes from September 20, 2016

C. NEW CASES

1. SP16 154
ADDRESS: 3579 N DIXIE HWY
OWNER: 3569 N DIXIE HWY LLC
- | | |
|------------|------------------|
| C.E. CASE: | 177928 |
| OFFICER: | PATRICIA MOEBIUS |

SEC.7.17 BUSINESS TAX RECEIPT REQUIRED.

2. SP16 163
ADDRESS: 221 NE 44 ST
OWNER: 221 EAST PROSPECT ROAD LLC
- | | |
|------------|------------------|
| C.E. CASE: | 178742 |
| OFFICER: | LISA BISHOP HILL |

SEC.24.105(D)(2) Landscaping maintenance required

3. SP16 168
ADDRESS: 5721 NE 7 TER
OWNER: KRAFT, STEVEN W & CINDY
- | | |
|------------|----------------|
| C.E. CASE: | 179019 |
| OFFICER: | BRIAN SHEPPARD |

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

SEC.23.1(A) Abandoned and/or inoperable property.

SEC.24.79.1(D)(2) OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS.

SEC.13.32(A) Accumulation of refuse prohibited

SEC.24.105(D)(2) Landscaping maintenance required

SEC.13.8(A) DESIGNATED PLACEMENT OF TRASH RECEPTACLE FOR COLLECTION

4. SP16 169
ADDRESS: 4640 NE 5 AVE
OWNER: WHITEHEAD, D & SHARON J
- | | |
|------------|----------------|
| C.E. CASE: | 179110 |
| OFFICER: | BRIAN SHEPPARD |

SEC.24.79.1(E)(5)(E) ACCESSORY STRUCTURE MAINTENANCE

SEC.24.79.1(D)(2) OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS.

5. SP16 171
ADDRESS: 1515 NE 33 ST C.E. CASE: 179312
OWNER: GJM INVESTMENTS LLC OFFICER: CHRISTOPHER JOHNSON

SEC.24.80(A)(7) Construction/maintenance equipment parking prohibited.

6. SP16 173
ADDRESS: 4047 N ANDREWS AVE C.E. CASE: 179147
OWNER: SOLID ROCK 4047 INVESTMENTS LLC OFFICER: PATRICIA MOEBIUS

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

SEC.24.80(B)(3)(C) OFF STREET PARKING FACILITIES MAINTENANCE

SEC.24.79.1(E)(5)(E) ACCESSORY STRUCTURE MAINTENANCE

7 SP16 174
ADDRESS: 314 NE 34 ST C.E. CASE: 179569
OWNER: TITANS OF SOUTH FLORIDA LLC OFFICER: PATRICIA MOEBIUS

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

8. SP16 175
ADDRESS: 1015 NE 32 ST C.E. CASE: 179580
OWNER: T MORGAN J INC OFFICER: PATRICIA MOEBIUS

SEC.24.64(A)(2)(H) RECREATIONAL VEHICLES LOCATION, PARKING AND STORAGE

9. SP16 177
ADDRESS: 2840 S OAKLAND FOREST DR 2803 C.E. CASE: 178160
OWNER: HORAN, ROBERT OFFICER: KEVIN WOODALL

SEC.13.23(B)(1) SCREENING

10. SP16 178
ADDRESS: 1861 NW 28 ST C.E. CASE: 179496
OWNER: SECRETARY OF HOUSING & URBAN DEV OFFICER: KEVIN WOODALL

SEC.24.106(B)(5)(A) FENCES/HEDGES MAXIMUM HEIGHT EXCEPTIONS

11. SP16 179
ADDRESS: 4619 NW 8 AVE C.E. CASE: 179440
OWNER: R BRYCE GRAY JR TR OFFICER: KEVIN WOODALL

SEC.24.65 Unlicensed vehicles

SEC.23.1(A) Abandoned and/or inoperable property.

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

SEC.7.17 BUSINESS TAX RECEIPT REQUIRED.

12. SP16 181
ADDRESS: 4600 NW 9 AVE C.E. CASE: 179514
OWNER: CEMEX CONSTRUCTION MATERIALS FL LLC OFFICER: KEVIN WOODALL

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

13. SP16 182
ADDRESS: 2661 NW 21 AVE C.E. CASE: 179579
OWNER: SEARS, BETRAM OFFICER: KEVIN WOODALL

SEC.7.17 BUSINESS TAX RECEIPT REQUIRED.

14. SP16 183R
ADDRESS: 2760 NW 18 TER C.E. CASE: 179653
OWNER: NEW VISIONS COMMUNITY OFFICER: KEVIN WOODALL

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

15. SP16 185
ADDRESS: 2121 W OAKLAND PARK BLVD C.E. CASE: 179695
OWNER: SUN KING INVESTMENTS LLC OFFICER: KEVIN WOODALL

SEC.24.37(B)(2) Outside sales/preparation/storage prohibited; B 1 zone.

D. CERTIFICATIONS

1. SP16 083
ADDRESS: 4130 NW 10 AVE C.E. CASE: 177710
OWNER: CODISCO INC OFFICER: KEVIN WOODALL

SEC.5.3(A) Permits required

\$3050 & accruing. Orig hearing 7/19/16 to be complied 8/18/16. Fine \$50 per day.

2. SP16 096
ADDRESS: 111 E COMMERCIAL BLVD C.E. CASE: 178175
OWNER: TIAN XING INC OFFICER: BRIAN SHEPPARD

SEC.24.80(B)(3)(C) OFF STREET PARKING FACILITIES MAINTENANCE – **to be complied 8/20/16**
SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI. – **to be complied 7/6/16 complied 7/14/16**

\$8,375 & accruing. Orig hearing 6/21/16. Fine \$125 per day per violation.

3. SP16 106
ADDRESS: 3341 NE 15 AVE C.E. CASE: 178662
OWNER: TARPON IV LLC OFFICER: CHRISTOPHER JOHNSON

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

\$1,750. Orig hearing 7/19/16 to be complied 8/3/16. Did comply 8/10/16. Fine \$250 per day.

4. SP16 111
ADDRESS: 4020 NE 6 AVE C.E. CASE: 177955
OWNER: BHOGAYTA BROTHERS INC OFFICER: PATRICIA MOEBIUS

SEC.5.3(A) Permits required

\$6,000 & accruing. Orig hearing 7/19/16 to be complied 8/19/16. Fine \$100 per day.

5. SP16 129
ADDRESS: 4465 NW 17 TER C.E. CASE: 178538
OWNER: BANK OF NEW YORK MELLON TRSTEE OFFICER: KEVIN WOODALL

SEC.24.79.1(E)(5)(E) ACCESSORY STRUCTURE MAINTENANCE
SEC.24.79.1(E)(5)(D) DOORS & WINDOWS
SEC.24.105(D)(1)C.4 PLANT MATERIALS GENERAL REGULATIONS

\$36,750 & accruing. Orig hearing 8/16/16 to be complied 8/31/16. Fine \$250 per day per violation.

6. SP16 135
ADDRESS: 3400 NE 17 WAY C.E. CASE: 178732
OWNER: LEAGUE, JEROME P OFFICER: CHRISTOPHER JOHNSON

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

\$7,350 & accruing. Orig hearing 8/16/16 to be complied 8/31/16. Fine \$150 per day.

7. SP16 147
ADDRESS: 2633 NW 18 TER C.E. CASE: 178719
OWNER: US BANK NA TRSTEE OFFICER: KEVIN WOODALL

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI.

\$3,000. Orig hearing 8/16/16 to be complied 8/31/16. Fine \$250 per day.

8. SP16 150
ADDRESS: 3851 NW 7 AVE C.E. CASE: 178990
OWNER: MCCABE, J BERNARD EST OFFICER: CHRISTOPHER JOHNSON

SEC.24.69(B)(1)(E) POOL WATER
SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF
REFUSE AND GRAFFITI.

\$6,600 & accruing. Orig hearing 8/16/16 to be complied 9/5/16. Fine \$150 per day.

E. OLD BUSINESS

1. SP16 069
ADDRESS: 3801 N FEDERAL (THRU 3811) HWY C.E. CASE: 176467
OWNER: SMA & PLB REALTY ASSOCIATES LLC OFFICER: LISA BISHOP HILL

SEC.24.105(D)(2) Landscaping maintenance required
SEC.24.80(B)(3)(C) OFF-STREET PARKING FACILITIES MAINTENANCE
SEC.24.79.1(E)(5)(E) ACCESSORY STRUCTURE MAINTENANCE

Request for extension to date for compliance. Orig hearing 4/19/16 to be complied 10/16/16.

2. SP16 130
ADDRESS: 3550 NW 9 AVE C.E. CASE: 178166
OWNER: WOLIS, DAVID A OFFICER: LISA BISHOP HILL

SEC.24.105(D)(2) Landscaping maintenance required

Request for extension to date for compliance. Orig hearing 8/16/16 to be complied 10/16/16.

3. SPM15 053
FOLIO: 494220AA0340 C.E. CASE: 174688
BOARD NBR: SPM15 053 OFFICER: KEVIN WOODALL
ADDRESS: 3125 OAKLAND SHORES DR B110 OAKLAND PARK
OWNER: SMATRAKALEV, GEORGI & KRISTINA
VIOLATOR: SMATRAKALEV, GEORGI & KRISTINA

SEC.5.3(A) Permits required

Request for extension to date for compliance. Orig hearing 8/16/16 to be complied 10/16/16.

This meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Clerk's Office by telephone: 954.630.4300 or via Fax: 954.630.4302 for information or assistance.

If a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at this meeting, the person will need a record of the proceedings, and that, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. I, the undersigned authority, certify the above Notice of the Special Magistrate Meeting of the City of Oakland Park is a true copy of the Notice posted on the outdoor bulletin board at the main entrance of City Hall, a place convenient and readily accessible to the general public at all times.

Posted: October 19, 2016

By: DJ Brooks
Board Secretary



MINUTES
SPECIAL MAGISTRATE MEETING
September 20, 2016 3:00 PM

A. CALL TO ORDER

The regular meeting of the Special Magistrate of the City of Oakland Park, Florida was called to order at 3:15 P.M. in City Hall Chambers by Special Magistrate John Herin, Jr.

Staff Present:

Jay Quier, Zoning and Code Administrator, Liaison
Code Officers Kevin Woodall and Pat Moebius
DJ Brooks, Secretary
BSO Deputy Debbie Wallace

Secretary Brooks swore in the officers and provided the meeting proceedings: If found in violation, violators are required to pay an administrative fee of \$150.00. Items may be heard out of order.

B. MINUTES

Minutes from the August 16, 2016 meeting were approved by Special Magistrate Herin.

C. NEW CASES

- 1. SP16 143 at 4160 NW 21 Ave., owned by Jorcken Lake LLC-Violation of SEC.5.43(E)(6)-minimum housing code-electrical and SEC.5.43(F)(1)-minimum housing code heating facilities.**

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Arlene Vicenty, property manager, to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated codes and ordered compliance on or before March 20, 2017. No fine was imposed at this time and the case is to be set for status check on March 21, 2017.

- 2. SP16 151 at 3320 NE 5 Ave., owned by Constance Freeman-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti.**

Pat Moebius presented into evidence notices, photos, affidavits and certified mail information. The City requests a threat to public health, safety and welfare ruling.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and that the violations and/or conditions causing the violations constitute a threat to public health, safety, and welfare and ordered compliance on or before October 5, 2016 with a fine of \$250 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

- 3. SP16 152 at 260 NE 34 St., owned by Consolidated Const & Dev Corp.--Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti.**

Pat Moebius presented into evidence notices, photos, affidavits and certified mail information. The City requests a threat to public health, safety and welfare ruling.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and that the violations and/or conditions causing the violations constitute a threat to public health, safety, and welfare and ordered compliance on or before October 5, 2016 with a fine of \$250 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

- 4. SP16 154 at 3579 N Dixie Hwy., owned by 3569 N Dixie Hwy LLC-Violation of SEC.7.17-business tax receipt required.**

Pat Moebius presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Tom Bates, property owner and Arnold Cruz, tenant at property, to speak on this item.

Special Magistrate Herin reset the case to the October 18, 2016 meeting.

- 5. SP16 155 at 361 NW 37 St., owned by Pearl Voce-Violation of SEC.23.1(A)-abandoned and/or inoperable property and SEC.24.65-unlicensed vehicles.**

Pat Moebius presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Allan Voce, property owner, to speak in defense of this item.

Special Magistrate Herin dismissed the unlicensed vehicle charge and found there was a violation of the inoperable vehicle charge and ordered compliance on or before October 5, 2016 with a fine of \$50 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

- 6. SP16 157 at 2140 NW 29 St., owned by 2140 2160 NW 29 Street LLC-Violation of SEC.5.43(E)(1)-building parts structurally sound, SEC.5.43(C)(8)-minimum housing code-windows and doors, SEC.5.43(E)(6)-minimum housing code-electrical, SEC.5.43(D)(4)-minimum housing code-water heating, SEC.5.43(D)(6)-minimum housing code plumbing lines.**

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated codes and ordered compliance on or before November 5, 2016 with a fine of \$75 per day per violation thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

- 7. SP16 158 at 400 NW 44 St., owned by PLR Properties LLC-Violation of SEC.24.105(D)(2)-landscaping maintenance required.**

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated codes and ordered compliance on or before November 21, 2016 with a fine of \$75 per day per violation thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

- 8. SP16 159 at 5641 NE 3 Ave., owned by Carol Matthews-Complied prior to meeting.**

- 9. SP16 160 at 240 NE 45 St., owned by New Razi LLC-Complied prior to meeting.**

- 10. SP16 161 at 933 NW 36 St., owned by 933 Oakland LLC-Violation of SEC.5.3(A)-permits required.**

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Gio Ricardo, general manager for the property owner and to speak in defense of this item.

Special Magistrate Herin reset the case to the November 15, 2016 meeting.

- 11. SP16 162 at 1800 NW 29 St., owned by Romemu LLC-Violation of SEC.24.65-unlicensed vehicles.**

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before September 25, 2016 with a fine of \$100 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

12. SP16 163 at 221 NE 44 St., owned by 221 East Prospect Road LLC-Violation of SEC.24.105(D)(2)-landscaping maintenance required.

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Michael Rechter, managing partner for property,

Special Magistrate Herin reset the case to the October 18, 2016 meeting.

13. SP16 164 at 600 NW 44 St., owned by Michael Rauf-Violation of SEC.24.105(D)(2)-landscaping maintenance required.

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Michael Rauf, property owner, who appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before November 21, 2016 with a fine of \$50 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

14. SP16 165 at 2018 NW 28 St., owned by DML Investments-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti.

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information. The City requests a threat to public health, safety and welfare ruling.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a violation of the stated codes and ordered compliance on or before October 5, 2016 with a fine of \$250 per day thereafter. The violator is also ordered to contact the City of Oakland Park Code Enforcement Division to re-inspect the property to verify compliance with this order.

15. SP16 166 at 1900 NE 42 St., owned by Katie Sadka LLC-Withdrawn pending compliance.

D. CERTIFICATIONS

Code Officer Kevin Woodall provided staff presentation. Special Magistrate Herin certified the fines as listed:

-
- 1. SP16 049 at 278 NE 35 Cr., owned by Cathedral of Praise-Fine of \$75 per day for off-street parking facilities maintenance.**

The original hearing was May 17, 2016 to be complied July 16, 2016. The property remains out of compliance and fines continue to accrue.

No witnesses appeared to speak in defense of this item.

Lien certified - \$75 per day.

- 2. SP16 090 at 1069 NE 44 St., owned by JDR Properties LLC-Complied on time.**

- 3. SP16 103 at 1056 NE 43 Ct-Fine of \$125 per day-per violation for overgrowth and accessory structure maintenance.**

The original hearing was June 21, 2016 to be complied July 21, 2016. The property remains out of compliance and fines continue to accrue.

No witnesses appeared to speak in defense of this item.

Lien certified \$125 per day per violation.

- 4. SP16 110R at 496 NW 40 Ct., owned by Ray of Hope Healthy Living, Inc-Fine of \$1,500 for overgrowth.**

The original hearing was July 19, 2016 to be complied July 26, 2016. The property was brought into compliance on July 29, 2016.

Lien certified-\$1,500.

- 5. SP16 114R at 2671 NW 18 Terr., owned by Elizabeth & Willie Cheeks-Fine of \$20,000 for overgrowth.**

The original hearing was July 19, 2016 to be complied July 26, 2016. The property was brought into compliance on August 28, 2016.

Lien certified-\$20,000

- 6. SP16 121R at 3420 NW 21 Ave., owned by Michael Banton- Withdrawn. Awaiting information from City Contractor.**

ADJOURN: There being no other business, the meeting adjourned at 4:47 p.m.

DJ Brooks, Recording Secretary

John Herin Jr., Special Magistrate