



**TOWN OF DAVIE  
RECORD OF  
SPECIAL MAGISTRATE HEARING  
JUNE 9, 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 Alan Gabriel, Code Compliance Official Danny Stallone, Code Compliance Supervisor Rick Berni, Code Compliance Inspector Kim Massey, Code Compliance 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 19-085791, 16-047568

**4. UNCONTESTED CASES**

**5.1 Case #17-041141** : Lakeside Village of Davie Property Owner's Assoc. Inc., 6950 Griffin Road (continued from December 10, 2019)<sup>14</sup>(installation and maintenance/prohibition of tree abuse; exceptions; administrative appeal/minimum landscape standards violation) <sup>MH</sup>

A continuance to the Special Magistrate hearing of September 22, 2020 was requested by the respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

**5.2 Case #18-021258** : Lakeside Village of Davie LLC and Lakeside Village of Davie Condominium Association Inc., and ET AL, 6950 Griffin Road #C8 (continued from December 10, 2019)<sup>8</sup>(installation and maintenance /prohibition of tree abuse; exceptions; administrative appeal/minimum landscape standards/miscellaneous requirements/minimum landscape standards violation) <sup>MH</sup>

A continuance to the Special Magistrate hearing of September 22, 2020 was requested by the respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

**5.4 Case #19-085804** : Eugene Holding LLC, 4844 SW 64 Avenue (continued from February 25, 2020)<sup>1</sup>(Florida building code/non permitted uses prohibited/storage on residential property prohibited/commercial vehicles parking prohibited/vehicle signage code violation/location of license; zoning regulation/local business tax receipt required/general regulations; accessory uses and structures/boarding in hurricane season/nuisance/eyesore violation) <sup>MH</sup>

A continuance to the Special Magistrate hearing of September 22, 2020 was requested by the respondent; \$50.00 cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

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**5.5 Case #20-013566:** Target Asset Group LLC, 13900 SW 24 Street (minimum standards for maintenance of premises/maintenance standards of exterior premises/minimum standards for interior of structures/trash waste and garbage/overgrowth/minimum landscape standards/maintenance of rights-of-way and swales on public or private property violation) <sup>KM</sup>

A continuance to the Special Magistrate hearing of August 4, 2020 was requested by the respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

**5.6 Case #20-014768:** Home Depot USA Inc., 5801 S University Drive, (overgrowth violation) <sup>MH</sup>

Inspector Hernandez obtained an agreed final order to remain in compliance the respondent and comply with town code section 9-51(b) along with cost recovery fee of \$150.00. The Consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Gabriel so ordered.

**5.7 Case #20-016580:** Davie Associates LLC and Walmart Neighborhood Market, 8550-8580 Stirling Road (installation and maintenance/minimum landscape standards violation) <sup>JJ</sup>

The violations were cancelled prior to the hearing without prejudice to future action; no cost recovery fees were assessed.

**5.8 Case #20-019821:** Hip Pops LLC, town-wide (required application for peddler or solicitor permit/restrictions on the use of streets/nuisance violation) <sup>CV</sup>

The violations were cancelled prior to the hearing without prejudice to future action; no cost recovery fees were assessed.

**5.9 Case #20-020536:** Mr. Cool Ice Cream LLC, town-wide (required application for peddler or solicitor permit/restrictions on the use of streets/nuisance violation) <sup>RB</sup>

The violations were cancelled prior to the hearing without prejudice to future action; no cost recovery fees were assessed.

## 5. FORMAL HEARINGS OF CONTESTED MATTERS

**5.3 Case #19-085791 :** Jenna Melchionno and Marshall's Tree Service and Landscaping LLC, 13941 SW 22 Place (continued from March 10, 2020)<sup>2</sup>(noise disturbance prohibited/noise measurement violation) <sup>KM</sup>

Carlos Londono, Vernis & Bowling Attorneys at Law

Jenna Melchionno, Respondent 13941 SW 22 Place, was present

Special Magistrate Gabriel issued a Final Order with ten (10) days to comply with violation of town code sections 15-3, 15-7 and 15-9 along with cost recovery fee of \$350.00.

Mr. Londono requested the Town reconsider the cost recovery fee based on the hearing held on March 10, 2020 as well as a review of the final order. Mr. Londono was advised a conference call could be set up with the code division to address any concerns he had with the final order.

Special Magistrate ruled on the order.

## 6. BUILDING DEPARTMENT

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**6.1 Case #2020-0014** : Ion and MaryRus, 7500 Peppertree Circle N (continued from March 10, 2020)<sup>1</sup>(building permit required violation) NT

A continuance to the Special Magistrate hearing of August 4, 2020 was requested by the respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

## 7. NON COMPLIANCE

**7.1 Case #16-047568**: Gonzalo Vasquez and Veronica Vasquez, 5630 SW 38 Street (storage of abandoned property on public or private land/residential trailer code violation/nuisance and eyesore violation) SS

Veronica Vasquez, 5630 SW 38 Street, property owner

Inspector Silber 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 March 4, March 5, March 11, April 9 and May 28, 2020 were submitted as Town's Composite Exhibit 2 without objection.

The inspector testified while visiting the location, the derelict vehicles and the "monster truck" were observed on the days the photographs were taken.

Ms. Vasquez testified the vehicles are her sons and they have asked him to relocate. The derelict vehicle has been removed. Her son is having difficulty finding a location for the "monster truck" parked in the rear yard.

Based on a final order issued on September 28, 2016 a lien was recommended for Eighty-five (85) days for the violation of town code section 11-17 and 12-33(G)(4).

After the testimony of Ms. Vasquez and her efforts to bring the property into compliance a recommended lien for five day (5) days that the derelict vehicle and truck were parked resulted in a lien in the amount of \$500.00 along with \$500.00 cost recovery fee for a total lien in the amount of \$1,000.00.

Ms. Vasquez asked for additional time to pay the fine.

Special Magistrate Gabriel so ordered.

**7.2 Case #17-064334**: NRM Group LLC, 1275 SW 130 Avenue (overgrowth violation) DP

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect.

Special Magistrate Gabriel so ordered.

**7.3 Case #18-028883** : Eveling and Orlando Capote, 2700 SW 121 Terrace (continued from March 10, 2020)<sup>3</sup>(non permitted uses prohibited violation) CV

A continuance to the Special Magistrate hearing of September 15, 2020 was requested by the respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

**7.4 Case #18-051906** : Robert and Tylie Guzzo d/b/a TLC Pet Boarding LLC, 1249 S Flamingo Road (continued from February 25, 2020)<sup>1</sup>(location of license; zoning regulation/business tax required/non permitted uses prohibited violation) DP

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect.

Special Magistrate Gabriel so ordered.

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**7.5 Case #18-074389:** Donna M. Mallion, 12680 SW 34 Place (running at large prohibited, declared nuisance violation) <sup>KB</sup>  
The violation was dismissed without prejudice to the existing final order which will remain in full force and effect.  
Special Magistrate Gabriel so ordered.

**8. LOCAL BUSINESS TAX- NON COMPLIANCE**

**8.1 Case #2018-0026:** Roni and Sharona Elgazar and First Call 24/7 Inc., 1650 SW 117 Avenue (continued from March 10, 2020)<sup>7</sup>(non-permitted uses prohibited/storage on residential property prohibited/commercial vehicles parking prohibited/vehicle signage code violation/nuisance/eyesore violation) <sup>SP</sup>  
A continuance to the Special Magistrate hearing of July 21, 2020 was requested by the respondent; a \$50.00 cost recovery fee was assessed.  
Special Magistrate Gabriel so ordered.

**9. NEW BUSINESS**

**10. OLD BUSINESS**

**11. CITATION AGENDA**

**11.1 Case #20-015462:** Javier Bonilla, 13180 SW 8 Street (general regulations violation) <sup>KM</sup>  
**Citation #487 Paid - violation corrected**

**11.2 Case #20-021853:** Shohreh Molmed, 4641 SW 70 Terrace (nuisance violation) <sup>MH</sup>  
Inspector Herndandez presented the case and read the violation into the record. Service was achieved by certified mail. A copy of the electronic notification was submitted as Town's Exhibit 1 without objection. Photographs taken on were submitted as Town's Exhibit 2 without objection.  
A lien for Citation #1001 in the amount of \$75.00 along with cost recovery fee of \$50.00 for a total lien in the amount of \$125.00 will be assessed against the property.  
Special Magistrate Gabriel so ordered.

**12. ADJOURNMENT**

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