



**TOWN OF DAVIE  
RECORD OF  
SPECIAL MAGISTRATE HEARING  
SEPTEMBER 24 , 2019**



**1. CALL SESSION TO ORDER**

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

**2. CALL OF THE CASES**

Respondents were present for Case #19-057194, #19-055277, #19-056580, #19-006802

**3. UNCONTESTED CASES**

**4.1 Case #18-054494** : Peter Mineo Jr. and Pillar Consultants Inc., 5600 Davie Road (continued from August 13, 2019)<sup>6</sup>(tree removal/relocation permit required/remedial actions required for tree abuse violation) <sup>MH</sup>

Code action is withdrawn

**4.3 Case #19-027191** : HWW Davie LLC, 5800 Reese Road (continued from August 13, 2019)<sup>2</sup>(off street parking minimum standards, rules and regulations/installation of improvements/sight distance for landscaping adjacent to public rights-of-way and points of access/modification of site plan/specific prohibitions/nuisance/eyesore violation) <sup>SS</sup>

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**4.4 Case #19-028627** : Jeffrey and Vickie Faulkner and Wells Fargo Bank N.A., 14150 Carlton Drive (continued from August 13, 2019)<sup>2</sup>(maintenance standards of exterior premises/minimum standards for maintenance of premises (j) Swimming pool maintenance and disposal of pool water violation) <sup>KM</sup>

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**4.5 Case #19-050169**: Claudio Hipolito H/E and Dale Finster, 5760 SW 36 Court (Minimum standards for exterior of structures/storage of abandoned property on public or private land violation) <sup>SS</sup>

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

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**4.6 Case #19-055503:** Stephan and Karine Casanova, 9683 Ridgecrest Court (dog attack/running at large prohibited, declared nuisance/license and rabies vaccination violation)<sup>KB</sup>  
The violations were cancelled prior to the hearing; no cost recovery fees were assessed

**4.7 Case #19-056911:** SRP SUB LLC and Occupant, 5851 SW 54 Terrace (derelict property/vehicles prohibited violation)<sup>MH</sup>  
The violations were cancelled prior to the hearing; no cost recovery fees were assessed

**4.8 Case #19-057194:** Eton Countryside Condo Assoc %NCS, 5100 SW 64 Avenue (minimum standards for exterior of structures, exterior walls and roofs/maintenance standards of exterior premises, health, safety and welfare violation)<sup>MH</sup>

Diego Borges, PO Box 70247, Oakland Park, FL 33307, property manager for Eton Countryside Condo Assoc.

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**4.10 Case #19-057437:** George R. Seijo, 14480 SW 14 Street (maintenance standards of exterior premises/minimum standards for exterior of structures/storage of abandoned property on public or private land violation)<sup>KM</sup>

A continuance to the Special Magistrate hearing of November 19, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**4.11 Case #19-057502:** Nancy and Theresa McSween, 2708 SW 81 Terrace (derelict vehicles prohibited/nuisance/eyesore violation)<sup>CV</sup>

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

**4.12 Case #19-057507:** 2018-3 IH Borrow LP, 2940 SW 85 Way (trash waste and garbage/overgrowth/nuisance/eyesore violation)<sup>CV</sup>

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

**4. FORMAL HEARINGS OF CONTESTED MATTERS**

**4.2 Case #19-006802 :** Ronald Moncaya and Occupants, Western Hills MHC LLC and Mirella Ronquillo, 526 SW 132 Terrace (continued from August 13, 2019)<sup>4</sup>(nuisance to be declared/non permitted uses prohibited/building permit required/storage of abandoned property on public or private land violation)<sup>KM</sup>

Mirella Ronquillo, 7908 SW 166 Place, was present

Inspector Massey requested Mirella Ronquillo be removed from the action based on the fact she does not have any ownership in the subject property. Special Magistrate Edwards so ordered.

Inspector Massey presented the case and read the violation into the record. Service was achieved by certified mail and posting. An Affidavit of posting along with the electronic notification was submitted as Town's Composite Exhibit 1 without objection. Photographs taken on February 8, 2019 were submitted as Town's

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Composite Exhibit 2 without objection. Photographs taken on January 28, 2019 and March 11, 2019 were submitted as Town's Composite Exhibit 3 without objection.

The inspector recommended a final order with seven (7) days to comply with violation of town code sections 12-32(A) and 5-1 and a final order to remain in compliance with violation of town code sections 6-31(k) and 11-17 along with cost recovery fee of \$350.00.

Special Magistrate Edwards so ordered.

**4.9 Case #19-057417:** Phu and Ann Doan, 13041 SW 7 Place (storage of abandoned property on public or private land/accumulation of garbage or trash/overgrowth violation)<sup>KM</sup>

Inspector Massey presented the case and read the violation into the record.

Service was achieved by posting. An Affidavit of posting along was submitted as Town's Composite Exhibit 1 without objection. Photographs taken on August 13, 2019, September 23, 2019 were submitted as Town's Composite Exhibit 2 without objection.

The inspector recommended a final order with fourteen (14) days to comply with violation of town code sections 9-27 and a final order to remain in compliance with violation of town code sections 11-17 and 9-51(b) along with cost recovery fee of \$350.00.

Special Magistrate Edwards so ordered.

**5. LOCAL BUSINESS TAX RECEIPT**

**5.1 Case #2019-0047:** Titan Structural Inc. and Partners LP LRFI Interstate Industrial LLC, 3750 Hacienda Blvd #D (delinquency/Inspection by the fire department; approval by director of the development services department or his designee; approval by fire chief violation)<sup>SES</sup>

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**5.2 Case #2019-0048:** Warren Contracting & Development Inc. and Partners LP LRFI Interstate Industrial LLC, 3750 Hacienda Blvd #D (delinquency/Inspection by the fire department; approval by director of the development services department or his designee; approval by fire chief violation)<sup>SES</sup>

A continuance to the Special Magistrate hearing of November 5, 2019 was requested by the Respondent; no cost recovery fee was assessed.

Special Magistrate Edwards so ordered.

**6. NON COMPLIANCE**

**7. NEW BUSINESS**

**8. OLD BUSINESS**

**9. CITATION AGENDA**

**9.1 Case #19-055277:** Melanie Pajon and Britney Combs, 5621 SW 55 Avenue (Maintenance of rights-of-way and swales on public or private property violation)<sup>MH</sup>

Britney Combs, was present at hearing

Citation #737 was withdrawn and no further action was taken by the Town.

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**9.2 Case #19-056580 / 19-056183:** Kevin H. and Juliana Gomez, 7080 Nova Drive #302B (License and rabies vaccination/running at large prohibited, declared nuisance violation) <sub>KB</sub>

Miguel Silva, 7100 Nova Dr. #204 was present

Citation #249 and #250 were paid prior to the hearing. The violation was corrected.

**9.3 Case #19-057192:** Gino Dapello, 11021 SW 28 Court (Littering; accumulation of garbage; failure to remove after notice violation) <sub>CV</sub>

Inspector Velez present 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. A photograph taken on August 23, 2019 was submitted as Town's Composite Exhibit 2 without objection. Inspector Velez advised the bulk pick up was September 7, 2019.

A Finding of Fact and Conclusion of Law was entered by Special Magistrate Edwards.

A lien for Citation #263 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 Edwards so ordered.

**10. ADJOURNMENT**

There being no further matters to discuss, the hearing was adjourned at 10:40 A.M.