

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

Council/Board: Code Enforcement Board

Meeting Date: 10-25-17

Transcribed by: mf No. of Pages: 6 Transcription Time: _____

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>[Signature]</u>	<u>11/3/17</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<u>[Signature]</u>	<u>11/8/17</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

APPROVAL OF MINUTES

Meeting Date: _____

Motion By: _____ Seconded By: _____

Check One: ☐ Approved ☐ Tabled ☐ Denied Vote: _____

Changes requested by Council or Board? ☐ Yes ☐ No

If yes, note changes: _____

Date Scanned and Filed: _____ By: _____



CITY OF GREENACRES, FLORIDA

**OFFICIAL MINUTES
CODE ENFORCEMENT BOARD**

Wednesday, October 25, 2017

I. Call to Order and Roll Call.

The regular meeting of the Code Enforcement Board was called to order by Chairman Simon at 3:00 p.m. on Wednesday, October 25, 2017. He welcomed two new board member alternates Very Quigley and James Pickren, Sr. Melody Larson, Assistant to the City Clerk, called the roll.

Board Members Present

Frank Simon, Chairman
Merle Fine
Bert Molow
Benjamin Wade
Howard Reich
Toni Willey
Vern Quigley
James Pickren, Sr.

Staff Present

Eugene Steinfeld, Board Attorney
Michael Grimm, Chief Building Official
Donna Frandon, Code Enforcement Officer
Kevin Hallahan, Code Enforcement Officer
Melody Larson, Assistant to the City Clerk

Audience: 5

Press: 0

Absent:

LaVerne Beres, Vice Chairwoman

Chairman Simon led the Pledge of Allegiance to the Flag.

Chairman Simon explained to the audience how the Code Enforcement Board operates and how the violations are reviewed and considered by the Board.

Board Attorney Eugene Steinfeld requested all witnesses in the audience who would provide testimony to stand and be sworn in. Everyone in the audience who planned to provide testimony was sworn in.

II. Minutes of the Hearing of May 10, 2017 (Mailed for review).

Chairman Simon asked for any corrections or deletions to the minutes of May 10, 2017. Hearing none, he called for a motion.

MOTION: Board Member Molow moved to approve the minutes of May 10, 2017. Board Member Fine seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Board Members Fine, Molow, Wade, Reich, Willey, Quigley and Pickren. (No one opposed)

Motion carried: 8 - 0.

III. Cases:

NEW BUSINESS

Court Reporter Mark Rabinowitz of Orange Legal was present and recording the proceeding on behalf of Seaglates Investment Company, Inc.

- | | |
|-------------------------------|--|
| 1. Case #10-17-6336 | Seaglates Investment Company, Inc. |
| 3735 S. Military Trail | 15789 Cypress Chase Lane |
| Greenacres, FL 33463 | Wellington, FL 33414-6355 |
| Issued: 10-9-17 | Initiated By: Officer Donna Frandon |
| Code Section: 105.1 | Permits |
| Code Section: 110.1 | Inspections |

Officer Donna Frandon testified that this case involves a billboard located on South Military Trail that was blown down and remounted without a permit. The Building Official noticed the work being done and after checking the files, stopped the job due to the lack of a permit. The contractors completed the job without a permit. The City sent a Notice of Violation to the owner of record. She reported that a permit application was later submitted; however engineering drawings were required. Officer Frandon noted that a zoning matter may also exist with the property.

Kelly Poyner of Seaglates Investment Company, Inc. explained that her company has been a part of Greenacres for many years and has always worked well with the City. She confirmed receipt of the Notice of Violation. She immediately sent it to Outfront, the billboard company, who promised to handle securing a permit. Ms. Poyner then contacted Officer Frandon to follow-up and learned from the Building Official that there could be a potential zoning issue. She requested tabling this case to address the zoning issue.

Chairman Simon asked Ms. Poyner how much time she needed to comply.

Ms. Poyner explained that the permit was applied for immediately and she wanted to work as quickly as possible.

Building Official Michael Grimm noted that the zoning process could take a minimum of three months.

Board Member Quigley asked the Building Official if the work was completed or did he stop it from being completed. Photos were shown without objection.

Building Official Grimm reported stopping the work in progress; however, the job was completed over a weekend with one face of the sign completed and the other face left blank.

Board Member Quigley questioned if the sign was returned to its former state, why would the City identify a zoning issue now.

Building Official Grimm explained that the structure may be considered non-conforming.

Chairman Simon called for a motion.

MOTION: Board Member Quigley made a motion to table Case 10-17-6336 for ninety (90) days. Board Member Wade seconded the motion.

Discussion on the Motion:

Board Attorney Steinfeld and Board Member Quigley discussed the reason for tabling the item and the extension process involved. Board Attorney Steinfeld asked if the Notice of Violation gave a specific date for compliance. Officer Frandon explained that the Notice stipulated fourteen (14) days for compliance. Board Attorney Steinfeld suggested extending the compliance date of 90 days to the next Code Enforcement Board meeting in February 2018.

AMENDED MOTION: Board Member Quigley amended his motion to extend the compliance date to February 28, 2018. Board Member Reich seconded the motion.

Discussion on the Amended Motion:

Chairman Simon questioned the time extension. Discussion followed on the potential zoning issue.

VOTE ON THE AMENDED MOTION: **In Favor:** Board Members Fine, Molow, Wade, Reich, Willey, Quigley and Pickren.
Opposed: Chairman Simon.

Motion carried: 7 - 1.

2. Case #4-17-6177 2312 Seminole Palms Drive Greenacres, FL 33463 Issued: 9-26-17	Bonnie Y. Lau 11995 Glenmore Drive Coral Springs, FL 33071-7806 Initiated By: Officer Donna Frandon
--	--

Code Section: 5-8a.1
Code Section: 8-46.1

Inspections
Business Tax Imposed

Officer Frandon testified that the property owner needs a rental license. She reported that a rental license was applied and paid for and a rental inspection was scheduled for October 18th; however, the inspection failed due to the lack of inoperable smoke detectors.

No one on behalf of Bonnie Lau was present.

Chairman Simon called for a motion.

MOTION: Board Member Quigley made a motion in reference to Case 4-17-6177, wherein the Board found Bonnie Y. Lau in violation of Code Sections 5-8a.1 and 8-46.1. If Ms. Lau does not comply by November 9, 2017 (15 days), a fine of \$10/day may be imposed. Board Member Wade seconded the motion.

MOTION TO AMEND: Board Member Molow amended the original motion to increase the fine to \$25/day. Board Member Reich seconded the motion.

Discussion on the Motion to Amend:

Board Member Molow justified increasing the fine, since the violation began back in April. Board Member Quigley noted that it was apparent that the property owner was complying and had requested the necessary fire inspection. He therefore believed that the \$10/day fine was sufficient.

VOTE ON THE AMENDED MOTION: **In Favor:** Chairman Simon, Board Members Molow and Reich, ,
Opposed: Board Members Fine, Wade, Willey, Quigley and Pickren.

Motion failed 3 – 5.

VOTE ON THE ORIGINAL MOTION: **In Favor:** Board Members Fine, Wade, Willey, Quigley and Pickren.
Opposed: Chairman Simon, Board Members Molow and Reich.

Motion passed: 5 – 3.

APPEAL OF FINE

3. Case #8-10-2762
206 Foxtail Drive, #E-3
Greenacres, FL 33463
Issued: 8-2-11

Code Section: 110.1
Code Section: 105.1

Glenn Schneider
206 Foxtail Drive, #E-3
Greenacres, FL 33463-6014
Initiated By: Inspector John Pankiewicz

Inspections
Permits

Officer Frandon testified that the case involves an A/C unit installed without a permit. The Board ordered compliance by January 31, 2013 or a fine of \$10/day would be imposed. She reported that the property came into compliance on October 12, 2017 with a total fine amount to date of \$17,140.

Constance Canterbury, Property Manager for Mr. Snyder, reported that he purchased the property as an investment and was unaware that the A/C unit was not permitted. Ms. Canterbury testified that the Notices of Violation were not provided to Mr. Snyder by the tenants. She reported that the property is now in compliance and requested the Board's consideration.

Board Member Quigley asked who signed for the notice. He asked if it was possible that Mr. Snyder was not being given the previous notices.

Officer Frandon reported that all notices were posted and no other mailing address was known to exist.

Board Member Quigley asked Ms. Canterbury if Mr. Snyder had resided at the property at any time.

Ms. Canterbury said he did not, it was always rented.

Board Member Quigley questioned the reason for the appeal, e.g. sale, lien search, etc.

Ms. Canterbury explained it was due to Mr. Snyder attempting to purchase another property.

Discussion followed among Board Members regarding the notices being received, purchasing the unit with the existing A/C in violation from the previous owner, yearly lien notices, no notices being signed for by the tenant or the owner; rental licenses required for residential units only.

Chairman Simon called for a motion.

MOTION: Board Member Reich made a motion in reference to Case 8-10-2762 to reduce the fine to \$500, payable in thirty (30) days (November 24, 2017) or the fine will revert to the original fine amount of \$17,140. Board Member Quigley seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Board Members Fine, Molow, Wade, Reich, Willey, Quigley and Pickren. (No one opposed)

Motion carried: 8 - 0.

IV. Board Attorney Report. None

V. City Staff Report. None.


VI. Next Meeting.

The next Code Enforcement Board meeting is scheduled for December 13, 2017.

VII. Adjournment.

Chairman Simon adjourned the Code Enforcement Board meeting at 3:41 p.m.

CODE ENFORCEMENT BOARD



Frank Simon, Chairman

Respectfully submitted:



Michael Grimm, Building Director

Date Approved: 2-28-18

/mel

Attachment



MARK RABINOWITZ, RPR

Court Reporter

info@orangelegal.com

(800) 275-7991 toll-free

(855) 867-4545 fax

A horizontal bar with several rectangular segments of different shades of gray, used for color calibration in printing.