



Special Magistrate Hearing City of Greenacres, Florida

Wednesday, March 27, 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 March 27, 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 - February 28, 2024.

NEXT SCHEDULED MAGISTRATE HEARING - April 24, 2024

NEW BUSINESS

1. Case 10-23-10004 - Leslie Weintraub - 6367 Summer Sky Ln

Beehive in rear of property affecting surrounding neighbors.

Section: 7-427(a) Infestation. All structures shall be kept free from insect, pest, and rodent infestation. All structures in which insects, pests, or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

Section: 7-427(b) – Extermination- Owner. The owner of any structure shall be responsible for extermination within the structure.

Officer Dinah Tejeda stated a notice was served by certified mail. Ms. Tejeda stated a beehive was in the rear of property affecting the neighboring properties.

No representative was present.

Magistrate Bernard ordered compliance within 15 days, otherwise the City would remove the beehive.

2. Case 10-23-9980 - William A Cespedes - 4727 Gladiator Cir

Prohibited box truck parked at property

Section 14-28 (b)(1)(d) – Parking of motor vehicles, boats and trailers

The motor vehicle cannot have a gross vehicle weight rating in excess of eleven thousand (11,000) pounds, or a rating of over one (1) ton, or a height in excess of ten (10) feet including any load, bed or box, or a length in excess of twenty-six (26) feet.

Officer Jerry Bernal stated a notice was served by affidavit of posting in the file. Mr. Bernal mentioned there was a box truck parked on the property.

Representative William Cespedes stated in the past a City inspector allowed him to have the box truck on the property since it was following City Code.

Magistrate Bernard ordered for the property owner to meet with the inspector, and to reset for the May 29, 2024 meeting.

3. Case 10-23-9985 - Thomas A Kohlwaies Sr - 448 Perry Ave

Deteriorating wood exterior of house, paint needed, inoperable trailer, vehicles parked over sidewalk\

Section: 7-423(c) - Exterior Structure -

Protective Treatment. (c) All exterior surfaces, including but not limited to: walls, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition and generally accepted uniform appearance. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, moldy, severely chalked, deteriorated, dirty, stained or chipped paint or other coating shall be eliminated and surfaces repainted or recoated. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designated for stabilization by oxidation are exempt from the requirement.

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

(b) Parking on private property. (1)The parking of motor vehicles is allowed on private property within residential districts and on residential properties within mixed development and commercial districts subject to the following restrictions: (b) The vehicle is parked in a safe manner so as not to cause hazards such as encroachment on sidewalks, or roadways, or obstructing visibility of motorists.

Section: 14-28c1c - Parking of motor vehicles, boats and trailers

(c)The boat, trailer or recreational vehicle must not be inoperative, wrecked, junked, partially dismantled or abandoned

Officer Bernal stated a notice was served by certified mail. Mr. Bernal mentioned wood of the exterior of the home was deteriorating, painting was required, inoperable vehicle were on the property and vehicles were parked over the sidewalk.

Representative Thomas Kohlwaies, Jr. stated he was currently working on the house, removing the vehicle from the property was in the works for the weekend, and asked for extra time to get things done.

Magistrate Bernard ordered compliance within 90 days, otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

4. Case 12-23-10107 - Jennie Estiverne & Luckcene Celestin - 4728 Chariot Cir

Artificial turf in front of property

Section: 16-1245(a) - General maintenance standards - (a)Property owners shall be responsible for maintenance of all landscaping and irrigation equipment. Landscaping shall be maintained in good condition so as to present a healthy, orderly and neat appearance and shall be kept free of refuse and debris. All dead and diseased shrubs and ground cover must be replaced with landscape materials equivalent to that originally planted unless a deviation is approved by the city.

Section: 7-412 – Walkways and driveways – All walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, free of debris, stains, mold, discoloration, deterioration and shall be kept clear of all obstacles and maintained free from hazardous conditions.

Officer Bernal stated an affidavit of posting was in the file. Mr. Bernal mentioned artificial turf was located in front of the property.

No representative was present.

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

5. Case 1-24-10118 - Gilberto & Consuelo Escamilla - 6189 Lakemont Cir

Rear patio with cement slab done without permit & 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.

Officer Dinah Tejeda stated a notice was served by certified mail. Ms. Tejeda mentioned a rear patio slab was installed without a permit and inspection.

Representative Luz Escamilla stated she was trying to assist her brother with the case.

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

OLD BUSINESS

6. Case 3-23-9721 - Trafalgar at Greenacres Plaza - El Centenario Mexican Restaurant 6342 Forest Hill Blvd

Window panes exceed 25% signage

Section: 16-937(a) - Prohibited window signage - Window signs are allowed in non residential districts subject to the following requirements: a) Window signs may be

installed in each window or glass door area, so long as each sign does not exceed twenty five (25) percent of the total window pane area.

Officer Jerry Bernal stated the owners of the restaurant were looking for a 90 day extension on the case.

Magistrate Bernard stated there would be a 90 day extension, and the property owner had to attend the Special Magistrate hearing on July 1, 2024.

TABLED CERT/ASSESSMENT

None.

TABLED CASES

None.

APPEAL OF FINE

None.

ADJOURNMENT

3:50 PM.

Amity R. Barnard, Esquire, Special Magistrate

Quintella Moorer, MMC, City Clerk

Date Approved: _____