



# **SPECIAL MAGISTRATE HEARING**

**City of Greenacres, Florida**

Wednesday, May 29, 2024 at 3:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

## **AGENDA**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

**Approval of Minutes - 3/27/24**

**Next scheduled Meeting - 6/26/24**

### **NEW BUSINESS**

1. Case 12-23-10079 - Canalakes H.O.A. - Infinity Property Mgmt - 3107m Poolside Dr - Clubhouse

Clubhouse renovations without permits and inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

2. Case 1-24-10129 - Buttonwood Plaza Ltd - 3032 S Jog Rd - Kids In Care

Section 16-172 - Special Exceptions - General Provisions - Certain uses are permissible in designated zoning districts as special exceptions granted by the City Council provided such use is specified under the special exception subsection of the appropriate zoning district.

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Section 16-171 - Statement of Purpose -

The development and execution of a zoning ordinance is based upon the division of the city into districts, within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and features which because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration in each case, of the impact of such uses and features upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and features are therefore treated as special exceptions. A special exception is not the automatic right of any applicant.

Section 8-66(a) - Business Tax Receipt -

Engaging in business without local business tax receipt or under a local business tax receipt issued upon false statements; penalties, prima facie evidence. (a) It shall be unlawful for any person to engage in any business, trade, profession, or occupation taxable by business tax receipt hereunder, without a local business tax receipt or under a local business tax receipt issued upon false statements made by such person, or in his or her behalf. Any person engaged in any such business, profession, or occupation without first obtaining a local business tax for such trade, in addition to the business tax set forth herein.

Section-474(3) - Special Exceptions - Conditions & Safeguards -

3. Case 2-24-101+99 - Chong Lym & Laura Artunduaga - 233 Broward Ave

This case is about commercial vehicles and commercial equipment at a residential property., open storage, building materials and other miscellaneous items on bed of pickup trucks

Section: 14-28(b)1e – Parking of motor vehicles, boats and trailers - The vehicle cannot be; a bus, a trailer except as allowed by section 14 28(c), a semi trailer, a pole trailer, a tow truck, or construction and industrial equipment.

Section: 7-420 - Open Storage - It shall be unlawful for the owner or occupant of a residential building or structure or property to utilize the premises for the open storage or any appliance or other item of personal property, building materials, rubbish, or similar items.

Section: 7-410(a)(1) - Exterior Property Areas - Safety and Sanitation. All exterior property and premises shall be maintained in a clean, orderly, safe and sanitary condition. The following is prohibited: The outdoor storage, presence, accumulation, display or otherwise keeping of any debris, appliances, tools, equipment, chemicals, automotive parts, furniture, building materials, household items, or other similar goods that are not designed for outside use, including without limitation, any abandoned, discarded, or tangible personal property in a state of disrepair.

**CERTIFY FINE**

- 4. Case 4-13-4365, 2003-127, 2007-262 - Edward Napoli 533 Broward Ave

Property maintenance, overgrowth, electrical mechanical and plumbing maintenance, structure being built without permit

**Section:** 7- 27.4 - Property maintenance nuisance declared

(4) The uncontrolled growth of vegetation or any growth of weeds, grass, or other similar ground cover which exceeds twelve (12) inches in height, or rank vegetable growths which exhale unpleasant or noxious odors, or any vegetation or plant material growth which is conducive to harboring vermin, insects, reptiles, or other wild animal life; or

Section: 7-27.5 - Property Maintenance Nuisance Declared - The growth of any vegetation, plant material, or tree which might n time of hurricanes or storms cause damage to life or property within the immediate area of such growth

Section: 3401.6XXXXX - Maintenance - The owner/agent is responsible for the maintenance of building, electrical, mechanical and plumbing systems. Must be in a safe/sanitary condition.

Section 105.4.1 - Permit Intent - A permit issued shall be constructed to be a license to proceed with the work and not as authority to violate, cancel, alter, or set aside any of the provisions of the technical codes, nor shall issuance of a permit to prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall expire unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

**TABLED CERT/ASSESSMENT**

**TABLED CASES**

**APPEAL OF FINE**

**ADJOURNMENT**

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### Meeting Records Request

Any person requesting the appeal of a decision will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

### Notice of Meetings and Agendas

Meetings may be called based on an application and whenever necessary. Agendas are posted on the City's website on the Friday prior to each scheduled meeting. A copy of the meeting audio and the complete agenda may be requested at [cityclerk@greenacresfl.gov](mailto:cityclerk@greenacresfl.gov) or 561-642-2006.

### Americans with Disabilities Act

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Quintella Moorer at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.