



Special Magistrate Hearing City of Greenacres, Florida

Wednesday, June 15, 2022 at 3:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

CALL TO ORDER

Special Magistrate Myrnabelle Roche called to order the Special Magistrate Hearing of Wednesday, June 15, 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 - 5/18/22

NEXT SCHEDULED SPECIAL MAGISTRATE HEARING - 7/20/22

NEW BUSINESS

1. Case 1-22-8906 - Beatriz Hadley - 5347 Grand Banks Blvd

Pool maintenance.

Section: 303.1 – Swimming Pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Officer Dinah Tejeda stated a notice was served by posting, an affidavit of posting was in the file. Officer Tejeda mentioned the pool needed maintenance.

No representative was present.

Magistrate Roche ordered compliance within 10 days otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

2. Case 2-22-9008 - Maranatha Church of the Nazarene - 5060 10 Ave N

Interior Renovations, no permits or 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. Officer Tejeda mentioned interior renovations were done on the property without permits and inspections, including electrical and drywall. Fire Marshall Peter Wallwork stated he went to the property for an inspection and noticed walls were torn down including electrical.

Representative Sergio Najera stated he was unaware that a permit was required to demolish the walls within the building, and a contractor was required to help apply for permits. Building Official Scott Wood stated an inspector would be sent out to look at the property to make sure no major issue was on the property.

Magistrate Roche ordered a status update for July 20, 2022, and after the status update, compliance was ordered by August 17, 2022 otherwise a fine of \$150.00 per day would accrue until the violation was corrected.

3. Case 4-22-9130 - Yurose Leger - 4830 Gladiator Cir

Fence and structures being built on side and rear of property without permits and inspections.

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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 Dinah Tejeda stated a notice was served by posting, and affidavit of posting was in the file. Officer Tejeda mentioned a fence and structures were built on the side and rear of the property without permits and inspections.

Representative Yurose Leger stated he was unaware of the limitation of building a structure, and he removed the fence to build a newer fence.

Magistrate Roche ordered compliance by August 17, 2022 otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

4. Case 5-21-8469 - Donald R & Ruby V Howard - 360 Jennings Ave

Detached garage needs to be repaired or replaced. To replace, a permit & inspection is required, overgrowth, open storage.

Section: 302.7 Accessory structures - All accessory structures, including detached garages, sheds, fences, walls, portable carports, screen rooms, screen enclosures, and other enclosures shall be maintained structurally sound, in good repair, and have their exterior coatings and coverings maintained in a sound and uniform appearance free from algae, mildews, molds, dirt or other stains.

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

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote mentioned a detached garage needed to be repaired and a permit was required.

Representative Donald Howard stated he stored a vehicle, and tools in the garage and had a hard time cleaning up the yard due to a back injury.

Magistrate Roche ordered compliance within 60 days to clean the property and 6 months to correct the garage. Magistrate Roche stated if the property was not cleaned up within 60 days and if the garage was not in compliance by January 1, 2023, a fine of \$50.00 per day would accrue.

5. Case 5-22-9196 - Alishan Zaidi - 5580 S 35 Ct

Doors and windows 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.

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 doors and windows were installed without a permit and 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.

CERTIFY FINE – None.

TABLED CERT/ASSESSMENT – None.

TABLED CASES – None.**APPEAL OF FINE – None.****6. Case 10-21-8772 - Legacy Church Ministries of Greenacres - 420 Jackson Ave**

Aluminum structure installed without permit & inspection - 5/24/22 – Complied

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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Officer Ileyns Capote stated a notice was served by email. Officer Capote mentioned an aluminum structure was installed without a permit and inspections. On May 24, 2022 the property was in compliance. Fines to date were \$5,100.00 and the property had a lien.

Representative Laurie Williams stated they were unaware permits were required to build an aluminum structure.

Magistrate Roche reduced the fines to \$510.00 payable within 30 days otherwise the fines would revert back to \$5,100.00

7. Case 11-20-8112 - Jacob Haynes - 4165 Southview Rd

Screen enclosure without permit and inspection, House ID #'s needed - 4/18/22
Complied

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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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. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

Officer Ileinys Capote stated a notice was served by email. Officer Capote mentioned a screen enclosure was built on the property without a permit and inspection. On June 15, 2021 a permit was submitted to legalize a patio. On April 18, 2022 the property was in compliance. Fines to date were \$35,700.00.

Representative Jacob A. Hayes stated when he turned in the permit application, he was unaware of the next steps and personal issues occurred.

Magistrate Roche reduced the fines to \$1,071.00 payable within 30 days otherwise the fines would revert back to \$35,700.00.

8. Case 5-22-9198 - Gator Greenacres Ltd - Natural Blends - 3919 S Jog Rd

Prohibited LED lights, store front windows

Section: 16-934(21) – Prohibited Signs - Prohibited Signs

It shall be a violation of this chapter to erect, install, place, or maintain the following signs or advertising structures in the City:(21) Exposed neon tubing, neon signs, and LED signs that emulate the general appearance of traditional neon signs

Section: 16-992 – Window Signs

In the OPI, CN, CG, CI, and MXD districts, 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 area of the total area of the glass pane. Glass neon tubing outlining any window shall be prohibited.

In addition, no window sign shall be permitted which includes flashing or strobe lights, or lights which may pose a hazard to vehicular traffic, or obstruct clear view from the outside.(Ord. No. 0004, § 7, 51500)

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned LED lighting were around all windows in the store which was prohibited, and the issue was a repeated violation.

No representative was presented.

Magistrate Roche ordered compliance within 24 hours otherwise a fine of \$250.00 per day would accrue until the violation was corrected.

OLD BUSINESS

9. Case 8-21-8628 - GH Pines Llc - 2178 S Jog Rd

Outside cooking prohibited.

Section: 16-196 – Zoning - Applicability: No person shall commence any use or erect any residential structure, any commercial structure, or parking area without having first received approval of a site and development plan for the property. After approval of the site and development plan, no structure shall be changed, and no other improvements or construction shall be undertaken unless consistent with the site and development plan or approved on an amended site and development plan.

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote stated cooking outdoors was prohibited. On May 18, 2022 Magistrate Roche ordered compliance within 30 days otherwise a fine of \$75.00 per day would accrue and a lien may be imposed. Magistrate Roche ordered for the representative to return on June 15, 2022 for a status update.

Representative Robert Leslie stated a permit was submitted and was awaiting permit was approval.

Building Official Scott Wood stated the permit was approved on June 10, 2022, and Mr. Leslie was able to start working on the project for the property.

Magistrate Roche ordered to revisit the case within 60 days.

ADJOURNMENT

3:55 PM.

Myrnabelle Roche, Special Magistrate

Quintella Moorer, CMC, City Clerk

Date Approved: _____