



Special Magistrate Hearing City of Greenacres, Florida

Wednesday, October 30, 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 Davis called to order the Special Magistrate Hearing of Wednesday, October 30, 2024.

Special Magistrate Davis 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 of 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 - September 25, 2024

Next Scheduled Special Magistrate Hearing - November 20, 2024.

NEW BUSINESS

1. **1.CASE-1-24-10157 - ROXANA M ORTEGA GODINEZ & MARCO A CORDERO RAMOS - 5841 S 38th CT**

Parcel Number: 18424423070000231

Initiated By: Melanie Daponte

Section: 7-412 -Walkways and Driveways

Section: 105.1 - FBC 105 Permits Required

Section: 7-410 (a)(1) - Exterior Property Areas

Code Enforcement Officer Xavier Morales stated a notice was served by certified mail. Mr. Morales mentioned fixing and maintenance was required for the driveway, there was a pothole on the driveway, doors and windows were installed without a permit, and materials were left out on the property. A permit for installations of the doors and windows have been submitted, materials have removed, but the driveway issues remained.

No representative was present.

Mr. Morales mentioned he has been in contact with the property owner, and the owner had received he property survey for the driveway.

Magistrate Davis ordered compliance within 90 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected for the driveway.

2. 2.CASE-2-24-10189 - DAWN M HINSPETER - 3622 La Playas Ct Suite #D2

Parcel Number: 18424423101020042

Initiated By: Melanie Daponte

Section:7-423 (p) - Shutters and Impact Protection

Mr. Morales stated the case was in compliance as of today's meeting.

3. 3.CASE-4-24-10373 - GAW RENTALS LLC - 103 Timberlane Cir

Parcel Number: 18424427210000013

Initiated By: Xavier Morales

Section: 110.1 - FBC Inspections

Section: 105.1 -FBC 105 Permits Required

Mr. Morales stated the case was in compliance as of today's meeting.

4. 4.CASE-5-24-10398 - BEREL ROSIER & MACKENLY ESTHER ROSIER LINDOR - 1176 Hatteras Cir

Parcel Number: 18424410220000160

Initiated By: Jerry Bernal

Section:105.1 - FBC 105 Permits Required

Code Enforcement Jerry Bernal stated a notice was served by certified mail and an affidavit of posting was in the file. Mr. Bernal mentioned fence and pavers were installed in the rear side of the property without permits, open storage that included tools and debris, and the property was also missing house numbers. Prior to the meeting open storage had been removed, numbers were placed on the property, and the permit for the pavers and fence had been applied for but not issued.

Representative Esther Rosier Lindor was present. It was stated the property owners were unaware of the permit process.

Magistrate Davis ordered compliance within 60 days, otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

5. 5.CASE-6-24-10472 - OMARA & MARIA ROSAL-FRANCO - 83 Bridgette Blvd Suite - LAGO PALMA

Parcel Number: NONE

Initiated By: Xavier Morales

Section: 105.1 -FBC 105 Permits Required

Section: 110.1 -FBC Inspections

Section: 7-423 (p) - Shutters and Impact Protection

Mr. Morales stated a notice was served by affidavit of posting. Mr. Morales mentioned shutters were on the windows, but it was complied prior to the meeting. General

construction had been going on without permits. The mobile home was also missing permits for interior renovations. Building Official placed a "Stop Work" order on July 2, 2024. Window shutters, and air conditioning unit have been complied, but no permits have been applied for the interior renovations.

Representative Maria Rosal-Franco was present, but had her nephew translate. It was stated a contractor was in charge of handling the permits, but he never followed through so a new contractor had to be contacted.

Magistrate Davis ordered compliance within 90 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

6. 6.CASE-6-24-10530 - DAVID GONZALEZ - 3763 Mil Run Ct

Parcel Number: 1842442424000041

Initiated By: Melanie Daponte

Section:7-417 - Accessory Structures

Section: 7-413 - Landscaping & Uncontrolled Growth of Vegetation

Section: 16-1249 (a) -Building permit for vegetation removal required

Section: 14-28b1c - Parking of motor vehicles, boats & trailers

Mr. Morales stated a notice was served by certified mail. Mr. Morales mentioned the driveway needed cleaning and maintenance, a dead tree needs to be removed, and unregistered vehicles parked on the sidewalk.

No representative was present.

Magistrate Davis ordered compliance within 60 days, otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

7. 7.CASE-7-24-10579 - NANCY SPONZO - 303 Knotty Pine Cir Suite - B2

Parcel Number: 18424426153030022

Initiated By: Xavier Morales

Section: 105.1 - FBC 105 Permits Required

Section: 110.1 -FBC Inspections

Mr. Morales mentioned the case was in compliance prior to the meeting.

8. 8.CASE-7-24-10605 - ROBERTO J SANCHEZ & AURA F ROMERO - 5613 S 37 St

Parcel Number: 18424423050070100

Initiated By: Melanie Daponte

Section: 7-412 - Walkways and Driveways

Section: 7-410 (a)(1) - Exterior Property Areas

Section: 7-423 (a) - Exterior Structure

Mr. Morales stated a notice was served by certified mail. Mr. Morales stated there was debris on the property that requires clean up, and repair and maintenance on the driveway.

No representative was present.

Magistrate Davis ordered compliance within 60 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

9. 9.CASE-7-24-10626 - THOMAS GYSIN - 707 Sunny Pine Way Suite E2

Parcel Number: 18424415087070052

Initiated By: Jerry Bernal

Section: 7-423 (p) - Shutters and Impact Protection

Mr. Bernal stated a notice was served by certified mail, and affidavit of posting in the file. Mr. Bernal mentioned there were closed shutters on the property's windows.

No representative was present.

Magistrate Davis ordered compliance within 10 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

10. 10. CASE-8-24-10637 - JOHN/LINDA TERRANOVA TRUST - 5900 S 38Th St

Parcel Number: 18424423080040033

Initiated By: Melanie Daponte

Section: 16-1249(a) - Building permit for vegetation removal required

Section: 16-1249 (a)(3) - General Maintenance Standards

Mr. Morales mentioned a notice was served by certified mail. Mr. Morales mentioned a tree was cut down without a permit and it had to be replaced.

Representative Joseph Terranova was present. Mr. Terranova stated the trees were removed due to being dead and was not aware of the permit process. A company was hired to assist in the permit process, but it would take time to get the project started due to the company being out assisting on damages due to Hurricane Milton.

Magistrate Davis ordered compliance within 60 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

11. 11.CASE-8-24-10649 - MELANIE L BYNUM - 4743 Gladiator Cir

Parcel Number: 18424425180040181

Initiated By: Xavier Morales

Section: 304.3 -Premises identification

Mr. Morales mentioned the case was in compliance prior to the meeting.

12. 12.CASE-8-24-10659 - CANDIDO M CORTES - 5541 S 37 St

Parcel Number: 18424423030070030

Initiated By: Melanie Daponte

Section: 7-417 - Accessory Structures

Section: 14-28(b)1(f) -Parking on private property.

Mr. Morales stated a notice was served by certified mail. Mr. Morales mentioned repair and maintenance had to be done on the driveway and parking of vehicles on the grass.

Representative Candido Cortes's daughter spoke about the case.

Magistrate Davis ordered compliance within 60 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

13. 13.CASE-8-24-10687 - 57TH AVE HOLDINGS LLC - 3815 S 57 Ave

Parcel Number: 18424423080040210

Initiated By: Melanie Daponte

Section: 14-28(b)1(f) - Parking on private property.

Section: 7-413 -Landscaping & Uncontrolled Growth of Vegetation

Mr. Morales mentioned the case was in compliance prior to the meeting.

14. 14.CASE-8-24-10711 - GH PINES LLC - 2152 S Jog Rd

Parcel Number: 18424415160010010

Initiated By: Jerry Bernal

Section: 105.1 - FBC 105 Permits Required

Mr. Bernal stated a notice was served by certified mail. Mr. Bernal mentioned it was a laundromat location that had interior renovations without a building permit and no Business Tax Receipt. Assistant Fire Marshall Peter Wallwork stated no Business Tax Receipt was present while doing his inspection, and the inspection did not meet compliance.

No representative was present.

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

15. 15.CASE-8-24-10714 - MICHAEL SHAPIRO - 518 Shady Pine Way Suite D1

Parcel Number: 18424415055180041

Initiated By: Jerry Bernal

Section: 7-423 (p) - Shutters and Impact Protection

Mr. Bernal stated a notice was served by certified mail. Mr. Bernal mentioned shutters were placed on the property's window. Mr. Bernal stated the property owner was incarcerated.

No representative was present.

Magistrate Davis ordered compliance within 10 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

16. 16.CASE-9-24-10768 - DAVID T KERRY - 241 Jennings Ave

Parcel Number: 18424423010470240

Initiated By: Jerry Bernal

Section: 105.1 - FBC 105 Permits Required

Mr. Bernal stated a notice was served by certified mail and affidavit of posting was in the file. Mr. Bernal mentioned a fence was placed on the property with no permit.

Representative David Kerry was present. Mr. Kerry stated he was unaware a permit was required. He was notified the property survey was outdated, but would be fixing the problem.

Magistrate Davis ordered compliance within 30 days, otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

17. 17.CASE-9-24-10783 - PATRICIA BENAVIDES & ROCIO V AMUZ - 713 Sunny Pine Way Suite B2

Parcel Number: 18424415087130022

Initiated By: Jerry Bernal

Section:14-28(b)(1)(f) - Parking on private property.

Section: 14-28b1e - Parking of motor vehicles, boats and trailers

Mr. Bernal stated a notice was served by certified mail and affidavit of posting was in the file. Mr. Bernal mentioned there was kitchen renovations including plumbing work without permits.

Complainant Sandra Milena Gonzalez mentioned there was water damage reaching to her apartment and mold was starting to grow in her cabinets.

Son of the property owner Cesar Amuz stated the plumber only did the cabinets and extended the pipes but it was done 16 years ago. They were unaware permits were required, and it had been difficult reaching out to the plumber. A notice was advised an inspector would pass by, but no one went into the apartment for inspection.

Magistrate Davis ordered compliance within 90 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

18. 18.CASE-9-24-10791 - CHURCH IN THE PALMS INC - 3812 Jog Rd

Parcel Number: 18424422000005040

Initiated By: Xavier Morales

Section: 14-28(b)(1)(f) - Parking on private property.

Section: 14-28b1e - Parking of motor vehicles, boats and trailers

Mr. Morales stated a notice was served by affidavit of notice was in the file and certified mail. Mr. Morales mentioned there was a school bus parked on the grass.

No representative was present.

Magistrate Davis stated the property went into compliance prior to the meeting and issued "Finding of Fact".

19. 19.CASE-9-24-10796 - CARLOS L HIGHBRIDGE - 223 Foxtail Dr Suite G

Parcel Number: 18424415090230070

Initiated By: Jerry Bernal

Section: 7-423(p) - Shutters and Impact Protection

Mr. Bernal stated a notice was served by certified mail. Mr. Morales mentioned there were shutters placed on the property's window.

No representative was present.

Magistrate Davis ordered compliance within 10 days, otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

REPEAT VIOLATOR**20. 21.CASE-9-24-10773 - PIERRE AUTO SALES INC - 257 Broward Ave**

Parcel Number: 18424423010230200

Initiated By: Jerry Bernal

Section: 14-28b1c - Parking of motor vehicles, boats & trailers (*Reference Code Case 10-21-8789, Board Order Case Date: 3/16/2022, Date Case 8789 Complied: 9/12/22*)

Section:14-28 (a)(4) - Parking of non-prohibited vehicle (*Reference Code Case 10-21-8789, Board Order Case Date: 3/16/2022, Date Case 8789 Complied: 9/12/22*)

Mr. Bernal stated a notice was served by certified mail, and affidavit of posting was in the file. The case was a "Repeat Violator". Mr. Bernal mentioned pavers were installed without permit, open storage, the Business Tax Receipt had to be held to run a business and a renewal was required. The open storage had been removed, but no permit was submitted for the pavers. Unregistered vehicles were still parked on the property. Upholding and renewal of the Business Tax Receipt and pavers were new violations. Parking of unregistered vehicles on the property was a repeated violation.

Palm Beach County Officer mentioned there had been several complains about this property for some time.

Representative Pierre Alexander stated there was no business running on this property, and he was unaware the pavers required a permit.

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

Magistrate Davis ordered a fine of \$500.00 per day would accrue until the repeated violations were corrected. "Finding of Fact" for the open storage.

OLD BUSINESS**21. 22.CASE-6-24-10514 - CARLOS D GASPERI & YACILYN M DOMINGUEZ - 6016 Osprey Wood Ln**

Parcel Number: 18424410350000310

Initiated By: Jerry Bernal

Section: 7-56(2) - Radio, TV, musical instrument, electronic audio

Section: 7-52(a)(3) - Noise General Prohibitions

City Attorney Cristy Goddeau stated property owners were unable to attend the meeting due to death in the family.

The case will be brought forward to the November 20, 2024 meeting.

ADJOURNMENT

4:55 PM.

Amity R. Barnard, Esquire, Special Magistrate

Quintella Moorer, MMC, City Clerk

Date Approved: _____