



Emergency Operations Center
5399 N Dixie Highway, Suite 2
Oakland Park, Florida 33334

MINUTES
SPECIAL MAGISTRATE MEETING
JULY 9, 2020, 3:00 P.M.

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 the Emergency Operations Center by Special Magistrate John Herin, Jr.

Staff Present:

Code Officers: Dedrick Watkins*, Kevin Woodall, Stephen Batista*, Joe Diskin, Bradford Cillizza*, Rudy Neumann, Walter Fenton* and Chris Johnson*
Charles Howard, Broward County Sheriff's Deputy
Jay Quier, Code Enforcement Administrator
Laura Adams, Board Secretary

*Attending via Zoom

Secretary Adams swore in the officers and described 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 March 17, 2020 meeting were approved by Special Magistrate Herin.

C. NEW CASES

1. SP20 075 – WITHDRAWN

ADDRESS: 3575 NW 31 AVE A OAKLAND PARK
OWNER: FDD LLC

C.E. CASE: 192113
OFFICER: KEVIN WOODALL

SEC.24.105 LANDSCAPE REGULATIONS
SEC.24.80(B)(3)(C) OFF STREET PARKING FACILITIES MAINTENANCE

Withdrawn by staff pending compliance.

2. SP20 076 – WITHDRAWN

ADDRESS: 3625 NW 31 (THRU 3631) AVE OAKLAND PARK C.E. CASE: 192112
OWNER: OAKLAND ONE HOLDINGS LLC OFFICER: KEVIN WOODALL

SEC.24.105 LANDSCAPE REGULATIONS

Withdrawn by staff pending compliance.

3. SP20 077 – WITHDRAWN

ADDRESS: 3585 NW 31 AVE OAKLAND PARK C.E. CASE: 192110
OWNER: OAKLAND ONE HOLDINGS LLC OFFICER: KEVIN WOODALL

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

SEC.24.105 LANDSCAPE REGULATIONS

Withdrawn by staff pending compliance.

4. SP20 078

ADDRESS: 410 NE 36 ST BLDG 3 C.E. CASE: 192115
OWNER: URBAN VILLAGE AT 5TH AVENUE OFFICER: CHRISTOPHER JOHNSON

SEC.24.80(B)(2)(E) OFF STREET PARKING

Officer Johnson presented into evidence notices, photos, affidavits and certified mail information. He recommended allowing 30 days for compliance.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before August 10, 2020 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.

5. SP20 079

ADDRESS: 2799 W OAKLAND PARK BLVD OAKLAND PARK C.E. CASE: 192103
OWNER: LOJON PROPERTY 71 LLC OFFICER: STEPHEN BATISTA

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

Officer Batista presented into evidence notices, photos, affidavits and certified mail information.

Secretary Adams swore in John Stephen Robles, tenant, 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 8, 2020 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. SP20 080 - WITHDRAWN

ADDRESS: 2759 W OAKLAND PARK BLVD OAKLAND PARK C.E. CASE: 192104
OWNER: VIENTOS DEL AMANECER LLC OFFICER: STEPHEN BATISTA

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

Withdrawn by staff pending compliance.

7. SP20 081 - WITHDRAWN

ADDRESS: 3073 W OAKLAND PARK BLVD OAKLAND PARK C.E. CASE: 192107
OWNER: MCDONALDS CORP 009/0624 OFFICER: STEPHEN BATISTA

SEC.24.80(B)(3)(C) OFF STREET PARKING FACILITIES MAINTENANCE
SEC.24.80(B)(2)(D) OFF STREET PARKING LOCATION, CHARACTER, DESIGN

Withdrawn by staff pending compliance.

8. SP20 082

ADDRESS: 2000 NW 28 ST OAKLAND PARK C.E. CASE: 192108
OWNER: BERAZ INVESTMENT LLC OFFICER: DEDRICK WATKINS

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

Officer Watkins presented into evidence notices, photos, affidavits and certified mail information. The City requested a threat to public health, safety and welfare ruling.

Special Magistrate Herin found there was a violation of the stated code and that the violation and/or conditions causing the violation constitute a threat to public health, safety and welfare and ordered compliance on or before July 20, 2020 or 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. SP20 083

ADDRESS: 80 NW 33 ST OAKLAND PARK C.E. CASE: 192094
OWNER: GOLDBERG, JUSTIN R OFFICER: CHRISTOPHER JOHNSON

SEC.7.154 STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

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

Secretary Adams swore in Jordan Grimaldi, part owner, to speak in defense of this item. She also swore in Bob Brizzi and Emma Keogh, witnesses, who testified to conditions at the property.

Mr. Grimaldi cross examined witnesses and presented evidence that he said proved some of the rentals fell under the exemptions to the Covid-19 emergency order.

Special Magistrate Herin continued the case to the next hearing on August 10, 2020.

10. SP20 084

ADDRESS: 732 NW 43 CT OAKLAND PARK
OWNER: MARCH, SUSAN B

C.E. CASE: 192105
OFFICER: CHRISTOPHER JOHNSON

SEC.8.50(A) NOISE GENERAL PROVISIONS - **UNFOUNDED**

SEC.24.79.1(D)(2) OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS. – **COMPLIED 7/7/2020**

SEC.13.32(A) Accumulation of refuse prohibited – **COMPLIED 7/7/2020**

SEC.24.105(D)(2) Landscaping maintenance required – **COMPLIED 7/7/2020**

Officer Johnson presented into evidence notices, photos, affidavits and certified mail information. He stated the remaining complaint - SEC.8.50(A) - regarding noise was unfounded.

Secretary Adams swore in Susan March, owner, to speak in defense of this item. She also swore in Rafeek Hoosain, witness, who testified to conditions at the property.

Mr. Hoosain had audio files of the noise but Officer Johnson sated when he visited the property, he had not witnessed the problem. Ms. March stated she owned one bird; all other noises were from wildlife. She presented 11 affidavits from neighbors indicating they did not object to noises from the property. Special Magistrate Herin asked Ms. March to steps to minimize the noise impact her bird and dogs had on neighbors.

Special Magistrate Herin found there was insufficient evidence to determine that a violation of SEC.8.50(A) existed at the time the Notice of Violation was issued.

11. SP20 085

ADDRESS: 579 NW 41 ST OAKLAND PARK
OWNER: PAJJ INVESTMENTS LLC

C.E. CASE: 192109
OFFICER: RUDOLPH NEUMANN

NFPA 1 13.6.2 PORTABLE FIRE EXTINGUISHERS

NFPA 31.3.4.5.1 SMOKE ALARMS

Officer Neumann presented into evidence notices, photos, affidavits and certified mail information. The City requested a threat to public health, safety and welfare ruling.

Special Magistrate Herin found there was a violation of the stated codes 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 20, 2020 or a fine of \$250 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.

12. SP20 086 – COMPLIED 7/7/2020

ADDRESS: 281 NW 40 ST #1 7 OAKLAND PARK
OWNER: LIBI REAL ESTATE LLC

C.E. CASE: 192111
OFFICER: RUDOLPH NEUMANN

NFPA 13.1.2 ANNUAL FIRE SPRINKLER INSPECTION REQUIRED

Complied prior to meeting.

13. SP20 088

ADDRESS: 3481 NW 44 ST REC. BLD. OAKLAND PARK
OWNER: SUMMER LAKE DEV LLC

C.E. CASE: 192116
OFFICER: RUDOLPH NEUMANN

NFPA 101 9.6.1.3 FIRE ALARM SYSTEMS

Officer Neumann presented into evidence notices, photos, affidavits and certified mail information. The City requested a threat to public health, safety and welfare ruling.

Special Magistrate Herin found there was a violation of the stated code and that the violation and/or conditions causing the violation constitute a threat to public health, safety and welfare and ordered compliance on or before August 10, 2020 or 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.

14. SP20 089

ADDRESS: 2000 NW 33 ST
OWNER: R H INVESTMENTS PROPERTIES LLC

C.E. CASE: 192106
OFFICER: BRADFORD CILLIZZA

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

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

Officer Cillizza presented into evidence notices, photos, affidavits and certified mail information. He said the violations were now in compliance, but noted these were both repeat violations.

Secretary Adams swore in Tal Hen, owner, to speak in defense of this item.

Special Magistrate Herin found there had been a violation of the stated codes and imposed a \$250 fine, payable within 30 days.

15. SP20 090 – COMPLIED 7/8/2020

ADDRESS: 1660 NW 43 ST OAKLAND PARK
OWNER: LAS PANTERAS SPORT BAR INC

C.E. CASE: 192117
OFFICER: BRADFORD CILLIZZA

SEC.7.153(A) VACATION RENTALS FAILURE TO REGISTER – **COMPLIED 7/8/2020**

SEC.13.8(A) DESIGNATED PLACEMENT OF TRASH RECEPTACLE FOR COLLECTION - **COMPLIED 7/8/2020**

Complied prior to meeting.

16. SP20 091

ADDRESS: 4460 NE 17 TER OAKLAND PARK
OWNER: GALAVIS, CARLOS SR & ABIGAIL H/E

C.E. CASE: 192118
OFFICER: BRADFORD CILLIZZA

SEC.7.154 STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

Deputy Howard stated the occupant of the property and the owner had indicated it was long-term rented, it was not a vacation rental. Officer Cillizza reported the property was listed on Airbnb during the restrictions designate by Gov. Desantis's order. Officer Cillizza presented into evidence notices, photos, affidavits and certified mail information.

Secretary Adams swore in Carlos Galavis, owner, to speak in defense of this item. Mr. Galavis said he had cancelled the Airbnb listing a year ago and the recent listing was inactive. He had contacted Airbnb to completely delete the property. Officer Diskin said the listing had been repeatedly put up and taken down, there were three confirmed stays through Airbnb in March and the listing was currently active. He said the property was not registered through the city as an Airbnb.

Special Magistrate Herin found there was a violation of the stated code and ordered compliance on or before August 10, 2020 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.

17. SP20 092

ADDRESS: 4710 NE 15 AVE
OWNER: BARNEY, KURT

C.E. CASE: 192099
OFFICER: WALTER FENTON

SEC.8.50(A) NOISE GENERAL PROVISIONS

Officer Fenton presented into evidence notices, photos, affidavits and certified mail information.

Secretary Adams swore in Laura Bernard and Kurt Barney, owners, and Jeff Walker, property manager, to speak

in defense of this item. She also swore in Marshall Bettoney and Douglas Keene, witnesses, who testified to conditions at the property. Ms. Bernard stated they had noise monitors at the property, and there had been complaints made that were not legitimate, as proven by their monitors.

Special Magistrate Herin reminded the owners that repeat violations could be fined at \$5,000 per day.

Special Magistrate Herin found there had been a violation of the stated code and imposed no fine.

18. SP20 093 - WITHDRAWN

ADDRESS: 1500 NE 37 ST OAKLAND PARK
OWNER: COHEN, THOMAS A

C.E. CASE: 192097
OFFICER: WALTER FENTON

SEC.7.153(A) VACATION RENTALS FAILURE TO REGISTER
SEC.7.154 STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

Withdrawn by staff pending compliance.

19. SP20 094 – COMPLIED 7/9/2020

ADDRESS: 3045 NE 16 AVE OAKLAND PARK
OWNER: KNEZEVICH DAVID & ANA

C.E. CASE: 192096
OFFICER: WALTER FENTON

SEC.7.154 STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

Complied prior to hearing.

20. SP20 095R

ADDRESS: 2000 NW 33 ST
OWNER: R H INVESTMENTS PROPERTIES LLC

C.E. CASE: 192098
OFFICER: WALTER FENTON

SEC.8.50(A) NOISE GENERAL PROVISIONS

Officer Fenton presented into evidence notices, photos, affidavits and certified mail information.

Secretary Adams swore in Tal Hen, owner, to speak in defense of this item, as well as witness James Widener, who testified to conditions at the property.

Officer Diskin suggested a fine of \$5,000 because this was a repeat violation.

Special Magistrate Herin found there had been a violation of the stated code and imposed a fine of \$750, payable within 30 days.

21. SP20 096

ADDRESS: 3341 NE 15 AVE OAKLAND PARK
OWNER: TARPON IV LLC

C.E. CASE: 192095
OFFICER: WALTER FENTON

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

Officer Fenton presented into evidence notices, photos, affidavits and certified mail information. The City requested a threat to public health, safety and welfare ruling.

Special Magistrate Herin found there was a violation of the stated code and that the violation and/or conditions causing the violation constitute a threat to public health, safety and welfare and ordered compliance on or before July 20, 2020 or 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.

D. CERTIFICATIONS

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

1. SP19 143

ADDRESS: 3701 N POWERLINE RD
OWNER: SPI DSEA OAKLAND PARK LLC &

C.E. CASE: 191615
OFFICER: BRADFORD CILLIZZA

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

SEC.5.3(A) Permits required

SEC.7.17 BUSINESS TAX RECEIPT REQUIRED.

SEC.24.105 LANDSCAPE REGULATIONS

The original hearing was on 11/19/19 to be complied 7/9/2020. The Special Magistrate abated the fine on 3/17/2020. The property was in compliance, and Mr. Quier recommended imposing just the administrative fee.

Secretary Adams swore in Mike Woolsey, owner, to speak in defense of this item.

Special Magistrate Herin dismissed the violations of SEC.5.3(A) and SEC.7.17 and found that SEC.8.7(A) and SEC.24.105 were in compliance. He reduced the fines to \$250 plus the \$150 administrative fee, due within 60 days.

Lien certified: \$400

2. **SP20 064**

ADDRESS: 3341 NE 15 AVE OAKLAND PARK
OWNER: TARPON IV LLC

C.E. CASE: 191864
OFFICER: STEPHEN BATISTA

SEC.8.7(A) - STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI – **COMPLIED 3/28/2020**

The original hearing was on 2/20/2020 to be complied 3/9/2020. The property was in compliance, and fines had accrued to \$4,750, plus the Board-Up Lien, the Lien Processing fee and Administrative fee.

Special Magistrate Herin certified the lien for \$4,750.

Lien certified: \$4,750

3. **SP18 175**

ADDRESS: 740 NE 45 ST OAKLAND PARK
OWNER: GT PROPERTIES LLC

C.E. CASE: 187701
OFFICER: RUDOLPH NEUMANN

NFPA 1.43.1.1 – SPRAYING FLAMABLE PAINT – **COMPLIED 2/22/2019**
NFPA 13 6 7.4.1 IDENTIFICATION OF FIRE SPRINKLER TEST VALVES

The original hearing was on 10/16/2018 to be complied 11/15/2018. The property was not in compliance, and the \$122,000 fine had been abated by the Special Magistrate on 3/17/2020, when he also granted a continuance to the next meeting. A fine of \$250 per day was accruing for the violation that was still not complied.

Secretary Adams swore in Mark Thompson, the owner's brother, to speak in defense of this item.

Officer Neumann explained that the owner's plans to build a wall to reduce the square footage had been rejected by the city and the owner had been confused about whether or not the city was open for processing permits. Mr. Quier recommended a 60-day continuance.

Special Magistrate Herin granted a 60-day continuance to September 8, 2020.

4. **SP19 067**

ADDRESS: 4047 N ANDREWS AVE OAKLAND PARK
OWNER: LILANDPER LLC

C.E. CASE: 190517
OFFICER: BRADFORD CILLIZZA

SEC.8.7(A) STAGNANT WATER AND DENSE GROWTHS OF VEGETATION, ACCUMULATION OF REFUSE AND GRAFFITI – **COMPLIED 8/18/2019**

SEC.24.80(B)(3)(C) – OFF-STREET PARKING – **COMPLIED 8/23/2019**

SEC.24.79.1(E)(5)(B) – DUTY TO MAINTAIN PROPERTY – **COMPLIED 8/18/2019**

SEC.24.79.1(E)(5)(E) – ACCESSORY STRUCTURE MAINTENANCE – **COMPLIED 8/23/2019**

SEC.24.105 – LANDSCAPE REGULATIONS – SM ABATED FINE ON 11/19/2019

The original hearing was on 6/20/2019 to be complied by 8/18/2019 for SE.8.7.(A); by 8/23/2019 for SEC.24.80(B)(3)(C), SEC.24.79.1(E)(5)(B), SEC.24.79.1(E)(5)(B); and SEC.24.105. The property was not in compliance, fines totaled \$24,250 and a fine of \$150 per day was accruing for the one remaining violation, plus the Administrative fee.

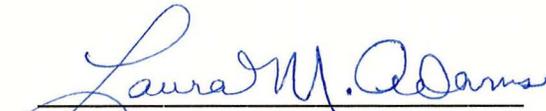
Secretary Adams swore in Mary Gay Chaples, power of attorney, to speak in defense of this item. She said the property had been inspected and the report mailed to Broward County, which had sent a letter indicating they approved the demolition. Mr. Quier recommended a 30-day continuance.

Special Magistrate Herin granted a 30-day continuance to August 10, 2020.

E. OLD BUSINESS

None

ADJOURN: There being no further business, the meeting was adjourned at: 8:15 p.m.



Laura Adams, Recording Secretary



John Herin Jr., Special Magistrate