



**TOWN OF DAVIE  
RECORD OF  
SPECIAL MAGISTRATE HEARING  
APRIL 9, 2019**



**1. CALL SESSION TO ORDER**

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

**2. CALL OF THE CASES**

Respondents were present for Case #18-031714, #18-042271, #18-042272, #17-000458, #18-040603, #17-018853

**3. UNCONTESTED CASES**

**4.3 Case #19-000737 :** Edward Echarte, 6250 SW 41 Place (continued from March 12, 2019)<sup>2</sup> (installation of improvements violation)<sup>ss</sup>

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

**4.4 Case #19-009020 (aka #19-008337):** Juliana Gomez and Occupant, 7080 Nova Drive #302B (dog attack/leashing/license and rabies vaccinations violation)<sup>KB</sup>

Action was withdrawn by the Town.

**4.5 Case #19-009413:** Donna H. Silver, 2171 SW 117 Terrace (derelict property/vehicles prohibited/nuisance/eyesore violation)<sup>CV</sup>

Donna Silver was present earlier in the hearing

A continuance to the Special Magistrate hearing of May 7, 2019 was requested by the Town; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

**4.6 Case #19-012447:** Orazio and Dayana Perrozzi, 1091 SW 129 Way (general regulations/maintenance of rights-of-way and swales on public or private property/trash waste and garbage/litter and unsightly matter/nuisance/eyesore violation)<sup>KM</sup>

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

#### 4. FORMAL HEARINGS OF CONTESTED MATTERS

**4.1 Case #18-042271:** Florida Enterprises and Co. Inc., 13431 SW 8 Street (continued from February 26, 2019)<sup>5</sup>(non permitted uses prohibited violation) KM

Erik Koopal, President Florida Enterprise and Co., Inc.

James J. Hurchalla, Esq. 1700 E Las Olas Blvd, Ft. Lauderdale, FL

Mitch Lipton, Chief Structural Inspector, Town of Davie was present

Inspector Massey testified no further inspections have taken place since the hearing dated February 26, 2019. At this time based on the testimony no access has been granted to enter the property and the auxiliary structures have not been permitted nor removed.

Mr. Hurchalla, Esq. testified his client did try to reach out to Mr. Lipton but as stated this did not occur. Mr. Koopal misunderstood the status of the additional structures at the property. Mr. Koopal was under the impression he could make alterations to the additional structures which would allow them to remain. Mr. Hurchalla stated now that he has been retained he will be the point of contact and assist with moving the cases forward.

A discussion was held on the final order issued by the magistrate at the hearing of February 26, 2019. Mr. Koopal presented a copy of a letter from Mr. Ocando stating he is related to the occupants of the home by marriage. This letter was submitted as Respondents Exhibit 1 with objection from the Town based on the fact it was not notarized nor was it dated. Special Magistrate Tell requested at the hearing on June 25, 2019 a copy of a marriage license from the parties needs to be presented and a member of the family be present to verify the martial status.

An inspection was scheduled with Mitch Lipton and Mr. Koopal for April 12, 2019 at 10:00 AM to visit the property at 13431 SW 8 Street and 13430 SW 7 Place to determine the renovation of the interior as well as the auxiliary structures.

Mr. Hurchalla requested the fines not continue to accrue until compliance can be achieved by either a permit or demolition.

A continuance to the Special Magistrate hearing of June 25, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

**4.2 Case #18-042272 :** Florida Enterprises and Co. Inc., 13430 SW 7 Place (continued from February 26, 2019)<sup>5</sup>(non-permitted uses prohibited violation) KM

Erik Koopal, President Florida Enterprise and Co., Inc.

James J. Hurchalla, Esq. 1700 E Las Olas Blvd, Ft. Lauderdale, FL

Mitch Lipton, Chief Structural Inspector, Town of Davie was present

The violations at this property were discussed under Case 17-000458.

An inspection was scheduled with Mitch Lipton and Mr. Koopal for April 12, 2019 at 10:00 AM to visit the property at 13431 SW 8 Street and 13430 SW 7 Place to determine the renovation of the interior as well as the auxiliary structures.

Mr. Hurchalla requested the fines not continue to accrue until compliance can be achieved by either a permit or demolition.

A continuance to the Special Magistrate hearing of June 25, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

#### 5. NON COMPLIANCE

RECORD OF  
SPECIAL MAGISTRATE HEARING  
APRIL 9, 2019

**5.1 Case #17-000458** : Florida Enterprises & Co. Inc., 13431 SW 8 Street  
(continued from February 26, 2019)<sup>5</sup>(building permit required violation) KM

Erik Koopal, President Florida Enterprise and Co., Inc.

James J. Hurchalla, Esq. 1700 E Las Olas Blvd, Ft. Lauderdale, FL

Mitch Lipton, Chief Structural Inspector, Town of Davie was present

The violations at this property were discussed under Case 18-042272

Mitch Lipton testified he has not been able to make contact with Mr. Koopal to meet at the property which has not yet taken place. According to Mr. Lipton, the structures must be removed.

Mr. Hurchalla stated they were under the impression these structures could remain if they were used as sheds.

Inspector Massey testified to the building permits by visual drive by the structure still exists at the property as of April 8, 2019. No further inspections have taken place and a meeting needs to be established.

A discussion on the addition to the mobile home was held. Mr. Hurchalla spoke on behalf of Mr. Koopal as to the current cost recovery fees and potential fines. Mr. Hurchalla requested the fines not continue to accrue until compliance can be achieved by either a permit or demolition.

An inspection was scheduled with Mitch Lipton and Mr. Koopal for April 12, 2019 at 10:00 AM to visit the property at 13431 SW 8 Street and 13430 SW 7 Place to determine the renovation of the interior as well as the auxiliary structures.

The continuance has been granted on the condition that on or before June 25, 2019 the Respondent will meet with the Town of Davie Structural Inspector at the property to inspect the interior of the trailer and to pay all outstanding cost recovery fees. Any and all fines which may have accrued for violation of the Final order shall be abated until the hearing on June 25, 2019 and shall not continue to accrue, unless the Respondent fails to comply with the conditions for granting this continuance. In the event of non-compliance the Special Magistrate reserves jurisdiction to impose fines for non-compliance with the aforesaid Final order and assessment of costs.

Special Magistrate Tell so ordered.

**5.2 Case #17-018853:** Mark Kaplan, 11936 SW 9 Manor (storage of abandoned property on public or private land violation) CV

Mark Kaplan, was present at the hearing

Inspector Velez read the violations 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 April 8, 2019 were submitted as Town's Composite Exhibit 2 without objection.

Mr. Kaplan stated he was unaware he was in violation of a final order and had not paid any cost recovery fees. A copy of the file was provided to Mr. Kaplan at the hearing. Mr. Kaplan made payment of the cost recovery fees at the hearing and requested any further notices be mailed to him via regular mail. Mr. Kaplan stated he will remove the a/c condenser in his front walkway and will contact the inspector when completed.

A continuance to the Special Magistrate hearing of May 21, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

RECORD OF  
SPECIAL MAGISTRATE HEARING  
APRIL 9, 2019

**5.3 Case #17-075516:** IDL Group Services Corp., 3084 SW 112 Avenue (maintenance standards of exterior premises/overgrowth/nuisance (health, safety and welfare) violation) CV

The violation was dismissed without prejudice to the existing final order.  
Special Magistrate Tell so ordered.

**5.4 Case #18-024608:** 13241 SW 7<sup>th</sup> Place Trust and Rafael Meneses (occupant), 13241 SW 7 Place (RV/trailer code violation/storage of abandoned property on public or private land/maintenance standards of exterior premises violation) KM

The violation was dismissed without prejudice to the existing final order. A cost recovery fee of \$400.00 was assessed.

Special Magistrate Tell so ordered.

**5.5 Case #18-031714:** James J. Jr. and Pamela S. Shrouder, 2220 SW 139 Avenue (engineering permit required violation) KM

Pamela Shrouder was present earlier in the hearing

A continuance to the Special Magistrate hearing of June 25, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

**5.6 Case #18-034870:** Robert Vanreed and SV Davie MHC LLC, 13360 SW 6 Place (nuisance to be declared violation) KM

A continuance to the Special Magistrate hearing of June 11, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Tell so ordered.

**5.7 Case #18-040603 (f.k.a. Building Case #2017-0002):** Florida Enterprises & Co. Inc., 13430 SW 7 Place (continued from February 26, 2019)<sup>3</sup>(building permit required violation) KM

Erik Koopal, President Florida Enterprise and Co., Inc.

James J. Hurchalla, Esq. 1700 E Las Olas Blvd, Ft. Lauderdale, FL

Mitch Lipton, Chief Structural Inspector, Town of Davie was present

The violations at this property were discussed under Case 18-042272

An inspection was scheduled with Mitch Lipton and Mr. Koopal for April 12, 2019 at 10:00 AM to visit the property at 13431 SW 8 Street and 13430 SW 7 Place to determine the renovation of the interior as well as the auxiliary structures.

Mr. Hurchalla requested the fines not continue to accrue until compliance can be achieved by either a permit or demolition.

The continuance has been granted on the condition that on or before June 25, 2019 the Respondent will meet with the Town of Davie Structural Inspector at the property to inspect the interior of the trailer and to pay all outstanding cost recovery fees. Any and all fines which may have accrued for violation of the Final order shall be abated until the hearing on June 25, 2019 and shall not continue to accrue, unless the Respondent fails to comply with the conditions for granting this continuance. In the event of non-compliance the Special Magistrate reserves jurisdiction to impose fines for non-compliance with the aforesaid Final order and assessment of costs.

Special Magistrate Tell so ordered.

**5.8 Case #18-057382:** The Secret Attic Davie Corp., Thomas F. and Carolyn C. Gill, 4166 SW 64 Avenue (continued from March 12, 2019)<sup>1</sup>(nuisance/eyesore violation) DN

RECORD OF  
SPECIAL MAGISTRATE HEARING  
APRIL 9, 2019

A continuance to the Special Magistrate hearing of May 7, 2019 was requested by the Town; no cost recovery fee was assessed.  
Special Magistrate Tell so ordered.

**5.9 Case #18-064873 (fka #2014-0500):** Michael Shuman, 8255 SW 42 Court (continued from February 26, 2019)<sup>2</sup>(landscape maintenance/nuisance violation) <sup>CV</sup>  
A continuance to the Special Magistrate hearing of June 25, 2019 was requested by the Town; no cost recovery fee was assessed.  
Special Magistrate Tell so ordered.

## 6. LOCAL BUSINESS TAX RECEIPT

**6.1 Case #2019-0015:** Ferrari Construction Equipment LLC and Chay and Chay LLC, 10200 W State Road 84 (local business tax receipt required violation) <sup>SES</sup>  
The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

**6.2 Case #2019-0016:** CAF Transportation LLC and Chay and Chay LLC, 10200 W State Road 84 (local business tax receipt required violation) <sup>SES</sup>  
The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

**6.3 Case #2019-0017:** CODA Media Corp., d/b/a The Flyer and Chay and Chay LLC, 10200 W State Road 84 (delinquency/transfer of license/local business tax receipt required violation) <sup>SES</sup>  
The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

**6.4 Case #2019-0018:** Claver LLC d/b/a Le Café Francais and Prisa II Davie SC LLC, 4601-4777 South University Drive (inspection by the Fire Department; approval by the Director of the Development Services Department or his designee; approval by Fire Chief/delinquency violation) <sup>SES</sup>  
A continuance to the Special Magistrate hearing of May 7, 2019 was requested by the Town; no cost recovery fee was assessed.  
Special Magistrate Tell so ordered.

## 7. NEW BUSINESS

## 8. OLD BUSINESS

## 9. CITATION AGENDA

**9.1 Case #19-012806:** Paul M. DeGiovanni, 5801 S. University Drive, 4800 S. Pine Island Road #51 (manner of keeping animals violation) <sup>KB</sup>  
Citation 228 - was paid prior to the hearing - violation was corrected.

## 10. ADJOURNMENT

There being no further matters to discuss, the hearing was adjourned at 12:00 P.M.