



**TOWN OF DAVIE
RECORD OF
SPECIAL MAGISTRATE HEARING
FEBRUARY 11, 2020**



1. PLEDGE OF ALLEGIANCE

2. CALL SESSION TO ORDER

The hearing was called to order at 10:00 A.M. Present were Special Magistrate Theresa Bland Edwards, Code Compliance Official Daniel Stallone, Code Compliance Supervisor Rick Berni, Code Compliance Inspector Dana Phillips, Animal Control Officer Karen Borsoni, Code Compliance Inspector Kim Massey, Code Compliance Inspector Catherine Velez, Code Inspector Stephanie Silber, Code Compliance Inspector Mayra Hernandez, Code Compliance Inspector Sarah Perreira and Recording Secretary Grace Farrar

3. CALL OF THE CASES

Respondents were present for Case 20-002016, 20-002045, 2020-0001

4. UNCONTESTED CASES

5.1 Case #19-001961: 7800 Davie Road Extension LLC, 7800 Davie Road Extension (minimum standards for maintenance of premises/prohibited acts by property owner violation) ^{MH}

Inspector Hernandez obtained an agreed final order with the respondent to comply with town code section 6-31(a) and 16-55(a) within forty five (45) days no cost recovery fee was assessed. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

5.2 Case #19-066470 : Edgland M. Herrera, 4271-4273 SW 53 Avenue (continued from December 10, 2019)²(maintenance standards of exterior premises/minimum standards for exterior of structures: roofs/minimum standards for interior of structures/minimum standards for area, use and location requirements/adoption of Florida building code/general regulations: nuisances/overgrowth/trash waste and garbage/storage of derelict vehicles/property prohibited violation) ^{SS}

Inspector Silber obtained an agreed final order with the respondent to comply with town code section 6-36(a)(k), 12-33(U), 9-51(b), 11-17, 9-2 within thirty (30) days. The building division will address violations of Town Code section 6-35(c)(1)(2)(3), 6-33(a)(b)(p), 6-34(r)(2) and 5-1 with no cost recovery fee was assessed. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

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5.3 Case #20-002016: Hesham Ali and Eman Gomaa, 2650 SW 154 Avenue (storage of abandoned property on public or private land/commercial vehicles parking prohibited/building permit required violation) ^{KM}

Hesham Ali, 2650 SW 154 Avenue was present at the hearing

Tony Nigro, 2650 SW 154 Avenue was present at the hearing

Inspector Massey obtained an agreed final order with the respondent to comply with town code section 11-17, 12-33(G), 5-1 and 12-33(G) within thirty (30) days; no cost recovery fee was assessed. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

5.4 Case #20-002045: Chabad of Nova Inc., 8247 Griffin Road (permitted uses/minimum standards for exterior of structures violation) ^{MH}

Shmur Posner, was present at the hearing

Inspector Hernandez obtained an agreed final order with the respondent to comply with town code section 12-32(B), 6-35(B)(6)(9) within seven (7) days; no cost recovery fee was assessed. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

6. LOCAL BUSINESS TAX RECEIPT

6.1 Case #2019-0047: Titan Structural Inc. and Partners LP LRFI Interstate Industrial LLC, 3750 Hacienda Blvd #D (continued from December 17, 2019)³(delinquency/Inspection by the fire department; approval by director of the development services department or his designee; approval by fire chief violation) ^{SP}

Inspector Perreira obtained an agreed final order with the respondent to comply with town code section 13-32 within seven (7) days and town code section 13-21(a) within sixty (60) days no cost recovery fee was assessed. A request to remove the property owner LRFI Interstate Industrial LLC was requested by the inspector. Based on the lease, the tenant is responsible for all permits. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

6.2 Case #2019-0048 : Warren Contracting & Development Inc. and Partners LP LRFI Interstate Industrial LLC, 3750 Hacienda Blvd #D (continued from December 17, 2019)³(delinquency/inspection by the fire department; approval by director of the development services department or his designee; approval by fire chief violation) ^{SP}

Inspector Perreira obtained an agreed final order with the respondent to comply with town code section 13-32 within seven (7) days and town code section 13-21(a) within sixty (60) days no cost recovery fee was assessed. A request to remove the property owner LRFI Interstate Industrial LLC was requested by the inspector. Based on the lease, the tenant is responsible for all permits. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

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6.3 Case #2020-0002: Cell Service LLC, 2240 SW 70 Avenue, Unit #E (inspection by the Fire Department; approval by Director of the Development Services Department or his designee; approval by Fire Chief/delinquency violation) ^{SP}

Inspector Perreira obtained an agreed final order with the respondent to comply with town code section 13-21(a) within forty five (45) days and 13-32 within three (3) days a cost recovery fee of \$250.00 was assessed and paid. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Edwards so ordered.

6.6 Case #2020-0005: RPAC Inc. d/b/a Ridge Plaza Tire and Auto and CR Ridge Plaza LLC, 9190 W State Road 84 (requirement for garbage and trash removal/evidence of accumulation/delinquency violation) ^{SP}

Inspector Perreira obtained an agreed final order with the respondent to remain in compliance with town code sections 9-22(b), 9-23 and 13-32 no cost recovery fee was assessed. The Consent agreement was submitted as Town's Exhibit 1 without objection.

A request to dismiss CR Ridge Plaza LLC was recommended.

Special Magistrate Edwards so ordered.

6.7 Case #2020-0007: Habibi Hookah Inc. d/b/a Habibi Hookah Lounge, 8320 W State Rd 84 (delinquency violation) ^{SP}

The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

6.8 Case #2020-0008: 7810 Raleigh LLC, 4650-4654 SW 65 Avenue (location of license; zoning regulation/local business tax receipt required violation) ^{SP}

The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

6.9 Case #2020-0009: Car Shippers USA LLC, 14661 SW 23 Court (location of license; zoning regulation/local business tax receipt required violation) ^{SP}

The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

6.10 Case #2020-0010: Merritt Dealer Services LLC, 15221 SW 25 Street (location of license; zoning regulation/local business tax receipt required violation) ^{SP}

The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

6. FORMAL HEARINGS OF CONTESTED MATTERS

6.4 Case #2020-0003: Yacht Furnishings by Eclipse LLC, 7050 W State Road 84, Suite #16 (delinquency violation) ^{SP}

Inspector Perreira presented the case and read the violations into the record. Service was achieved by certified mail. A copy of the electronic notification was submitted as Town's Composite Exhibit 1 without objection.

A request for a final order with seven (7) days for violation of town code section 13-32 was recommended along with cost recovery fee of \$350.00.

Special Magistrate Edwards so ordered.

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6.5 Case #2020-0004: The Champion Group LLC d/b/a/ Wingstop, 8918 W State Road 84 (delinquency violation) ^{SP}

Inspector Perreira presented the case and read the violations into the record. Service was achieved by certified mail. A copy of the electronic notification was submitted as Town's Composite Exhibit 1 without objection.

A request for a final order with seven (7) days for violation of town code section 13-32 was recommended along with cost recovery fee of \$350.00.

Special Magistrate Edwards so ordered.

7. NON COMPLIANCE

7.1 Case #17-011209: Luciano Batista and Venecia Perez H/E, 2751 SW 121 Avenue (commercial vehicle signage code violation/permitted uses violation) ^{DP}

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A cost recovery fee of \$400.00 was assessed. The cost recovery fee assessed at the final order hearing is still outstanding.

Special Magistrate Edwards so ordered.

7.2 Case #17-015546: Bebi Shemeza and Neieem Abdool, 2601 SW 122 Avenue (commercial vehicles parking prohibited/permitted uses/nuisance/eyesore violation) ^{DP}

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A cost recovery fee of \$400.00 was assessed.

Special Magistrate Edwards so ordered

7.3 Case #18-033657: Maria R. Caccavale, 12471 SW 10 Court (general regulations violation) ^{DP}

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. An inspection was conducted and the property is in compliance.

Special Magistrate Edwards so ordered.

7.4 Case #18-041023: SH27 2018 LLC, 1711 SW 83 Avenue (overgrowth violation) ^{CV}

Inspector Velez presented the case and read the violation into the record. Service was achieved by posting. An Affidavit of posting was submitted as Town's Composite Exhibit 1 without objection. Photographs taken on February 10, 2020 were submitted as Town's Composite Exhibit 1 without objection.

Based on the condition of the property and the continued complaints a lien was recommended for violation of town code section 9-51(b) for thirty three (33) days of non-compliance at \$100.00 per day for one (1) violations resulting in a lien in the amount of \$3,300.00 along with \$500.00 cost recovery fee for a total lien in the amount of \$3,800.00.

Special Magistrate Edwards so ordered.

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7.5 Case #19-072981: SH27 2018 LLC, 1711 SW 83 Avenue (minimum standards for interior of structures violation) *cv*

Inspector Velez presented the case and read the violation into the record. Service was achieved by posting. An Affidavit of posting was submitted as Town's Composite Exhibit 1 without objection. Photographs taken on February 10, 2020 were submitted as Town's Composite Exhibit 1 without objection.

Based on the condition of the property and the continued complaints a lien was recommended for violation of town code section 9-51(b) for thirty three (33) days of non-compliance at \$100.00 per day for one (1) violations resulting in a lien in the amount of \$3,300.00 along with \$500.00 cost recovery fee for a total lien in the amount of \$3,800.00. A request was made to allow the town to access the property to abate the nuisance of the unsecured windows if necessary.

Special Magistrate Edwards so ordered.

8. NEW BUSINESS

9. OLD BUSINESS

10. CITATION AGENDA

10.1 Case #2020-0001: Subway, 13606 W State Rd 84, Citation #0740 (Design and placement of certain temporary signs violation) *SP*
Kam Hanif, 13606 W State Road 84 was present earlier in the hearing
Citation #740 was corrected and paid prior to the hearing.

10. ADJOURNMENT

There being no further matters to discuss, the hearing was adjourned at 11:00 A.M.