



Special Magistrate Hearing

City of Greenacres, Florida

Wednesday, May 24, 2023 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 Amity R. Bernard, Esquire called to order the Special Magistrate Hearing of Wednesday May 24th, 2023.

Special Magistrate Bernard, Esquire requested all witnesses present who would provide testimony to 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.

APPROVAL OF MINUTES - April 26, 2023

PLEDGE OF ALLEGIANCE

NEXT SCHEDULED MAGISTRATE HEARING - June 28, 2023

NEW BUSINESS

1. Case 10-22-9564 - Adames Nathaly, Reg Agent - Toda Bella Llc - 461 Swain Blvd

Fence installed without permit & inspection

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 302.7replace 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 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Officer Ileinys Capote stated a notice was served by posting, and an affidavit of posting was in the file. Officer Capote mentioned a fence was installed without a permit and inspection.

No representative was present.

Magistrate Bernard ordered compliance within 30 days, otherwise a fine of \$100 per day would accrue until the violation was corrected.

2. Case 11-22-9591 - Aldo Rojas - 210 Jackson Ave

Rear structure being built without permit & inspections. Permit 2022-2006 for pavers denied. Does not meet setbacks.

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 302.7 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.

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Section: 105.6 – Permit Denial or Revocation: Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information the the permit applicant.

Officer Ileinys Capote stated a notice was served by posting, and an affidavit of posting was in the file. Officer Capote mentioned a rear structure constructed without a permit and inspection.

Representative Aldo Rodas applied for a permit, but work had not been completed.

Magistrate Bernard ordered compliance within 45 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

3. Case 2-23-9700 - Haroon Sulaiman, Reg Agent Worth Plaza Llc - 5305 Lake Worth Rd

Various permits that have expired for doing work without permits

Section: 105.4.1 – Permit Intent. A permit issued shall be construed 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 prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid 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.

Officer Ileiny Capote stated a notice was served by certified mail. Officer Capote mentioned various permits had expired and work had continued without permits.

Representative Ladi Marchgoldwire was present and stated a new permit application would be submitted.

Magistrate Bernard ordered compliance within 45 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

TABLED CERT/ASSESSMENT

None.

TABLED CASES

None.

CITATION

None.

APPEAL OF FINE

None.

ADJOURNMENT

3:28pm.

Myrnabelle Roche, Special Magistrate

Quintella Moorer, CMC, City Clerk

Date Approved: _____