



## Special Magistrate Hearing

### City of Greenacres, Florida

Wednesday, January 19, 2022 at 3:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

## Minutes

### CALL TO ORDER

Special Magistrate Myrnabelle Roche called to order the Special Magistrate Hearing of Wednesday, January 19, 2022 at 3:00 PM.

Special Magistrate Roche 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 contested 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: 11/17/21

Special Magistrate Roche approved the November 17, 2021 minutes.

### NEXT SCHEDULED SPECIAL MAGISTRATE HEARING: 02/16/22

### NEW BUSINESS:

#### 1. Case 10-21-8737 - Francisco & Salvador Valladares - 440 Broward Ave

Open storage, parking on grass

Section: 7-27.7 Property Maintenance - The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

Section: 14-28(b)1(f) Parking on private property - The motor vehicle must be parked in a garage/carport or on a driveway that has been designed and permitted for that purpose except for those properties that do not have an impervious driveway and were originally constructed without such driveway

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote mentioned that the property maintenance was nuisance and had no response from the property owners.

No representative was present.

Magistrate Roche ordered compliance within 5 days otherwise a fine of \$25.00 per day would accrue until the violation was corrected.

#### 2. Case 10-21-8747 - Alishan Zaidi - 5580 S 35th Ct

House ID#s needed, exterior wall need maintenance, open storage, property maintenance

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Section: 7 27.7 - Property Maintenance Nuisance Declared - 7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

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).

Section: 304.6 - Exterior Walls - All exterior walls, on main structures and accessory structures, shall be free from holes, breaks and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Section: 304.2 - Protective Treatment - 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 as determined by the Building Official. 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.

Officer Dinah Tejeda stated a notice was served by certified mail and by posting, an affidavit of posting was in the file. Officer Tejeda mentioned there was no house ID numbers, property maintenance was not being kept up with and there was open storage.

No representative was present.

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

### **3. Case 2-21-8252 - Eloisa Gonzalez - 230 Perry Ave**

Carports and Roof structures in the rear of property installed without permits & 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.

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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 hand delivery. Officer Capote mentioned two carports and roof structures in the back were installed without permits and inspections. On December 28, 2021 a screen porch patio permit was submitted and denied by Zoning.

Property Owner Eloisa Gonzalez stated a contractor was hired for the home projects and was unaware that a non-conforming structure was not permitted. Ms. Gonzalez asked if she could have time to demolish the projects on her property.

Magistrate Roche ordered compliance by April 20, 2022 otherwise a fine of \$75.00 per day would accrue until the violation was corrected.

**4. Case 2-21-8265 - Pamela L. Fuess - 6590 Spring Meadow Dr**

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 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.

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 certified mail and posting. Officer Capote mentioned a fence was installed with a permit and inspection. On May 5, 2021 a fence permit was applied for, and was currently open. On July 30, 2021 an email was sent to the property owner stating that a utility easement was needed.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$75.00 per day would accrue until the violation was corrected.

**5. Case 6-20-7843 - Delaine Rocha - 148 Swain Blvd**

Pavers & concrete slab constructed without permits & inspections

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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.

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 my certified mail. Officer Capote mentioned pavers and concrete slab was constructed without a permit and inspection. On August 13, 2021 a permit for the concrete slab was applied for but not a permit for the pavers.

Property owner Delaine Rocha stated a contractor was hired for the concrete slab.

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

6. **Case 9-21-8698 - Benjamin Elias - 545 Jennings Ave**

Driveway extension 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 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.

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 certified mail. Officer Capote mentioned the driveway extension was done without a permit and inspection.

Property Owner Benjamine Elias stated she was unaware of having to apply for a permit for the extension of the driveway. Special Magistrate Roche stated for Ms. Elias to apply for "After The Fact Owner Builder" permit but that a survey of the property was required first.

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

7. **Case 9-21-8711 - TAH 2017-2 Borrower Llc - 353-355 Walker Ave**

Fence installed without permit and 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 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.

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 certified mail. Officer Capote mentioned a fence was installed without a permit or inspection.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$75.00 per day would accrue until the violation was corrected.

8. **Case 9-21-8715 - Cindy Campina Corp. - 4675 Empire Way**

House exterior, vehicles on grass, driveway needs to be repaired or repaved. If repaved permit is necessary

Section: 302.9 – Parking - Motor vehicles are to be parked in a garage/carport or on a driveway that has been designed and permitted for that purpose. Motor vehicles may not be parked on lawns or on areas designed and planned for vegetation or in front or side yards unless part of an approved driveway system. (See City Code Section 16 1334 (11)(a). Exception: For homes in Greenacres Plat No 2 and Greenacres Plat No 2 Replat, that were constructed without a driveway and are not undergoing a major renovation, addition or change in use may continue parking on a designated unpaved area that can be shown to have been historically used as parking for that home. This exception shall be limited to a maximum of four vehicle spaces. The property owner will be required to designate, in writing, the properties historical parking area within two weeks of a request from the building official and such area will be subject to the building officials approval

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Section: 302.3 - Sidewalks and driveways - All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Section: 304.6 Exterior Walls - All exterior walls, on main structures and accessory structures, shall be free from holes, breaks and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned there were vehicles on the grass, driveway needed repairs or pavement, and if the driveway was going to be repaved a permit was necessary.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$75.00 per day would accrue until the violation was corrected.

#### **CERTIFY FINE:**

**9. Case 10-21-8729 - Esther A Alarcon & Albert Martinez - 5600 S 36th St**

Solar panels 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 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.

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 Ileiny Capote stated a notice was served by certified mail. Officer Capote stated solar panels were installed without a permit and inspection. Fines to date were \$2,475.00

On November 11, 2021, Magistrate Roche ordered to the property owner to come into compliance within 30 days by December 12, 2021, or a fine of \$75.00 per day may be imposed. On December 12, 2021, property owner did not come into compliance and an affidavit of non-compliance was on file. Fines to date were \$2,475.00.

Magistrate Roche stated the order was non compliant and fines would continue to accrue \$75.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**10. Case 10-21-8755 - Betis & Luis Castellon - 401 Fleming Ave**



Property maintenance, house ID #'s needed, open storage, unregistered/inoperative vehicles

Section: 7 27.7 - Property Maintenance Nuisance Declared - 7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

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).

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.

Section: 7-27.11 Property Maintenance Nuisance Declared  
(11) The presence, accumulation, storage, or keeping of any debris, building material, or material of any kind on the ground, leaning against any building or structure, or upon the roof or top of any building or structure

Section: 14-28(b)1(f) - The motor vehicle must be parked in a garage/carport or on a driveway that has been designed and permitted for that purpose except for those properties that do not have an impervious driveway and were originally constructed without such driveway

Officer Ileynys Capote stated a notice was served by certified mail. Officer Capote stated property maintenance lacked, house ID's were missing, open storage, and unregistered vehicle parked on the property. On November 17, 2021, Magistrate Roche ordered for the property owner to come into compliance within 30 days or a fine of \$75.00 per day would be imposed. On December 18, 2021, the order was not in compliance and affidavit of non-compliance was on file. Fines to date were \$2,475.00.

No representative was present.

Magistrate Roche stated order was non compliant and fines would continue to accrue \$75.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**11. Case 12-20-8160 - Joggers Run/Sea Breeze CMS Inc - Maplewood Dr**

Trees cut without permit & inspection

**Section:** 16-1245(d) – General maintenance standards

(d) Pruning shall be in accord with the latest edition of the American National Standards Institute (ANSI) Publications (with the exception of Section 2.3.1 of the ANSI A300 Standards, which requires that pruning be performed only by arborists or arborist trainees). Trees shall not be severely pruned, hat raked, "hacked" or "headed back". A maximum of one-fourth of a tree canopy may be removed from a tree within a one-year period, provided that the removal conforms to the standards of crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration techniques. Lifting of

branches in excess of onehalf (fifty (50) percent) of the height of the tree is prohibited. Palms shall only be pruned to remove lower fronds that are chlorotic or dead, and there shall be no pruning of live green fronds above the horizon line.

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote mentioned trees were cut without a permit and inspection. On November 17, 2021, Magistrate Roche ordered for the property owner to come into compliance within 30 days by December 17, 2021, or a fine of \$75.00 would be imposed. On December 6, 2021 a tree permit was requested and on January 18, 2022, a permit was issued. Fines to date were \$2,475.00

Representative Evan Gromet stated the landscaper turned in the paperwork for the permit and holidays caused delays.

Magistrate Roche ordered for this case to be "Tabled" until 2/16/22 hearing.

**12. Case 5-21-8461 - Pedro Arias & Maria Rabadan - 413 Broward Ave**

Shed 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 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.

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 certified mail. Officer Capote mentioned a shed was constructed without a permit and inspection. On November 17, 2021, Magistrate Roche ordered compliance within 45 days or a fine of \$50.00 per day would be imposed. On November 29, 2021, a shed permit was applied for and the application was waiting for a review. On December 20, 2021, the Zoning Department emailed the property owner stating the permit was rejected. On January 2, 2022 the property was not in compliance and an affidavit of non-compliance was on file. Fines to date were \$900.00.

No representative was present.

Magistrate Roche stated the order was non compliant and fines would continue to accrue \$50.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**13. Case 5-21-8503 - Bykota Lodge #333 - 421 Jennings Ave**

Trees removed without permit & inspection



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**Section: 161245(d) – General maintenance standards**

(d) Pruning shall be in accord with the latest edition of the American National Standards Institute (ANSI) Publications (with the exception of Section 2.3.1 of the ANSI A300 Standards, which requires that pruning be performed only by arborists or arborist trainees). Trees shall not be severely pruned, hat raked, "hacked" or "headed back". A maximum of one-fourth of a tree canopy may be removed from a tree within a one-year period, provided that the removal conforms to the standards of crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration techniques. Lifting of branches in excess of one-half (fifty (50) percent) of the height of the tree is prohibited. Palms shall only be pruned to remove lower fronds that are chlorotic or dead, and there shall be no pruning of live green fronds above the horizon line.

Officer Ileiny Capote stated a notice was served by certified mail. Officer Capote stated trees were removed without a permit and inspection. On October 13, 2021, Magistrate Roche ordered compliance within 90 days or a fine of \$50.00 per day would be imposed. On January 12, 2022, the property was not in compliance and affidavit of non-compliance was on file. Fines to date were \$400.00.

Magistrate Roche asked representative Alan Mason why an application was not be submitted since October. Representative Alan Mason asked for an extension because people who were working on the property were not sure what were the next steps and they could not afford a contractor since they were a non-profit organization.

Magistrate Roche stated the order was non-compliant and fines would continue to accrue \$50.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**14. Case 8-21-8618 - Steven J & Virginia Bacchi - 722 Sunny Pine Way #B2**

A/C 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 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.

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 Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda stated an A/C was installed without a permit and inspection. On November 17, 2021, Magistrate Roche ordered compliance within 30 days or a fine of \$75.00 per day would be imposed.

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On December 18, 2021, the property was not in compliance and affidavit of non-compliance was on file. Fines to date were \$2,475.00

No representative was present.

Magistrate Roche stated the order was non compliant and fines would continue to accrue at \$75.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**15. Case 9-21-8642 - Gouielly Dieujuste & Tamara Desire - 4641 Rome Ct**

Unregistered, prohibited vehicle

Section: 14-28b1d - 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 Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned an prohibited vehicle was parked on the property. On November 17, 2021, Magistrate Roche ordered compliance within 30 days or a fine of \$25.00 per day would be imposed. On December 18, 2021, the property was not in compliance and an affidavit of non-compliance was on file. Fines to date were \$825.00.

No representative was present.

Magistrate Roche stated the order was non compliant and fines would continue to accrue at \$50.00 per day until compliance was achieved. The order was recorded in the official records of Palm Beach County as a lien against the property.

**16. Case 9-21-8678 - Anna Lopez-Guevara - 4996 Constantine Cir**

Above ground pool without permit inspection, unpermitted structures in rear, prohibited living in RV

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.

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: 14-28(c)1e - Parking of motor vehicles, boats and trailers – The boat or recreational vehicle must not be used for living, sleeping or housekeeping purposes.

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned permits needed to be obtained for a swimming pool, removal of electrical wire and plumbing from the RV needed to also be removed. On November 17, 2021, Magistrate Roche ordered compliance within 45 days or a fine of \$75.00 per day would be imposed. On December 13, 2021, a swimming pool permit was requested and was in review. On January 14, 2022, most of the violations were complied except the swimming pool permit. Fines to date were \$1,350.00

Magistrate Roche asked why the permit was still waiting review. Building Official Scott Wood stated they were running behind on permit applications and the permit department was in contact with the property owner.

Property Owner Anna Guevara stated the RV was removed and currently working on getting the swimming pool permit completed.

Magistrate Roche ordered for the case to be "Tabled" and be complied by March 16, 2022.

#### **TABLED CERT/ASSESSMENT:**

#### **TABLED CASES:**

#### **APPEAL OF FINE:**

##### **17. Case 9-20-7972 - Dawn Dimambro - 3836 Heather Dr**

Remove vehicles from grass, remove shutters

Section: 304.13.3 - Shutters and Impact Protection

Hurricane protective devices on all occupied buildings must be removed no later than fourteen (14) days after the termination of the hurricane event (watch, warning, actual hurricane or tornado) unless another hurricane event is predicted to occur within the fourteen (14) day time period.

##### **Section: 302.9 – Parking**

Motor vehicles are to be parked in a garage/carport or on a driveway that has been designed and permitted for that purpose. Motor vehicles may not be parked on lawns or on areas designed and planned for vegetation or in front or side yards unless part of an approved driveway system. (See City Code Section 161334 (11)(a). Exception: For homes in Greenacres Plat No 2 and Greenacres Plat No 2 Replat, that were constructed without a driveway and are not undergoing a major renovation, addition or change in use may continue parking on a designated unpaved area that can be shown to have been historically used as parking for that home. This exception shall be limited to a maximum of four vehicle spaces. The property owner will be required to designate, in writing, the properties historical parking area within two weeks of a request from the building official and such area will be subject to the building officials approval.

Officer Dinah Tejeda stated a notice was served by hand delivery. Officer Tejeda mentioned shutters needed to be removed and there were vehicles parked on the grass. Compliance was obtained on December 6, 2021. Officer Tejeda also mentioned she spoke to the property owner who was unaware of the notices and that the tenant never gave her the posting and didn't update her mailing address with PAPAs. Fines to date were \$6,850.00.

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Property Owner Dawn Dimambro stated she was unaware of the violations and didn't realize her mailing address was not updated through PAPAs.

Magistrate Roche reduced the fines to \$100.00 payable within 30 days otherwise the fines would revert back to \$6,850.00.

### **OLD BUSINESS:**

#### **18. Case 11-20-8114 - Marjorie Canel Pierre - 247 Leland Ln**

PVC fence and pavers installed 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.

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 Dinah Tejeda stated a notice was served by certified mail. A PVC fence and pavers were installed without a permit and inspection.

On November 17, 2021, Magistrate Roche "Tabled" the case and the fines remained at \$250.00. Magistrate Roche ordered the property owner to appear at the January 19, 2022 hearing with compliance. On February 11, 2021, a permit was issued but on September 23, 2021, October 15, 2021, and November 16, 2021, inspections failed. On January 18, 2022, pavers were removed but sod had to be placed, and the fence was moved. Fines to date were \$250.00.

Property Owner Marjorie Pierre stated the project was almost completed. Building Official Scott Wood mentioned Ms. Pierre was working to complete the project.

Magistrate Roche ordered for the case to be "Tabled" and be complied by February 16, 2022.

#### **19. Case 11-21-8852 - Judith Alonso-Surita - 4582 Centurian Cir**

Rear addition constructed 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.

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 Dinah Tejeda stated a notice was served by certified mail. A rear addition was constructed without a permit and inspection. On November 16, 2021, a permit was requested for a remodel of an existing sunroom. On November 17, 2021, Magistrate Roche ordered for the property owner to return on January 19, 2022 for a case status or a fine of \$75.00 per day would be imposed.

Property Owner Judith Alonso-Surita stated the permit application was almost completed and she would be setting up for an inspection.

Magistrate Roche ordered for compliance by March 16, 2022 and tabled the case.

**20. Case 12-20-8163 - Greenacres City Baptist Church - 201 Swain Blvd**

Parking lot needs repair - if re-paving permit is required

Section: 16-1334 (11)b – General Requirements - Every parking and loading area required by this article shall be continually maintained in satisfactory condition so as to be safe, attractive, and free of any hazard, nuisance, accumulation of debris or other unsafe condition. It shall be the responsibility of the owner of the property to ensure that the parking facilities are kept in good working order

Officer Ileiny Capote stated a notice was served by posting, an affidavit of posting was on file. Officer Capote also stated the parking lot needed repair and paving permits to be replaced. On November 17, 2021, Magistrate Roche ordered the property owner to return on January 19, 2021, to give a status update on the property or face a fine of \$75.00 would be imposed. No permit was pulled.

Representative Jerry Frye stated it was difficult finding a contractor and as church they need to come together to choose a contractor to complete the project. Building Official Wood stated Zoning may require an updated survey.

Magistrate Roche ordered for the case to be "Tabled" and for Mr. Frye to have a permit by February 16, 2022.

**ADJOURNMENT:**

4:05 PM.



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Myrnabelle Roche, Special Magistrate

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Quintella Moorer, CMC, City Clerk

Date Approved: \_\_\_\_\_