



Special Magistrate Hearing City of Greenacres, Florida

Wednesday, February 28, 2024 at 3:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

Minutes

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.

CALL TO ORDER

Special Magistrate Bernard called to order the Special Magistrate Hearing of Wednesday February 28, 2024.

Special Magistrate Bernard requested all witnesses present who would provide testimony stand and be sworn in. She explained the case procedures and stated those persons who admitted a violation existed would coordinate with the City for compliance. For those persons who admitted a violation, the City would present its evidence, the Magistrate would hear the testimony from the property owner/representative and then issue her findings based on the testimony and evidence presented.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - January 31, 2024

NEXT SCHEDULED MEETING - March 27, 2024

NEW BUSINESS

1. **Case 10-23-10003 - Daniel P Mahalic Jr - 2732 Pointe Cir**

Dead tree

Sec. 7-413. - Landscaping and Uncontrolled Growth of Vegetation.

All yards exposed to public view must be landscaped. Landscaping shall be maintained so as to present a healthy, neat and orderly appearance. and shall be mowed or trimmed in a manner and at a frequency so as not to detract from the appearance of the general

area. Landscaping shall be kept free of visible signs of insects and disease and appropriately irrigated and fertilized to enable landscaping to be in a healthy condition.

Officer Jerry Bernal stated a notice was served by an affidavit of posting in file. Mr. Bernal mentioned the property had a dead tree, overgrowth, closed shutters, and over grown vegetation. On February 27, 2024, the shutters, and overgrowth vegetation violations were complied.

Representative Daniel Mahalic stated he spent money on trying to resolve the issue, and believed the dead trees were poisoned.

Magistrate Bernard ordered compliance within 45 days, otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

2. Case 3-23-9740 - Daisy Ricciardi - 5931 Whispering Pine Way #A2

Closed shutters

Section: 7-423 (p) – Shutter and Impact Protection – (p) Shutters and Impact Protection Hurricane protective devices on all buildings must be removed and/or opened no later than fourteen (14) days after the termination of the hurricane event (watch, warning, and actual hurricane or tornado) unless another hurricane event is predicted to occur within the fourteen (14) day time period.

Officer Melanie Daponte stated a notice was served by certified mail. Ms. Daponte stated the case was about closed shutters.

No representative was present.

Magistrate Bernard ordered compliance within 15 days, otherwise a fine of \$ 100.00 per day would accrue until the violation was corrected.

3. Case 5-12-9819 - Edward R Napoli - 533 Broward Ave

Inoperable vehicle, panel covering window, trash, debris and house ID # needed

Section: 7-423 (p) – Shutter and Impact Protection – (p) Shutters and Impact Protection Hurricane protective devices on all buildings must be removed and/or opened no later than fourteen (14) days after the termination of the hurricane event (watch, warning, and actual hurricane or tornado) unless another hurricane event is predicted to occur within the fourteen (14) daytime period.

Sec. 7-419. - Motor Vehicles.

Except as provided for in the Greenacres Code, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. The exception to this requirement is a vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes. and is not otherwise violating any other code or ordinance.

Section: 304.3 Premises Identification - Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

Officer Bernal stated a notice was served by certified mail and affidavit of posting was in the file. Mr. Bernal stated an inoperable vehicle was on the property, a panel was covering a window, trash, debris needed to be cleaned up, and the house ID was required.

No representative was present.

Magistrate Bernard ordered compliance within 15 days otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

4. Case 7-23-9905 - Walter P McMurtry - 125 Jackson Ave

House ID # needed, unregistered vehicle, parking on grass

Section: 302.9 Parking
Motor vehicles may not be parked across public sidewalks; public sidewalks are to remain open for pedestrian traffic at all times

Sec. 7-419. - Motor Vehicles.

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Officer Bernal stated a notice was served by certified mail. Mr. Bernal also mentioned the property required a house ID, unregistered vehicles were parked on the property, and there was parking on the grass.

No representative was present.

Magistrate Bernard ordered compliance within 30 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

CERTIFY FINE

None.

TABLED CERT/ASSESSMENT

None.

TABLED CASES

None.

APPEAL OF FINE

None.

ADJOURNMENT

3:35 PM.

Amity R. Barnard, Esquire, Special Magistrate

Quintella Moorer, MMC, City Clerk

Date Approved: _____