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MINUTES
SPECIAL MAGISTRATE MEETING
March 15, 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, 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. MINUTES

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

C. NEW CASES

- 1. SPM15 083 at 1599 NE 35 St., owned by Gladys Blanco-Violation of SEC.24.79.1(E)(5)(E)-accessory structure maintenance.**

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Francisco Barile, property manager, 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 April 14, 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.

- 2. SPM15 101 at 1682 E Oakland Park Blvd , owned by Argentex Inc.-Violation of SEC.7.17-business tax receipt required and SEC.24.37(B)(1)-community district uses permitted.**

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Francisco Barile, property manager, to speak in defense of this item.

Special Magistrate Herin reset the case to the April 19, 2016 meeting.

- 3. SPM15 102 at 1682 E Oakland Park Blvd., owned by Argentex Inc.–Violation of SEC.5.3(A)-permits required.**

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information.

Special Magistrate Herin reset the case to the April 19, 2016 meeting.

- 4. SP15 210 at 3551 NW 31 Ave., owned by Pine Oakland Park Holdings LLC- Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti, SEC.24.79.1(E)(5)(E)-accessory structure maintenance.**

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 May 15, 2016 with a fine of \$150 per day per violation from March 15, 2016. 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.

- 5. SP15 219 at 3501 NW 31 Ave., owned by Pine Oakland Park Holdings LLC- SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti, SEC.24.79.1(E)(5)(E)-accessory structure maintenance.**

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 May 15, 2016 with a fine of \$150 per day per violation from March 15, 2016. 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 022 at 1021 NE 44 St., owned by JMG Property Mgmt Corp-Withdrawn by staff.**

- 7. SP16 038 at 2941 NW 24 Ave., owned by Appaloosa15 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 Seraba Ramirez, property manager to speak in defense of this item.

Special Magistrate Herin reset the case to the April 19, 2016 meeting.

8. SP16 041 at 3500 NE 12 Ave., owned by Diane Schwart-Complied prior to meeting.

9. SP16 042 at 1028 NE 44 Ct., owned by Asraf Bhegani-Violation of SEC.13.32(A)-accumulation of refuse and SEC.24.80(B)(3)(C)-off street parking facilities maintenance.

Lisa Hill 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 ordered compliance on or before May 15, 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.

10. SP16 043 at 3554 NE 12 Ave., owned by Charles Schultz-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti and SEC.24.80(B)(3)(C)-off street parking facilities maintenance.

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Charles Schultz, property owner, to testify in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and that the violations and ordered compliance on or before May 15, 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.

11. SP16 044 at 3560 NE 12 Ave., owned by Charles Schultz-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti, SEC.24.79.1(E)(5)(D)-door and windows and SEC.24.80(B)(3)(C)-off street parking facilities maintenance.

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Charles Schultz, property owner, to testify in defense of this item.

Special Magistrate Herin found there was a violation of the stated code and that the violations and ordered compliance on or before May 15, 2016 with a fine of \$75 per day per violation thereafter. The violator is also ordered to contact the City of Oakland Park

Special Magistrate Herin found there was a violation of the stated codes and ordered compliance on or before May 15, 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.

12. SP16 045 at 3401 NE 12 Terr., owned by William Schultz-Complied prior to meeting.

13. SP16 046 at 3423 NE 12 Terr., owned by William Schultz -Complied prior to meeting.

14. SP16 047R at 920 NE 39 St., owned by Karl Mieleke Liv Tr- Repeat 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.

Special Magistrate Herin found there a repeat violation of the stated code and that the violation 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 \$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.

15. SP16 048R at 579 NW 41 St., owned by Laura Miller--Violation of SEC.8.7(B)-accumulation of refuse, graffiti, and overgrowth.

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.

16. SP16 049 at 1278 NE 35 Ct., owned by Cathedral of Praise-Violation of SEC.24.80(B)(3)(C)-off street parking facilities maintenance.

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

Secretary Brooks swore in Betty Frances, church pastor and Dr. Barbara Gibson, church administrator to testify in defense of this item.

Special Magistrate Herin reset the case to the April 19, 2016 meeting.

**17. SP16 051 at 391 NE 41 St., owned by Rosane Pierre Louis & Marceau Leonard-
Withdrawn by staff.**

**18. SP16 052 at 3640 NE 1 Ave., owned by Aegis Properties of South Florida LLC-
Complied prior to meeting.**

**19. SP16 053 at 5232 NE 4 Terr., owned by Rene & Nelie Vadrine-Violation of
SEC.24.80(I)(1)-grass parking.**

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

Secretary Brooks swore in Virginia Vadrine, property owner, who testified in defense of this item.

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

20. SP16 055 at 3684 NE 11 Ave., owned by Jason Einzig-Complied prior to meeting.

**21. SP16 056 at 2660 NW 18 Ave., owned by Sharing the Church of Jesus Christ Inc-
Complied prior to meeting.**

**22. SP16 059 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-
Withdrawn by staff.**

**23. SP16 060 at 5273 N Andrews Ave., owned by Marie Felski-Violation of
SEC.5.44(A)(1)-unsafe structure-vacant and SEC.23.1(A)-abandoned and/or inoperable
property.**

Chris Johnson 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 \$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.

**24. SP16 061 at 5273 N Andrews Ave., owned by Marie Felski-Violation of
SEC.5.43(D)(6)-minimum housing code –plumbing lines and SEC.5.43(E)(1)-building
parts structurally sound.**

Chris Johnson 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 dismissed the plumbing line violation and found there was a violation of the remaining 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 May 15, 2016, 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.

25. SP16 062 at 1912 NW 28 St., owned by 1912 NW 28 St Inc-Withdrawn by staff.

26. SP16 063 at 5950 NE 6 Ave., owned by Walter Kerr-Withdrawn by staff.

27. SP16 064 at 4831 NE 5 Ave., owned by Esen Aksoy & Ozcan Batmaca-Complied prior to meeting.

D. CERTIFICATIONS

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

1. SPM15 025 at 3085 NE 13 Ave., owned by Dennis & Tho Brooks-Fine of \$900 for refuse container screening, landscaping maintenance, off street parking facilities maintenance, curb stop design, and off street parking handicap spaces.

The original hearing was July 30, 2015 to be complied January 2, 2016 and did comply January 8, 2016.

Lien certified - \$900.

2. SP15 100 at 1546 NE 45 St., owned by Darryl McGlamry-Fine of \$150 per day for duty to maintain property exterior surfaces.

The original hearing was October 29, 2015 to be complied January 15, 2016. The property remains out of compliance and fines continue to accrue.

Lien certified - \$150 per day.

3. SP15 155 at 1500 E Commercial Blvd., owned by Trelawny Holdings LLC-Fine of \$75 per day for duty to maintain property exterior surfaces.

The original hearing was August 18, 2015 to be complied December 31, 2015. The property remains out of compliance and fines continue to accrue.

Lien certified - \$75 per day.

4. SP15 164 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Fine of \$75 per day per violation for landscape maintenance, duty to maintain property exterior surfaces, off street parking facilities maintenance, accumulation of refuse and curb stop design.

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

Secretary Brooks swore in Lori Tuxbury, managing partner, who spoke in defense of item.

Special Magistrate Herin reset the case to the April 19, 2015 meeting.

- 5. SP15 165 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Fine of \$75 per day per violation for landscape maintenance.**

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

Secretary Brooks swore in Lori Tuxbury, managing partner, who spoke in defense of item.

Special Magistrate Herin reset the case to the April 19, 2015 meeting.

- 6. SP15 166 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Fine of \$75 per day per violation for landscape maintenance, duty to maintain property exterior surfaces and off street parking facilities maintenance**

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

Secretary Brooks swore in Lori Tuxbury, managing partner, who spoke in defense of item.

Special Magistrate Herin reset the case to the April 19, 2015 meeting.

- 7. SP15 220 at 3007 NW 26 St., owned by Nancy Harrison-Fine of \$50 per day for accessory structure maintenance.**

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

Lien certified – \$50 per day.

- 8. SP16 006 at 3621 NE 1 Terr., owned by Alejandro Batista-Fine of \$100 per day for overgrowth.**

The original hearing was January 19, 2016 to be complied by February 16, 2016. The property remains out of compliance and fines continue to accrue.

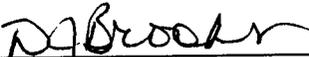
Lien certified – \$100 per day.

- 9. SP16 008 at 1048 E Oakland Park Blvd., owned by Eiffel Development-Fine of \$800 for overgrowth.**

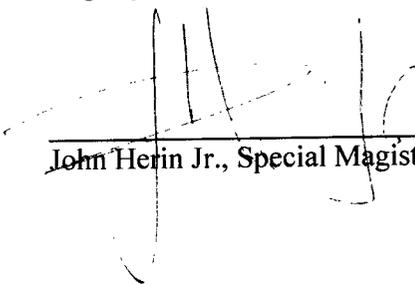
The original hearing was January 19, 2016 to be complied by January 21, 2016 and did comply January 29, 2016.

Lien certified – \$800.

ADJOURN: There being no other business, the meeting adjourned at 5:35 p.m.



DJ Brooks, Recording Secretary



John Herin Jr., Special Magistrate