



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

MINUTES
SPECIAL MAGISTRATE MEETING
July 19, 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 3:05 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, Brian Sheppard and Pat Moebius
Brad Ostroff, Project Manager, Community Enhancement
DJ Brooks, Secretary
BSO Deputies Debbie Wallace, Ernie Earnest, and Jerry Hopkins

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 May 17, 2016 and June 21, 2016 meetings were approved by Special Magistrate Herin.

C. NEW CASES

- 1. SP16 057 at 1912 NW 28 St., owned by 1912 NW 28 Street Inc-Violation of SEC.24.80(B)(3)-paving, potholes, commercial use of unimproved property/paving requirements and 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 Helio Perada, property owner, 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 19, 2016 with a fine of \$75 per violation 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. SP16 058 at 1916 NW 28 St., owned by Helio Juan Perada-Violation of SEC.24.80(B)(3)-paving, potholes, commercial use of unimproved property/paving requirements and SEC.24.79.1 accessory structure maintenance.**

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

Secretary Brooks swore in Helio Perada, property owner, 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 19, 2016 with a fine of \$75 per violation 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 062 at 1912 NW 28 St., owned by 1912 NW 28 Street Inc-Violation of SEC.24.80(B)(3)-paving, potholes, commercial use of unimproved property/paving requirements and 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 Helio Perada, property owner, speak 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.

- 4. SP16 083 at 4130 NW 10 Ave., owned by Codisco Inc-Violation of SEC.5.3(A)-permits required.**

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

Secretary Brooks swore in Anthony Guidetta, employee at business, 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 August 18, 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.

- 5. SP16 100 at 3411 N Federal Hwy., owned by Underdown, Smith & Auxier Violation of SEC.7.133-license required and SEC.7.147(A)-prohibited activities.**

Lisa Hill presented into evidence notices, photos, affidavits and certified mail information. Deputies Hopkins and Earnest provided testimony as evidence in the case.

Luke Lirot and C. Edward McGee, attorneys for business owner and property owner respectively, testified in defense of this item.

Due to time constraints, both parties agreed to reset the case to a special meeting on August 2, 2016.

- 6. SP16 104 at 3020 NW 29 St., owned by Shyret Haxhiaj-Complied prior to meeting.**

- 7. SP16 106 at 3341 NE 15 Ave., owned by Tarpon IV LLC-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti.**

Chris Johnson 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 August 3, 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.

- 8. SP16 107 at 1081 NE 43 Ct., owned by JMD Auto Export-Complied prior to meeting .**

- 9. SP16 108 at 4478 NE 11 Ave., owned by Floranada Warehouse LLC-Withdrawn by staff.**

- 10. SP16 109 at 221 NW 36 St., owned by Verdi Investments Group Corp-Complied prior to meeting.**

- 11. SP16 110 R at 496 NW 40 Ct., owned by Ray of Hope Healthy Living -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 repeat 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 July 26, 2016 with a fine of \$500 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 111 at 4020 NE 6 Ave., owned by Bhogayta Brothers Inc.-Violation of SEC.5.3(A)-permits required.**

Pat Moebius 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 August 19, 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.

13. SP16 113 at 417 NW 40 St., owned by Pico Turquino Investment LLC-Complied prior to meeting.

14. SP16 114 R at 2671 NW 18 Terr., owned by Elizabeth & Willie Cheeks-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 repeat 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 July 26, 2016 with a fine of \$500 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 115 at 2951 NW 29 Terr., owned by Beverly Mowatt-Violation of SEC.24.64(B)(1)-commercial vehicles.

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

Secretary Brooks swore in Beverly Mowatt, property owner to speak 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.

16. SP16 117 at 4051 N Dixie Hwy., owned by Milan Group LLC-Complied prior to meeting.

17. SP16 118 at 2160 NW 29 St., owned by 2140 2160 NW 29 St LLC-Violation of SEC.7.17-business tax receipt required, SEC.24.80(B)(3)(C)-off street parking facilities maintenance, SEC.24.79.1(E)(5)(C)-exterior surface maintenance, and SEC.24.105(D)(2)-landscaping maintenance required.

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

Secretary Brooks swore in Jose Garay, tenant at property, 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 19, 2016 with a fine of \$25 per day for the business tax receipt, \$75 per day per violation for off street parking and exterior surface maintenance and \$50 per day for landscaping maintenance 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.

18. SP16 119 at 2160 NW 29 St., owned by 2140 2160 NW 29 St LLC-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 Jose Garay, tenant at property, 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 19, 2016 with a fine of \$75 per day and that the violations and/or conditions causing the violations constitute a threat to public health, safety, and welfare. 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.

19. SP16 120 R 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.

Kevin Woodall presented into evidence notices, photos, affidavits and certified mail information. The City requests a threat to public health, safety and welfare ruling. The property was out of compliance 27 days.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin found there was a repeat violation of the stated code with a fine of \$500 per day and that the violations and/or conditions causing the violations constitute a threat to public health, safety, and welfare. 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.

20. SP16 121 R at 3420 NW 21 Ave., owned by Michael Banton-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 repeat 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 July 26, 2016 with a fine of

\$500 per day. 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.

21. SP16 124 at 1062 NE 35 St., owned by Edwin J Cannon III Rev Tr-Withdrawn by staff.

22. SP16 125 at 801 NW 44 St., owned by Jovan Rauf-Complied prior to meeting.

23. SP16 126 at 1299 NE 35 St., owned by Ocala BB Plaza LLC-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti and SEC.24.105(D)(2)-landscaping maintenance required.

Chris Johnson presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Manuel Guevara, property manager for owner, who testified in defense of this item.

Special Magistrate Herin found there was a not a violation of SEC.8.7(A) but did find a violation of the landscaping maintenance and ordered compliance on or before August 19, 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.

D. CERTIFICATIONS

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

1. SP15 164 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage-Fine of \$75 per day per violation for landscaping 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.

No witnesses appeared to speak in defense of this item.

Lien certified-\$75 per day per violation.

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

No witnesses appeared to speak in defense of this item.

Lien certified-\$75 per day per violation.

- 3. SP15 166 at 2901 W Oakland Park Blvd., owned by Country Wide Mortgage- Fine of \$75 per day per violation for landscaping 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.

No witnesses appeared to speak in defense of this item.

Lien certified-\$75 per day per violation.

- 4. SP15 210 at 3551 NW 31 Ave., owned by Pine Oakland Park Holdings-Withdrawn by staff.**

- 5. SP15 219 at 3501 NW 31 Ave., owned by Pine Oakland Park Holdings-Withdrawn by staff.**

- 6. SP16 043 at 3554 NE 12 Ave., owned by Charles Schiltz-Fine of \$75 per day per violation for off street parking facilities maintenance and overgrowth.**

The original hearing was March 15, 2016 to be complied May 15, 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 per violation.

- 7. SP16 044 at 3560 NE 12 Ave., owned by Charles Schiltz-Fine of \$75 per day per violation for off street parking facilities maintenance, doors and windows, and overgrowth.**

The original hearing was March 15, 2016 to be complied May 15, 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 per violation.

D. OLD BUSINESS

- 1. SP16 022 at 1021-1027 NE 44 Ct., owned by JMG Property Mgmt Corp-Withdrawn by staff.**

- 2. SPM15 101 at 1682 E Oakland Park Blvd., owned by Argentex Inc-Request for extension to date for compliance.**

The original hearing was April 19, 2016 to be complied July 21, 2016.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin extended the date for compliance to August 22, 2016.

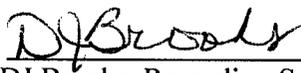
- 3. SPM15 102 at 1682 E Oakland Park Blvd., owned by Argentex Inc-Request for extension to date for compliance.**

The original hearing was April 19, 2016 to be complied July 21, 2016.

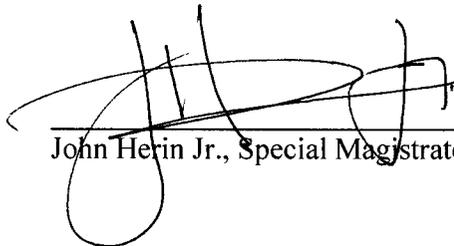
No witnesses appeared to speak in defense of this item.

Special Magistrate Herin extended the date for compliance to August 22, 2016.

ADJOURN: There being no other business, the meeting adjourned at 6:10 p.m.



DJ Brooks, Recording Secretary



John Herin Jr., Special Magistrate