



**TOWN OF DAVIE  
RECORD OF  
SPECIAL MAGISTRATE HEARING  
OCTOBER 8, 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 #19-051293, #17-000458, #18-042271, #18-042272, #18-040603

**3. UNCONTESTED CASES**

**4.1 Case #19-051293:** Patricia Nicolau and Jazbo I. Garcia, 8300 SW 27 Place (continued from September 10, 2019)<sup>1</sup>(general regulations violation) <sub>cv</sub>

Inspector Velez obtained an agreed final order with the respondent to comply with town code section 12-33(G) (4) within seven (7) days.

The Consent agreement was submitted as Town's Exhibit 1 without objection  
Special Magistrate Tell so ordered.

**4.2 Case #19-057747:** Michael Rubinfeld, 3673 W Forge Road #41 (building permit required/site plan required violation) <sub>DP</sub>

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

**4.3 Case #19-057967:** Katherine Korp, Maria Korp and Juan J. Cruz Orellana, 6150-6152 SW 43 Street (storage of abandoned property on public or private land/RV/Trailer code violation/non permitted uses prohibited/standing or parking on sidewalk violation) <sub>SS</sub>

Inspector Silber obtained an agreed final order with the respondent to remain in compliance with town code sections 11-17, 12-33(G)(4), 12-32 and 24-62 along with cost recovery fee of \$150.00.

The Consent agreement was submitted as Town's Exhibit 1 without objection  
Special Magistrate Tell so ordered.

**4.4 Case #19-058989 aka #19-058746:** Meaghan Toothaker and Alex Woodhouse, 6220 Reese Road (dog attack/running at large prohibited, declared nuisance violation) <sub>KB</sub>

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Inspector Borsoni obtained an agreed final order with the respondent to remain in compliance with town code sections 4-63.1 and 4-63 along with administrative fine in the amount of \$250.00. Muzzle requirements remain in effect for as long as “Brody” resides within the Town of Davie limits.

The Consent agreement was submitted as Town’s Exhibit 1 without objection  
Special Magistrate Tell so ordered.

**4.5 Case #19-060694 AKA #19-060503:** Jeanne McShane - dog caretaker and Shannon L. Massa - dog owner, 14071 Langley Place (dog attack/running at large prohibited, declared nuisance violation)<sub>KB</sub>

Inspector Borsoni obtained an agreed final order with the respondent to remain in compliance with town code sections 4-63.1 and 4-63 no cost recovery fee was assessed.

The Consent agreement was submitted as Town’s Exhibit 1 without objection  
Special Magistrate Tell so ordered.

#### 4. FORMAL HEARINGS OF CONTESTED MATTERS

#### 5. NON COMPLIANCE

**5.1 Case #18-033672:** Carriejet Three LLC, 3761 SW 58 Avenue (overgrowth violation)<sub>SS</sub>

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. No cost recovery fee was assessed.

Special Magistrate Tell so ordered.

**5.2 Case #19-029964 :** Ramond P. Osbourne, 5101 SW 48 Street (continued from August 27, 2019)<sup>4</sup>(storing of abandoned property on public or private lands/damaging public property prohibited/nuisance/eyesore violation)<sub>MH</sub>

Sarah Santisteban testified contact has been made with Mr. Osbourne and the violations has been substantially reduced.

A continuance to the Special Magistrate hearing of November 19, 2019 was requested by the Town; no cost recovery fee was assessed. The town does not forego the ability to issue fines from the date of today’s hearing.

Special Magistrate Tell so ordered.

**5.3 Case #17-000458 :** Florida Enterprises & Co. Inc., 13431 SW 8 Street (continued from July 9, 2019)<sup>8</sup>(building permit required violation)<sub>KM</sub>

James Hurchalla, Esq. attorney for Florida Enterprise & Co., Inc.

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A lien will be assessed for the outstanding cost recovery fee of \$500.00.

Special Magistrate Tell so ordered.

**5.4 Case #18-042271 :** Florida Enterprises and Co. Inc., 13431 SW 8 Street (continued from July 9, 2019)<sup>8</sup>(non permitted uses prohibited violation)<sub>KM</sub>

James Hurchalla, Esq. attorney for Florida Enterprise & Co., Inc.

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A lien will be assessed for the outstanding cost recovery fee of \$800.00.

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Special Magistrate Tell so ordered.

**5.5 Case #18-042272** : Florida Enterprises and Co. Inc., 13430 SW 7 Place  
(continued from July 9, 2019)<sup>8</sup>(non permitted uses prohibited violation) <sub>KM</sub>

James Hurchalla, Esq. attorney for Florida Enterprise & Co., Inc.

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A lien will be assessed for the outstanding cost recovery fee of \$800.00.

Special Magistrate Tell so ordered.

**5.6 Case #18-040603 (f.k.a. Building Case #2017-0002)**: Florida Enterprises & Co. Inc., 13430 SW 7 Place (continued from July 9, 2019)<sup>7</sup>(building permit required violation) <sub>KM</sub>

James Hurchalla, Esq. attorney for Florida Enterprise & Co., Inc.

The violation was dismissed without prejudice to the existing final order which will remain in full force and effect. A lien will be assessed for the outstanding cost recovery fee of \$850.00.

Special Magistrate Tell so ordered.

## 6. NEW BUSINESS

## 7. OLD BUSINESS

## 8. CITATION AGENDA

**8.1 Case #19-059035**: Talal Abikaram, 1731 W Oak Knoll Circle (Littering; accumulation of garbage; failure to remove after notice violation) <sub>CV</sub>  
Citation #264 was paid prior to the hearing - violations corrected

**8.2 Case #19-059567**: Michele S. Ross and Robert A. Davis, 5521 SW 109 Avenue (Littering; accumulation of garbage; failure to remove after notice violation) <sub>DP</sub>  
Citation #481 was dismissed

## 10. ADJOURNMENT

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