



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

MINUTES  
SPECIAL MAGISTRATE MEETING  
August 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 3:15 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, Brian Sheppard, Chris Johnson and Pat Moebius  
Fire Inspector Chris French  
Brad Ostroff, Project Manager, Community Enhancement  
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 July 19, 2016 meeting was approved by Special Magistrate Herin.

**C. NEW CASES**

**1. SPM15 053 at 3125 Oakland Shores Dr #B110., owned by Georgi & Kristina Smatrakalev—Violation of SEC.5.3(A)-permits required.**

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

Secretary Brooks swore in Georgi Smatrakelev, 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 October 16, 2016 with a fine of \$75 per violation per day Enforcement Division to re-inspect the property to verify compliance with this order.

**2. SP16 127 at 435 thru 465 NW 41 St., owned by Conrad Wicks-Complied prior to meeting.**

**3. SP16 128 at 4431 NE 6 Ave., owned by Fantasia Tr-Violation of NFPA 1 13.3.2.28-fire sprinkler system.**

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

Secretary Brooks swore in Robert Kirchgessner, architect for 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 October 16, 2016 with a fine of \$150 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 129 at 4465 NW 17 Terr., owned by Bank of America NA-Violation of SEC.24.79.1(E)(5)(E)-accessory structure maintenance, SEC.24.79.1(E)(5)(D)-doors & windows, and SEC.24.105(D)(1)(C)(4)-plant materials-general regulations.**

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

Secretary Brooks swore in Gino Petrone, neighbor to property, to speak on this item.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before August 31, 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.

**5. SP16 130 at 3550 NW 9 Ave-Violation of SEC.24.105(D)(2)-landscaping maintenance required.**

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

Secretary Brooks swore in David Wolis, 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 October 16, 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.

**6. SP16 131 at 91 NE 48 St., owned by Michael Burger-Complied prior to meeting.**

**7. SP16 132 at 4820 NE 5 Ave., owned by Richard Rivera-Complied prior to meeting .**

**8. SP16 133 at 131 NE 38 St., owned by Oasis Square, LLC-Violation of SEC.6 ½.12-All buildings to be rat proofed and freed of rats.**

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

Secretary Brooks swore in Cynthia Kapia, property manager, 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 October 16, 2016 with a fine of \$175 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 135 at 3400 NE 17 Way., owned by Jerome League-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 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 August 31, 2016 with a fine of \$150 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 136 at 1727 NE 38 St. owned by David & Susan Crane-Violation of SEC.24.69(B)(1)(E)-pool water.**

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

Secretary Brooks swore in David Crane, property owner and Jose Ycaza, neighbor to property to speak on the case.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before September 5, 2016 with a fine of \$175 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.

**11. SP16 137 at 207 NE 44 St., owned by Pinnacle Towers -Violation of SEC.24.79.1(E)(5)(E)-accessory structure maintenance and SEC.13.32(A)-accumulation of refuse prohibited.**

Brian Sheppard 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 31, 2016 with a fine of \$150 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 138 at 4602 NE 6 Ave., owned by Mohammed Ghalebi-Violation of SEC.24.105(D)(2)-landscaping maintenance required, SEC.24.148 Table 2C-window sign permits, SEC.24.151-sign permits,**

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 139 at 5600 NE 8 Ave., owned by Patricia Uribarre-Violation of SEC.24.79.1(E)(5)(B)-duty to maintain property exterior surfaces, SEC.24.80(B)(3)(C)-off-street parking facilities maintenance.**

Brian Sheppard presented into evidence notices, photos, affidavits and certified mail information.

Secretary Brooks swore in Patricia Uribarre, 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 16, 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.

- 14. SP16 140 at 4901 NE 1 Terr., owned by Thomas Register-Violation of SEC.24.79.1(E)(5)(E)-accessory structure maintenance and SEC.24.79.1(E)(5)(B)-duty to maintain property-exterior surfaces.**

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

Secretary Brooks swore in Kenneth Whitener, tenant at property who 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 16, 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.

- 15. SP16 141 at 1960 NW 32 Ct., owned by Gregory & Paul Fryda-Violation of SEC.24.79.1(E)(5)(E)-accessory structure maintenance and 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 code and ordered compliance on or before September 16, 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.

- 16. SP16 142 at 2900 NW 30 Ave., owned by Nasi N Leksu Rev Tr-Complied prior to meeting.**

- 17. SP16 143 at 4160 NW 21 Ave., owned by Jorken Crystal 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 who appeared to speak in defense of this item.

Special Magistrate Herin reset the case to the September 20, 2016 meeting.

- 18. SP16 144 at 1022 NE 34 Ct., owned by Leigh Hicks-Violation of SEC.8.7(A)-stagnant water and dense growths of vegetation, accumulation of refuse and graffiti,, SEC.24.105(D)(2)-landscaping maintenance required, and SEC.5.44(A)(10)-unsafe structure inadequate running water.**

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

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

Special Magistrate Herin found there was a repeat violation of the stated code and ordered compliance on or before September 16, 2016 with a fine of \$50 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.

**19. SP16 145 at 1383 NE 38 St., owned by Robert Pavkovich-Complied prior to meeting.**

**20. SP16 146 at 3213 NW 43 Pl., owned by Robert McLeod-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 repeat violation of the stated code and ordered compliance on or before August 31, 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.

**21. SP16 147 at 2633 NW 18 Terr., owned by US Bank-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 August 31, 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.

**22. SP16 148 at 801 NW 44 St., owned by Jovan Rauf-270 NE 34 Ct.-Complied prior to meeting.**

**23. SP16 149 at 1951 NE 43 Ct., owned by 4331 North Federal LLC-Withdrawn by staff for partial compliance.**

**24. SP16 150 at 3851 NW 7 Ave., owned by J Bernard McCabe Estate-Violation of SEC.24.69(B)(E)—pool water**

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 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 September 6, 2016 with a fine of \$150 per day thereafter. The violator is also ordered to contact the City of Oakland Park

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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 210 at 3551 NW 31 Ave., owned by Pine Oakland Park Holdings LLC-Fine of \$36,600 for overgrowth and accessory structure maintenance.**

The original hearing was March 15, 2016 to be complied May 15 2016. The property was brought into compliance on July 15, 2016.

Secretary Brooks swore in Pablo Oapeu, developer at the property, who appeared to speak in defense of this item.

Special Magistrate Herin reduced the fine to \$3600.

Lien certified \$3600.

**2. SP15 219 at 3501 NW 31 Ave., owned by Oakland Grove Commence-Fine of \$36,600 for overgrowth and accessory structure maintenance.**

The original hearing was March 15, 2016 to be complied May 15 2016. The property was brought into compliance on July 15, 2016.

Secretary Brooks swore in Pablo Oapeu, developer at the property, who appeared to speak in defense of this item.

Special Magistrate Herin reduced the fine to \$3600.

Lien certified \$3600.

**3. SP16 022 at 1021 thru 1027 NE 44 St., owned by JMG Property Mgmt Gropu-Fine of \$7,800 for sign permits.**

The original hearing was April 1, 2016 to be complied May 30, 2016. The property was brought into compliance on August 16, 2016.

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

Special Magistrate Herin reduced the fine to \$500.

Lien certified-\$500.

**4. SP16 038 at 2941 NW 24 Ave., owned by Appaloosa 15 LLC-Fine of \$225 for permits required.**

The original hearing was April 1, 2016 to be complied June 19, 2016. The property was

brought into compliance on June 22, 2016.

Secretary Brooks swore in Saray Ramirez, property manager, who appeared to speak in defense of this item.

Special Magistrate Herin waived the fine.

Lien certified-\$0

- 5. 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 March 15, 2016 to be complied June 19, 2016. The property remains out of compliance and fines continue to accrue.

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin waived the fine.

Lien certified-\$75 per day.

- 6. SP16 068 at 2900 S Oakland Forest Dr., owned by Oakland Forest Property Owners- Fine of \$75 per day per violation for landscaping maintenance and off-street parking facilities maintenance.**

The original hearing was April 19, 2016 to be complied June 19, 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 070 at 2613 NW 18 Terr., owned by DYC LLC-Fine of \$25 per day for business tax receipt required, commercial vehicles and single family residential grass parking & \$75 per day for off-street parking facilities maintenance.**

The original hearing was April 19, 2016 to be complied June 19, 2016. The property remains out of compliance and fines continue to accrue.

No witnesses appeared to speak in defense of this item.

Lien certified-\$25 per day per violation and \$75 per day as listed above.

- 8. SP16 077 at 4282 NE 7 Ave., owned by Cecilia Carten-Fine of \$75 per day per violation for overgrowth, duty to maintain property, abandoned and/or inoperable property, and off-street parking facilities maintenance.**

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

**9. SP16 080 at 5201 thru 5275 N Dixie Hwy., owned by Northland Greentree LLC –  
Complied on time-no fine.**

**10. SP16 084 at 2802 W Oakland Park Blvd., owned by Sunshine Holiday Park-  
Complied on time-no fine.**

Lien certified-\$75 per day per violation.

**11. SP16 085 at 253 NE 34 St., owned by L Discount Photo & Video Inc-Fine of \$75 per  
day per violation for grass parking and parking location and storage.**

The original hearing was May 17, 2016 to be complied July 1, 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 066 at 3901 N Federal Hwy., owned by Boan Investments- Request for  
extension to date for compliance.**

The original hearing was April 19, 2016 to be complied June 19, 2016

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin extended the date for compliance to October 16, 2016.

**2. SP16 067 at 3921 N Federal Hwy., owned by Boan Investments- Request for  
extension to date for compliance.**

The original hearing was April 19, 2016 to be complied June 19, 2016

No witnesses appeared to speak in defense of this item.

Special Magistrate Herin extended the date for compliance to October 16, 2016.

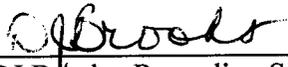
**3. SP16 069 at 3801 N Federal Hwy., owned by SMA & PLB Realty Associates LLC-  
Request for extension to date for compliance.**

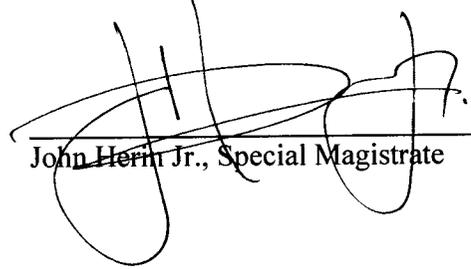
The original hearing was April 19, 2016 to be complied June 19, 2016

Rod Feiner, attorney for property owner, appeared to speak in defense of this item.

Special Magistrate Herin extended the date for compliance to October 16, 2016.

ADJOURN: There being no other business, the meeting adjourned at 5:36 p.m.

  
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DJ Brooks, Recording Secretary

  
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John Herrin Jr., Special Magistrate