



**TOWN OF DAVIE
RECORD OF
SPECIAL MAGISTRATE HEARING
SEPTEMBER 10, 2019**



1. 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 Catherine Velez, Code Compliance Inspector Stephanie Silber, Code Compliance Inspector Sarah Santisteban, Animal Control Officer Karen Borsoni, and Recording Secretary Grace Farrar

2. CALL OF THE CASES

Respondents were present for Case #2018-0026, #19-042890

3. UNCONTESTED CASES

4.1 Case #17-041141 : Lakeside Village of Davie Property Owner's Assoc. Inc., 6950 Griffin Road (continued from June 11, 2019)¹²(installation and maintenance/prohibition of tree abuse; exceptions; administrative appeal/minimum landscape standards violation) ^{MH}

A continuance to the Special Magistrate hearing of December 10, 2019 was requested by the Town; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered

4.2 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 June 11, 2019)⁶(installation and maintenance /prohibition of tree abuse; exceptions; administrative appeal/minimum landscape standards/miscellaneous requirements/minimum landscape standards violation) ^{MH}

A continuance to the Special Magistrate hearing of December 10, 2019 was requested by the Town; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered

4.3 Case #19-036358 : Michols and Mirger Orsini, Occupants and Western Hills MHC LLC, 520 SW 131 Avenue (continued from July 9, 2019)¹(nuisance to be declared/building permit required; Florida building code section 116.2.1.2.9; Florida administrative code section 15C-2.0081 unapproved modifications to a mobile home/non permitted uses prohibited/mobile home registration requirements violation)^{KM}

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

4.4 Case #19-042503: Digna R. Escobar and Occupant, 3741 SW 60 Avenue (minimum standards for interior of structures violation) ^{SS}

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

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4.6 Case #19-049445: Salvatore Falletti, 8617 SW 17 Court (derelict property/vehicles prohibited/nuisance/eyesore violation)^{cv}
The violations were cancelled prior to the hearing; no cost recovery fees were assessed.

4.8 Case #19-051293: Patricia Nicolau and Jazbo I. Garcia, 8300 SW 27 Place (general regulations violation)^{cv}
A continuance to the Special Magistrate hearing of October 8, 2019 was requested by the Town; no cost recovery fee was assessed.
Special Magistrate Gabriel so ordered

4.9 Case #19-051563: Sean A. March and Elizabeth Cecil, 1811 W Oak Knoll Circle (maintenance standards of exterior premises violation)^{cv}
A continuance to the Special Magistrate hearing of October 22, 2019 was requested by the Town; no cost recovery fee was assessed.
Special Magistrate Gabriel so ordered

4. FORMAL HEARINGS OF CONTESTED MATTERS

4.5 Case #19-042890: Christopher Dale Yonkman H/E and Crystal Ann Yonkman H/E ETAL, 12010 SW 32 Street (building permit required/business tax required/filling of lakes and ponds prohibited, exception/engineering permit required/commercial vehicle signage code violation/non-permitted uses prohibited violation)^{cv}
Edward Yonkman was present earlier in the hearing.
Inspector Velez obtained an agreed final order with the respondent to comply within thirty (30) days with violation of town code sections 5-1, 13-17, 12-33(P), 12-328, 12-33(G) and 12-32 along with cost recovery fee of \$250.00. The Consent agreement was submitted as Town's Exhibit 1 without objection.
Special Magistrate Gabriel so ordered.

4.7 Case #19-050163: RIDAN LLC and Occupant, 3700 SW 55 Avenue (derelict vehicles prohibited/overgrowth violation)^{ss}
Inspector Silber obtained an agreed final order to remain in compliance with violation of town code sections 11-17 and 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.

4.10 Case #19-051746: Rick Miller, 6221 SW 38 Street (RV/Trailer code violation/obstructing sidewalk prohibited violation)^{ss}
Inspector Silber obtained an agreed final order to remain in compliance with violation of town code sections 12-33(G) (4) and 21-22 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.

4.11 Case #19-052254: Guitry Gachelin, 11490 SW 22 Court (overgrowth violation)^{cv}

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Inspector Velez presented the case and read the violations into the record. Service was achieved by posting. An affidavit of posting was submitted as Town's Exhibit 1 without objection. Photographs taken by the inspector on August 2 and September 9, 2019 were submitted as Town's Composite Exhibit 2 without objection.

Inspector Velez recommended a final order with thirty (30) days to comply with violation of town code section 9-51(b) along with cost recovery fee of \$350.00. Should the respondent fail to comply with this final order, the Special Magistrate authorizes the Town to abate the property at the respondent's expense.

Special Magistrate Gabriel so ordered.

4.12 Case #19-053655: Rebecca Garcia, Sam Wagner and Occupant, 3870 SW 60 Terrace (overgrowth/trash waste and garbage violation) ^{ss}

Inspector Silber obtained an agreed final order with Mr. Sam Wagner to remain in compliance with violation of town code sections 9-2 and 9-51(b) along with cost recovery fee of \$150.00. A request to remove Rebecca Garcia from the code action was ordered. The consent agreement was submitted as Town's Exhibit 1 without objection.

Special Magistrate Gabriel so ordered.

5. NON COMPLIANCE

5.1 Case #17-076009 f.k.a. #2014-0585: Royal Grand Condominium Association Inc., 2660 S. University Drive (continued from July 9, 2019)¹(landscape maintenance/health, safety and welfare violation) ^{ss}

A continuance to the Special Magistrate hearing of October 22, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

5.2 Case #18-028641 : Deochand Doodnauth H/E, Lakshalani D. Ramcharitar and Tristan Painting Inc., 12041 SW 32 Street (continued from July 23, 2019)²(non permitted uses prohibited/commercial vehicles parking prohibited/general regulations (nuisance)/business tax required/standards for specific uses/location of license; zoning regulation/specific prohibitions - noise violation)^{cv}

A continuance to the Special Magistrate hearing of October 22, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

6. LOCAL BUSINESS TAX

6.1 Case #2018-0026 : Roni and Sharona Elgazar and First Call 24/7 Inc., 1650 SW 117 Avenue (continued from July 23, 2019)²(non-permitted uses prohibited/storage on residential property prohibited/commercial vehicles parking prohibited/vehicle signage code violation/nuisance/eyesore violation) ^{SES}

A continuance to the Special Magistrate hearing of October 22, 2019 was requested by the Town; no cost recovery fee was assessed.

Special Magistrate Gabriel so ordered.

6.2 Case #2019-0021 : CWC Transportation LLC and Anthony Deaquino TR, 4201 Kean Road (continued from July 9, 2019)²(local business tax receipt required/requirement for garbage and trash removal/evidence of accumulation violation) ^{SES}

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Greg McAlon, attorney for respondent was present
Inspector Santisteban requested the case be withdrawn.
Special Magistrate Gabriel so ordered.

7. NEW BUSINESS

8. OLD BUSINESS

9. CITATION AGENDA

9.1 Case #19-054333: Orly M. Moshe, 4400 S State Rd 7 (License and permit required; right to solicit at reasonable times, places and under reasonable circumstances violation

Inspector Silber presented the case and read the violations into the record. The citation was signed by the respondent and hand delivered. Photographs taken on August 10, 2019 along with the Broward County Property appraiser aerial showing jurisdiction was submitted as Town's Composite Exhibit 1 without objection.

A Finding of Fact and Conclusion of Law was entered by Special Magistrate Gabriel for Citation #995 in the amount of \$150.00 along with cost recovery fee of \$50.00 for a total lien in the amount of \$200.00 will be assessed.

Special Magistrate Gabriel so ordered.

10. ADJOURNMENT

There being no further matters to discuss, the hearing was adjourned at 10:30 A.M.