



5399 N. Dixie Highway, Suite 3 • Oakland Park, Florida 33334 • www.oaklandparkfl.org

MINUTES
SPECIAL MAGISTRATE MEETING
February 16, 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 3:00 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, Lisa Hill and Chris Johnson
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. NEW CASES

1. SP15 217 at 3460 NW 9 Ave., owned by All Saints Catholic Mission Inc.-Violation of SEC.24.58(A)(3)-Powerline Road zoning district permitted use list.

Debbie Wallace presented into evidence notices, photos, affidavits and certified mail information.

BSO Deputy Lauren Apollo and City Attorney DJ Doody spoke on behalf of the City. Secretary Brooks swore in Mark Gelfan and Diane Koht of the Oakland Park Business Group who spoke on behalf of the City.

Richard Rosenbaum, attorney for church questioned Mr. Caudill in defense of the case Secretary Brooks swore in Bob Caudill, priest of church, to testify in defense of this item.

Special Magistrate Herin gave the Church and the City 20 days to present briefs on whether the use was permitted and if the use is grandfathered. Special Magistrate will render his ruling prior to the March 15, 2016 meeting.

2. **SP16 021 at 5093 NE 12 Ave., owned by Stonemark Properties Inc.-Complied prior to meeting.**

3. **SP16 022 at 1021 NE 44 St., owned by JMG Property Mgmt Corp- Withdrawn by staff.**

4. **SP16 023 at 2645 NW 21 Ave., owned by Magis Investments LLC-Complied prior to meeting.**

5. **SP16 024 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage Funding LLC-Complied prior to meeting.**

6. **SP16 025 at 3150 NW 46 St., owned by Mira Lago Condo Assn Inc-Violation of SEC.23.1(A)-abandoned and/or inoperable property.**

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

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before March 2, 2016 with a fine of \$35 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.

7. **SP16 026 at 2760 NW 18 Terr., owned by New Visions Community-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti and SEC.24.105(D)(1)(C)-trees planted near utility line restriction.**

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

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 March 11, 2016 with a fine of \$250 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 028 at 3341 NE 15 Ave., owned by Tarpon IV LLC-Violation of SEC.13.32(A)-accumulation of refuse prohibited.**

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

Debra Marks, attorney for owner, appeared to testify 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 March 2, 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.

9. SP16 030 at 2802 W Oakland Park Blvd., owned by Sunshine Holiday Lake LLC-Violation of SEC.5.3(A)-permits required.

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

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 March 7, 2016 with a fine of \$75 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.

10. SP16 031 at 3579 NW 9 Ave., owned by Delegal Holdings Inc.,-Complied prior to meeting.

11. SP16 032 at 501 NW 43 Ct., owned by Brunette & Limose Metayer-Complied prior to meeting.

12. SP16 033 at 1042 NE 43 St., owned by NE 43 Street LLC-Violation of SEC.7.17-business tax receipt required, SEC.24.65-unlicensed vehicles, SEC.24.80(B)(3)(C)-off street parking facilities maintenance, and 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.

Special Magistrate Herin found there was a violation of the stated code and t and ordered compliance on or before April 1, 2016 with a fine of \$100 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.

13. SP16 034 at 3765 NW 31 Ave., owned by Oakland One Holdings LLC-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti and SEC.24.106(C)(3)-storage yards.

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

Secretary Brooks swore in Randee Smith, employee of property owner, who testified in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before April 1, 2016 with a fine of \$150 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.

14. SP16 035R at 1820 NW 28 St., owned by Aquasitions of South Fla LLC-Complied prior to meeting

15. SP16 036R at 2700 NSW 18 Terr., owned by RA TLC 2010 Holdings-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.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before March 2, 2016 with a fine of \$500 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.

16. SP16 037R at 2671 NW 18 Terr., owned by Elizabeth & Willie Cheeks-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation

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

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before March 2, 2016 with a fine of \$500 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.

17. SP16 038 at 2941 NW 18 Terr., owned by Appaloosa 15 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 Sarah Ramirez, property manager, who testified in defense of this item.

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

18. SP16 039 at 4691 NE 6 Ave., owned by Deacetic Family Tr-Violation of SEC.24.79(A)(8)(A)(1)-commercial vehicles.

Chris Johnson presented into evidence notices, photos, affidavits and certified mail information. The property is now in compliance.

Special Magistrate Herin found there was a violation of the stated code and issued a Finding of Fact with no fine.

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

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 March 30, 2016 with a fine of \$75 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.

C. CERTIFICATIONS

Zoning and Code Administrator Jay Quier provided staff presentation. Special Magistrate Herin certified the fines as listed:

1. SPM15 071 at 1289 NE 40 Ct., owned by Federal National Mortgage Assn- Withdrawn by staff.

2. SP15 072 at 4461 NE 15 Ave., owned by Erma Baker Estate-Fine of \$100 per day for accessory structure maintenance.

The original hearing was September 24, 2015 to be complied October 24, 2015. The property remains out of compliance and fines continue to accrue.

Lien certified - \$100 per day.

3. SPM15 076 at 920 NE 39 St., owned by Karl Mieleke Liv Tr- Fine of \$1,600 for accumulation of refuse and overgrowth.

The original hearing was September 24, 2015 to be complied September 29, 2015 and did comply October 15, 2015.

Lien certified - \$1,600.

4. SPM15 079 at 5830 NE 9 Terr., owned by SRGC Capital LLC-Fine of \$1,000 for vacant structure.

The original hearing was September 24, 2015 to be complied September 29, 2015 and did comply October 9, 2015.

Lien certified - \$1,000

5. SP15M 081R at 200 NW 54 St., owned by Carmenza Perdomo-Fine of \$3,500 for overgrowth, landscaping maintenance and condition promoting rat harborage.

The original hearing was September 24, 2015 to be complied September 29, 2015 and did comply October 6, 2015.

Lien certified - \$3,500.

6. SP15 098R at 3341 NE 15 Ave., owned by Tarpon IV LLC-Fine of \$8,000 for overgrowth.

The original hearing was October 29, 2015 to be complied by November 16, 2015 and did comply December 2, 2015.

Debra Marks, attorney for property owner, appeared to address the Magistrate.

Lien certified – \$8,000

- 7. SP15 149 at 122 NE 32 St., owned by 122 Building LLC-Fine of \$75 per day per violation for permits required and off street parking facilities maintenance.**

The original hearing was July 12, 2015 to be complied by December 21, 2015. The property remains out of compliance and fines continue to accrue.

Lien certified – \$75 per day per violation.

- 8. SP15 155 at 1500 E Commercial Blvd., owned by Trelawny Holdings-Withdrawn by staff.**

- 9. SP15 158 at 1900 E Commercial Blvd., owned by Sunny Angel LLC-Fine of \$2,100 for off street parking facilities maintenance.**

The original hearing was August 18, 2015 to be complied by December 21, 2015 and did comply January 4, 2016.

Lien certified – \$2,100.

- 10. SP15 163 at 4463 N Dixie Hwy., owned by Ronnie & Leesa Martin-Fine of \$75 per day per violation for off street parking facilities maintenance, duty to maintain property exterior surfaces, accumulation of refuse, landscaping maintenance, off street parking location, character, design, storage prohibited in required parking, storage yards, accessory structure maintenance, abandoned/inoperable property, and permits required.**

The original hearing was August 18, 2015 to be complied by December 18, 2015. The property remains out of compliance and fines continue to accrue.

Lien certified – \$75 per day per violation.

- 11. SP15 164 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Withdrawn by staff.**

- 12. SP15 166 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Withdrawn by staff.**

- 13. SP15 171 at 1280 NE 33 St., owned by Boulder Bay Corp-Fine of \$75 per day per violation for permits required and doors & windows.**

The original hearing was November 17, 2015 to be complied by December 17, 2015. The property remains out of compliance and fines continue to accrue.

Lien certified – \$75 per day per violation.

- 14. SP15 215 at 2319 NW 29 St., owned by Lawrence Harris –Complied on time.**

- 15. SP15 216 at 2301 NW 29 St., owned by Lawrence Harris –Complied on time.**

- 16. SP15 218 at 3421 NW 44 St., owned by Sushila Lalwani-Fine of \$75 per day for accessory structure maintenance and landscaping maintenance.**

The original hearing was November 18, 2015 to be complied by January 17, 2016. The property remains out of compliance and fines continue to accrue.

Lien certified – \$75 per day per violation.

- 17. SP15 223 at 1098 NE 35 St., owned by Andrew Engle-Fine of \$1,800 for grass parking and unlicensed vehicles.**

The original hearing was November 18, 2015 to be complied by January 17, 2016 and did comply January 2, 2016.

Lien certified – \$1,800.

- 18. SP15 225 at 231 NW 41 St., owned by US Bank NA Trustee-Fine of \$7500 per day for accessory structure maintenance and landscaping maintenance.**

The original hearing was December 15, 2015 to be complied by December 30, 2015 and did comply January 14, 2016.

Lien certified – \$7500.

D. OLD BUSINESS

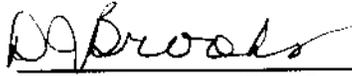
- 1, SP16 017 at 4101 NE 18 Ave., owned by Inter Ten LLC-Request for extension to date for compliance.**

The original hearing was January 19, 2016 to be complied by December 14, 2016.

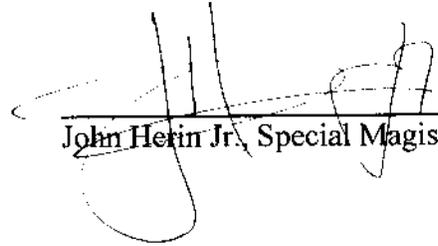
Secretary Brooks swore in Juan Uribe, property manager, who presented his request.

Special Magistrate Herin extended the date for compliance to 3/15/16.

ADJOURN: There being no other business, the meeting adjourned at 6:05 p.m.



DJ Brooks, Recording Secretary



John Herin Jr., Special Magistrate