



Special Magistrate Hearing City of Greenacres, Florida

Wednesday, June 28, 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 Roche called to order the Special Magistrate Hearing of Wednesday June 28, 2023.

Special Magistrate Roche 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 - April 26, 2023.

NEXT SCHEDULED MAGISTRATE HEARING - July 26, 2023.

NEW BUSINESS

1. Case 3-23-9728 - Erick Ovilma - 228 Martin Ave

Rear addition constructed 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.

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.

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned a rear addition was constructed without permits and inspections, and the house required a house number.

No representative was present.

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

2. Case 3-23-9737 - Jose & Maria Soto - 312 Broward Ave

Unregistered, expired tag vehicle

Section: 14-28b1(c) Parking of motor vehicles, boats & trailers

The motor vehicle cannot be inoperative, wrecked, junked, partially dismantled, or abandoned, and is licensed and registered as required by state law, and is used by the resident of the premises or a guest thereof.

Officer Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned an unregistered vehicle with an expired tag was on the property.

Representative Oscar Soto stated his father was in Mexico, and the information required to update the vehicle was in a lockbox and he had no access to it. Mr. Soto mentioned his father would be returning from Mexico in a few days to sort out the violation.

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

3. Case 3-23-9758 - Imran Raza, Reg Agent - Masidsha – Citgo

Needs Btr Life safety inspection

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 receipt, if required herein shall pay a penalty of twenty five (25) percent of the full year business tax for such trade, in addition to the business tax set forth herein

Section: 8-48(d) – Inspection - Every applicant for a local business tax receipt to maintain a permanent business location or branch office within the city must have inspections made and approval by the building official or appointed designee(s) and the fire marshal. An inspection fee for these mandatory inspections shall be imposed by separate city resolution in an amount to be kept on file in the department of building. Failure to schedule and pass these inspections within 30 days of application may result in the business tax receipt being revoked and possible fines through the code enforcement procedures as set forth in sec. 2-72 through 2-78.

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned the property had an incomplete business tax receipt and a life safety inspection would be required.

Representative Manny Rai stated there were issues on the drawings, and had no contact with the contractors.

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

Old Business

4. Case 11-22-9574 - Miriam E Cifuentes - 3473 Chickasaw Cir

Shed in rear extended without permit into living space, adding electric, plumbing. Pavers installed in rear without permit & inspection. Btr needs 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.

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Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned a shed was used for living space which had electric, and plumbing and no permits and inspections were issued. Pavers were also added to the rear without permit and inspections.

Representative Miriam E Cifuentes stated inspection would be occurring in a few days, all electric had been disconnected from the shed.

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

TABLED CERT/ASSESSMENT

None.

TABLED CASES

None.

APPEAL OF FINE

None.

ADJOURNMENT

3:18 PM.

Myrnabelle Roche, Special Magistrate

Quintella Moorer, CMC, City Clerk

Date Approved: _____