



**TOWN OF DAVIE
RECORD OF
SPECIAL MAGISTRATE HEARING
OCTOBER 22, 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 #18-028641, #2019-0055, #17-076009

3. UNCONTESTED CASES

4.1 Case #19-028243 : Shebah Properties LLC and Occupant, 4701 SW 73 Avenue (continued from August 27, 2019)²(Florida building code/boarding in hurricane season/nuisance/eyesore violation) ^{MH}

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

4.2 Case #19-048416 : Metropolitan Life Insurance Co., 730 SW 134 Terrace (continued from August 27, 2019)¹(building permit required; unapproved modifications to a mobile home/minimum standards for exterior of structures/maintenance standards of exterior premises/overgrowth/mobile home registration requirements violation) ^{KM}

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

4. FORMAL HEARINGS OF CONTESTED MATTERS

4.3 Case #19-051563 : Sean A. Marsh and Elizabeth Cecil, 1811 W Oak Knoll Circle (continued from September 10, 2019)¹(maintenance standards of exterior premises violation) ^{cv}

Inspector Velez 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 Composite Exhibit 1 without objection. Photographs taken on July 30, 2019, were submitted as Town's Composite Exhibit 2 without objection. The testimony of the inspector the violation continues to remain.

The inspector recommended a final order with seven (7) days to comply with violation of town code sections 6-36(k) along with cost recovery fee of \$350.00.

Special Magistrate Edwards so ordered.

4.4 Case #19-062641: Paula Weber, 4101 SW 101 Avenue (dog attack/running at large, declared nuisance) ^{KB}

**RECORD OF
SPECIAL MAGISTRATE HEARING
OCTOBER 22, 2019**

Animal Control Officer Borsoni obtained an agreed final order to remain in compliance with town code sections 4-63.1 and 4-63 along with cost recovery fee of \$150.00. A muzzle requirement remains in effect for as long as "Roscoe" resides within the Town of Davie limits.

The consent agreement was submitted as Town's Exhibit 1 without objection. Photographs taken on September 16, 2019 along with animal hospital printout and a proof of vaccination and rabies was submitted as Town's Composite Exhibit 2 without objection.

Special Magistrate Edwards so ordered.

4.5 Case #19-063032: Mike Barber and Occupant, 4060 SW 58 Avenue (storage of abandoned property/RV - trailer code violation/minimum landscape standards/nuisance/eyesore)^{ss}

Inspector Silber obtained an agreed final order with the respondent to remain in compliance with violation of town code sections 11-17, 12-33(G)(4), 6-37(d) and 12-33(U) along with cost recovery fee of \$150.00.

The consent agreement was submitted as Town's Exhibit 1 without objection. Special Magistrate Edwards 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 September 10, 2019)²(landscape maintenance/health, safety and welfare violation)^{ss}

Kevin Moore, Esq. attorney for Royal Grand Condominium Association
Mike Whittle, Property Manager was present
Chief Landscape Inspector Joseph Jimenez

A discussion was held with all the parties on the necessary landscape maintenance corrections that need to take place.

A copy of a punch list signed by the respondent's representatives was submitted as Town's Composite Exhibit 1 without objection.

The code compliance division is confident that based on the current cooperation of all parties, the violations will be corrected and compliance achieved by the next hearing date of December 10, 2019.

A continuance was granted and not cost recovery fee assessed. If the respondents fail to achieve compliance they will be subject to code penalties and fines.

Special Magistrate Edwards so ordered.

5.2 Case #18-028641: Deochand Doodnauth H/E, Lakshalani D. Ramcharitar and Tristan Painting Inc., 12041 SW 32 Street (continued from September 10, 2019)³(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}

Deochand Doodnauth, property owner

Inspector Phillips presented the case and provided to the respondent the outstanding violation. Mr. Doodnauth told the magistrate the Division of Corporations has been changed to reflect a new address for the business named Tristian Cleaning Services. Inspector Phillips submitted a Sunbiz printout dated October 21, 2019 that did not reflect any changes.

**RECORD OF
SPECIAL MAGISTRATE HEARING
OCTOBER 22, 2019**

The violation was dismissed without prejudice due to the testimony of Mr. Doodnauth. The final order will remain in full force and effect. Mr. Doodnauth was provided a copy of the final order and told of the outstanding cost recovery fee of \$250.00.

Special Magistrate Edwards so ordered.

5.3 Case #18-030153: Nancy Miller, 6141 SW 38 Street (storage of abandoned property/standing or parking on sidewalk)^{SS}

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.

5.4 Case #19-046328: Nob Hill Partners LLC, 6250-6370 Griffin Road (signs on rights-of-way and public property/design and placement of certain temporary signs violation)^{MH}

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.

6. LOCAL BUSINESS TAX RECEIPT

6.1 Case #2019-0037: Makpro Repairs II LLC and Davie Investments LLC, 7156 Stirling Road (Location of license; zoning regulation violation/local business tax receipt required violation.)^{SES}

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

6.2 Case #2019-0054: Nob Hill Partners LLC / Broward Student Housing LLC, dba University Pointe; 6250 - 6370 Griffin Road (location of license; zoning regulation/local business tax receipt required violation)^{SES}

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

6.3. Case #2019-0055: Atlantic Recovery Center LLC and University Park Holdings LLC, 5400 S University Drive #305B (inspection by the fire department)^{SES}

Anika Castro, Property Manager

Inspector Santisteban obtained an agreed final order with the respondent to comply with violation of town code section 13-21(a) within thirty (30) days along with cost recovery fee of \$250.00.

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

6.4. Case 2019-0056 : Sign Ninjaz LLC and Rodeo Square 6191 SW 45 Street #6179 (location of license; zoning regulations/local business tax receipt required violation)^{SES}

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

**RECORD OF
SPECIAL MAGISTRATE HEARING
OCTOBER 22, 2019**

6.5. Case 2019-0057 : Love In Vintage Inc. and Athos Rentals LLC, 10396 W State Rd 84 #106 (location of license; zoning regulation/local business tax receipt violation) ^{SES}
The violations were cancelled prior to the hearing; no cost recovery fees were assessed

6.6. Case 2019-0058 : Law Office of Alan S. Feldman PA and Athos Rentals LLC, 10396 W State Road #106 (location of license; zoning regulation/local business tax receipt violation) ^{SES}
The violations were cancelled prior to the hearing; no cost recovery fees were assessed

7. LOCAL BUSINESS TAX - NON COMPLIANCE

7.1 Case #2018-0026 : Roni and Sharona Elgazar and First Call 24/7 Inc., 1650 SW 117 Avenue (continued from September 10, 2019)³(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 December 10, 2019 was requested by the Respondent; no cost recovery fee was assessed.
Special Magistrate Edwards so ordered.

8. OLD BUSINESS

9. CITATION AGENDA

9.1 Case #19-061308: Neil Rubin, 4451 SW 95 Avenue (Littering; accumulation of garbage; failure to remove after notice violation) ^{CV}
Citation #265 was paid prior to the hearing. The violation was corrected.

9.2 Case #19-061943: Shimeka T. Blue, 5861 Toscana Drive #1417 (License and rabies vaccination violation) ^{KB}
Animal Control Officer Borsoni presented the case and read the violation into the record. The citation was signed by Ms. Blue. A photograph taken by the inspector along with a copy of Incident Report 19-061943 and 19-061751 was submitted as Town's Composite Exhibit 1 without objection.
A Finding of Fact and Conclusion of Law was entered by Special Magistrate Edwards for violation of Town code sections 4-62. A muzzle requirement remains in effect for as long as "Kimbo" resides within the Town of Davie limits.
A lien for Citation #906 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.

9.3 Case #19-062225: Javier Bonilla, 13180 SW 8 Street (Storing of abandoned property on public or private lands; prohibited; exception violation) ^{KM}
Inspector Massey 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. A photograph taken on March 7, 2019 and September 10, 2019 was submitted as Town's Composite Exhibit 2 without objection.

**RECORD OF
SPECIAL MAGISTRATE HEARING
OCTOBER 22, 2019**

A Finding of Fact and Conclusion of Law was entered by Special Magistrate Edwards for violation of town code section 11-17.

A lien for Citation #474 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.

9.4 Case #2019-0051: Phoenix International Holding Inc. , 3650 Hacienda Blvd. #A, Citation #287 (Location of licensee; zoning regulation) ^{SES}
Citation #287 was paid prior to the hearing. The violation was corrected.

9.5 Case #2019-0052 : Gooser Ink , 3650 Hacienda Blvd. #C, Citation #288 (Location of licensee; zoning regulation) ^{SES}
Citation #288 was paid prior to the hearing. The violation was corrected.

9.6 Case #2019-0053: Yacht Furnishing by Eclipse LLC, 7050 W State Road 84 #16, Citation #289 (Inspection by the fire department) ^{SES}
Inspector Santisteban present the case and read the violation into the record. Service was achieved by signature.

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

A lien for Citation #289 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.

11. ADJOURNMENT

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