

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

Council/Board: Code Enforcement Board
Meeting Date: 3-15-17
Transcribed by: mel No. of Pages: 14 Transcription Time: _____

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>Jana/jc</u>	<u>4/19/17</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<u>SD</u>	<u>4-27-17</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<u>4-27-17</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

APPROVAL OF MINUTES

Meeting Date: 5-10-15

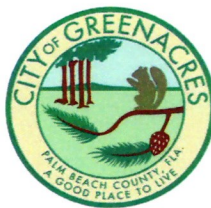
Motion By: Malow Seconded By: Willey

Check One: ☒ Approved ☐ Tabled ☐ Denied Vote: 4/0

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, March 15, 2017

I. Call to Order and Roll Call.

At 2:00 p.m., a brief meeting with Special Magistrate Myrnabelle Roche was held with board members and City staff in attendance to provide an overview of the purpose and responsibilities of Special Magistrate hearings. The regular meeting of the Code Enforcement Board was then called to order by Chairman Simon at 3:00 p.m. on Wednesday, March 15, 2017. Melody Larson, Assistant to the City Clerk, called the roll.

Board Members Present

Frank Simon, Chairman
Bert Molow
Benjamin Wade
Howard Reich
Toni Willey

Staff Present

Myrnabelle Roche, Special Magistrate
Michael Grimm, Chief Building Official
Donna Frandon, Code Enforcement Officer
Shirley Diamond, Code Enforcement Officer
Melody Larson, Assistant to the City Clerk

Absent:

LaVerne Beres, Vice Chairwoman
Merle Fine

Audience: 7
Press: 0

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.

Special Magistrate Roche 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 January 18, 2017 (Mailed for review).

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

MOTION: Mrs. Willey made a motion to approve the minutes of January 18, 2017.
Mr. Reich seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow, Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

III. Cases:

APPEAL OF FINE

- | | |
|---|--|
| 1. Case #11-15-5475 | Huy Nguyen and To Nga Thi |
| 5695 South 37th Court | 158 Bella Vista Way |
| Greenacres, FL 33463+ | Royal Palm Beach, FL 33411-4308 |
| Issued: 11-18-15 | Initiated By: Officer Shirley Diamond |
| Code Section: 105.1 | Permits |
| Code Section: 110.1 | Inspections |

Officer Shirley Diamond presented Agenda Item #12, Page 8, to the Board for consideration.

Officer Shirley Diamond testified that the Board certified a fine of \$25/day on July 27, 2016. The property complied on January 25, 2017. The total fine accrued to \$7,625.

Property owner Huy Nguyen requested a reduction in the fine amount due to mitigating circumstances. It began with a simple driveway permit with minor cosmetic changes (asphalt to brick pavers). Upon receiving the Notice of Violation, he hired a subcontractor to install the driveway. The Planning and Engineering Department requested that the driveway be moved away from the intersection. That minor change caused the contractor to delay the process and ultimately took Mr. Nguyen's payment of \$3,500 without finishing the job. The property was being rented and because the tenant had dogs, the subcontractor could not access the property to complete the work. The tenant refused to pay rent. Mr. Nguyen later learned that the subcontractor and tenant were working together.

Officer Diamond reported that the other violations were corrected and she confirmed Mr. Nguyen was cooperative and did contact both the Planning and Engineering Department and the Code Enforcement Division.

Mrs. Willey questioned the time delay caused by the City. Chairman Simon asked if the subcontractor was licensed.

Mr. Nguyen stated the subcontractor claimed he worked under a licensed contractor but later learned he was not licensed.

Chairman Simon called for a motion.

MOTION: Mr. Molow made a motion in reference to Case No. 11-15-5475 to reduce the fine to \$700 flat, payable by April 14, 2017. Mr. Reich seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow, Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

NEW BUSINESS

- | | |
|---|--|
| <p>2. Case #11-16-5948
4653 Lake Worth Road
Greenacres, FL 33463
Issued: 1-23-17</p> <p>Code Section: 110.1
Code Section: 8-46.1
Code Section: 105.1</p> | <p>Carlos J. Montecalvo/Del Viso, LLC
P.O. Box 611627
N. Miami, FL 33261-1627
Initiated By: Inspector Bart Connolly</p> <p>Inspections
Business Tax Imposed
Permits</p> |
|---|--|

Officer Shirley Diamond presented Agenda Item #1, Page 1, to the Board for consideration.

Inspector Bart Connolly testified that the case began with building without a permit and having a sign without a permit. He reported that the delay for compliance was due to a sign permit that is currently under review by the Planning and Engineering Department. A permit has since been applied for and is pending zoning approval. A contractor was hired and plans were submitted. He recommended allowing 30 days to comply. Service was by Certified Mail.

Tenant Efrain Santos was in agreement with the City's recommendation.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion in reference to Case No. 11-16-5948, wherein the Board found Carlos J. Montecalvo/Del Viso, LLC in violation of Code Sections 110.1, 8-46.1 and 105.1. If Mr. Montecalvo does not comply by April 14, 2017, the Board may impose a fine of \$50/day for every day the violations exist past the date set by the Board for compliance. Mr. Wade seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow, Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

APPEAL OF FINE

3. **Case #4-10-2461**
204 Broward Avenue
Greenacres, FL 33463
Initiated By: Officer Shirley Diamond
- Maureen Dombek**
204 Broward Avenue
Greenacres, FL 33463
Initiated by: Officer Donna Frandon

Officer Shirley Diamond noted that the following case was not included in today's agenda and requested consideration by the Board for an Appeal of Fine.

Officer Frandon reported that the case began in 2010 and consisted of vegetation overgrowth, debris and parking on the lawn. The Board ordered compliance by August 6, 2010 or a \$50/day fine would be imposed. The property complied on January 12, 2017 and the fine amount accrued to \$117,500. Officer Frandon noted that compliance may have been met earlier, but the City was not contacted for inspection. The violations were caused by previous tenants that had since moved out.

Property owner Maureen Dombek reported that upon evicting her previous tenant in November 2010, the property was then cleared. She learned about the fine 2-1/2 years earlier at which time she hired attorney Brian McMann to handle the violations because she was going through cancer treatment. She later received a letter from the City notifying her that the fine was up to \$117,500 at which time she contacted the City.

Officer Frandon reported that lien notices were sent and signed for in 2012, 2013 and 2014.

Chairman Simon called for a motion.

1st
MOTION: Mrs. Willey made a motion in reference to Case No. 4-10-2461 to reduce the fine to \$7,000 payable by May 15, 2017, or it would revert back to the original fine amount of \$117,500. Mr. Wade seconded the motion.

VOTE ON
THE MOTION: **In Favor:** Mrs. Willey and Mr. Wade.
Opposed: Chairman Simon, Mr. Molow and Mr. Reich.

Motion died: 2 – 3.

2nd MOTION: Mr. Molow made a motion in reference to Case No. 4-10-2461 to reduce the fine to \$1,750 payable by May 15, 2017, or it would revert back to the original fine amount of \$117,500. Mr. Reich seconded the motion.

VOTE ON In Favor: Chairman Simon, Mr. Molow and Mr. Reich.
THE MOTION: Opposed: Mrs. Willey and Mr. Wade.

Motion passed: 3 - 2.

CERTIFICATION OF FINE

4. Case #6-16-5801	JCS Real Estate Management Co., M1 5100 Corp.
5100 Lake Worth Road	Thirty-Eight Diversified
Greenacres, FL 33463	350 Lexington Avenue, Suite 204
Issued: 6-20-16	New York, NY 10016-0946
	Initiated By: Building Director Michael Grimm
Code Section: 16-1335-18d	Curbs and Wheel Stops
Code Section: 105.1	Permits
SP-95-03A	Violation of Approved Site Plan – Outdoor Storage
Code Section: 605.1	Installation
Code Section: 16-1334.4	Use of Loading Area for Parking
Code Section: 110.1	Inspections
Code Section: 16-1335-12d	Handicapped Parking

Officer Shirley Diamond presented Agenda Item #9, Page 5, to the Board for consideration.

Officer Donna Frandon provided Board members with a statement from Jumbo Supermarket. Officer Frandon reported that the violations consisted of curbs, wheelstops and handicap spaces in disrepair, open storage, and no permits for outdoor machines. She stated that the owner wanted to attend the last meeting to request a time extension. The owner applied for permits and zoning approval and the property is now in compliance. Service was by Certified Mail. The Board ordered compliance by September 30, 2016, or a fine of \$100/day would be imposed. The property met compliance on January 27, 2017, and the fine accrued to \$11,800.

Chairman Simon asked why three firms refused to create the designs.

General Contractor Jaime Flores, representing the owner, explained that it had to do with a pending lawsuit over the handicap spaces. He confirmed meeting with Building Director Mike Grimm who provided him with the original plans for the former Eckerd's Pharmacy building. He then contacted the original architect, who offered to design the necessary changes. This created the delay.

Chairman Simon called for a motion.

1st
MOTION: Mrs. Willey made a motion in reference to Case No. 6-16-5801, to certify the fine in the amount of \$100/day for every day the violations exist past the date set by the Board for compliance. Mr. Wade seconded the motion.

VOTE ON THE MOTION: **In Favor:** Mrs. Wiley and Mr. Wade.
 Opposed: Chairman Simon, Mr. Reich, and Mr. Molow.

Motion failed: 2 -3.

2nd MOTION: Mr. Molow made a motion in reference to Case No. 6-16-5801, to certify the fine in the amount of \$250 (flat). No one seconded the motion.

Motion died for lack of a second.

3rd MOTION: Chairman Simon made a motion in reference to Case No. 6-16-5801, to certify the fine in the amount of \$500 (flat). Mr. Reich seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Reich, and Mr. Molow.
 Opposed: Mrs. Wiley and Mr. Wade.

Motion passed: 3 -2.

NEW BUSINESS

- | | |
|---|---|
| 5. Case #1-17-6020 | Bryan C. Singh/Shipping Investment, Inc. |
| 5521 South 35th Court | 7899 Seminole Pratt Whitney Road |
| Greenacres, FL 33463 | Loxahatchee, FL 33470-3103 |
| Issued: 1-20-17 | Initiated By: Inspector George Yerkes |

Code Section: 7-27.11 Property Maintenance Nuisance Declared

Officer Shirley Diamond presented Agenda Item #3, Page 2, to the Board for consideration.

Inspector George Yerkes reminded Board members that this property owner came before the Board in December for not obtaining a roofing permit. Since December 23, 2016, the roof debris has remained in the front yard. Photos were admitted without objection due to no respondents in the audience. A licensed contractor performed the reroof; however, no inspections were conducted.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion in reference to Case No. 1-17-6016, wherein the Board found Bryan C. Singh in violation of Code Section 7-27.11. If Mr. Singh does not comply by April 14, 2017, the Board may impose a fine of \$100/day for every day the violation exists past the date set by the Board for compliance. Mr. Molow seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow, Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)
 Motion carried: 5 – 0.

CERTIFICATION OF FINE

6. **Case #10-16-5904** **Kenneth H. Goodrum**
 3766 Heather Drive E **3766 Heather Drive E**
 Greenacres, FL 33463 **Greenacres, FL 33463-3016**
 Issued: 10-11-16 **Initiated By: Officer Donna Frandon**
- Code Section: 7-27.7** **Property Maintenance Nuisance Declared**
 Code Section: 304.1 **General**
 Code Section: 7-27.11 **Property Maintenance Nuisance Declared**
 Code Section: 302.1 **Sanitation**
 Code Section: 14-28b5 **Parking of Motor Vehicles, Boats & Trailers**
 Code Section: 302.9.1 **Parking**

Officer Shirley Diamond presented Agenda Item #5, Page 3, to the Board for consideration.

Officer Donna Frandon testified that service was by Certified Mail. The Board ordered compliance by December 30, 2016 or a \$100/day fine could be imposed. The property complied on February 13, 2017. The fine accrued to \$4,400. She reported that the violation consisted of a backyard fire. The burnt items were moved from the backyard to the front yard and neighbors complained. She reported that a portion of the building was affected by the fire and required repairs. She noted that Mr. Goodrum has some health challenges.

Mr. Goodrum stated that he was unaware of the fine until the 2nd notice was mailed.

Chairman Simon asked the Board if they had any questions; hearing none, he called for a motion.

MOTION: Mr. Wade made a motion in reference to Case No. 10-16-5904 to certify the fine in the amount of \$4,400. Mr. Reich seconded the motion.

VOTE ON **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and
THE MOTION: Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

Discussion followed between the Special Magistrate and board members on the process for certifying fines at lesser amounts and the appeal process.

7. **Case #6-16-5795** **Rosa M. Almendares**
 2125 White Pine Cir, #A **2125 White Pine Cir, #A**
 Greenacres, FL 33415 **Greenacres, FL 33415-6078**
 Issued: 6-13-16 **Initiated By: Officer Shirley Diamond**
- Code Section: 110.1** **Inspections**
 Code Section: 105.1 **Permits**

Officer Shirley Diamond presented Agenda Item #8, Page 5, to the Board for consideration.

Officer Shirley Diamond testified that the case began in June 2016, and consisted of a porch extension done without permits. The property owners contacted the City and explained that their homeowner association would not give permission to build the porch. The City informed the owners that a permit cannot be issued for exterior renovations without homeowner approval.

Customer Service Associate Aileen Hernandez (translator) explained that Mr. Rojas applied for a permit and zoning approval was granted, but homeowner association approval was not granted. Mr. Rojas has hired an attorney because other unit owners have the same type of roof.

Inspector Bart Connolly testified that 10 other unit owners have similar screened porches with hard roofs (some done with or without permits) that were installed approximately 25 years earlier. The City is waiting to see the outcome of the litigation between the homeowner association (HOA) and the owner. If the HOA permits the roof, the City will perform the necessary inspections.

Chairman Simon noted that litigation could take years and asked if the owner had a timeframe on when this could be resolved.

Mrs. Hernandez said the owner was unsure. She explained that the City could issue the permit, however, the dispute between the owner and the HOA still exists. HOA approval is requested as a courtesy.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion to table Case 6-16-5795 through September 15, 2017. Mr. Wade seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

APPEAL OF FINE

8. Case #2-13-4293
4659 Centurian Circle
Greenacres, FL 33463
Issued: 2-19-13

Bank of America, N.A.
400 Countrywide Way
Simi Valley, CA 93065-6298
Initiated By: Officer Donna Frandon

Code Section: 105.1
Code Section: 110.1

Permits
Inspections

Officer Shirley Diamond presented Agenda Item #13, Page 8, to the Board for consideration.

Officer Donna Frandon testified that the case began on February 19, 2013 and consisted of a garage converted into living space. The property complied on January 18, 2017, and the fine accrued to \$63,250. The case began under the previous owners; then the property fell into foreclosure and Bank of America seized ownership. It was then sold to the new owners. The new owners immediately made the necessary repairs and are present to appeal the fine.

Property owner Phillipe Bouchet of Elite Capital explained he purchased the bank-owned property in January 2017. He was aware the property had code violations. He met with Building Director Michael Grimm to review the repairs needed. The bank had hired a contractor to reroof the structure, but problems were noticed during inspections. He made many changes and used local contractors.

Officer Frandon explained that it started with a roof in desperate need of repair. A contractor for the bank repaired the roof. Upon inspection the garage conversion was noticed. The contractor for the bank began repairs on the conversion during which time the roof was damaged which prompted the third case.

Mr. Bouchet reported spending over \$30,000 in repairs.

Chairman Simon called for a motion.

MOTION: Mr. Wade made a motion in reference to Case No. 2-13-4293 to reduce the fine to \$400 (flat) payable by April 14, 2017, or the fine would revert back to the original amount of \$63,250. Mrs. Willey seconded the motion.

VOTE ON THE MOTION: **In Favor:** Mr. Wade and Mrs. Willey.
Opposed: Chairman Simon, Mr. Molow, and Mr. Reich.

Motion failed: 2 - 3.

2nd MOTION: Mr. Reich made a motion in reference to Case No. 2-13-4293 to reduce the fine to \$1,000 (flat) payable by April 14, 2017, or the fine would revert back to the original amount of \$63,250. Mr. Molow seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow, and Mr. Reich.
Opposed: Mrs. Willey and Mr. Wade

Motion passed: 3 - 2.

9. Case #8-12-4075 4659 Centurian Circle Greenacres, FL 33463 Issued: 8-31-2012	Bank of America, N.A. 400 Countrywide Way Simi Valley, CA 93065-6298 Initiated By: Officer Donna Frandon
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Code Section: 304.7

Roofs & Drainage

Officer Shirley Diamond presented Agenda Item #16, Page 10, to the Board for consideration.

Officer Frandon testified that the Board ordered compliance by December 28, 2012 or a fine of \$25/day would be imposed. The property came into compliance on February 7, 2014, and the fine accrued to \$10,125. The violation consisted of roof damage.

Chairman Simon called for a motion.

MOTION: Mr. Wade made a motion in reference to Case No. 8-12-4075 to reduce the fine to \$400 (flat) payable by April 14, 2017, or the fine would revert back to the original amount of \$10,125. Mrs. Willey seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

10. **Case #8-14-4951** **Bank of America, N.A.**
4659 Centurian Circle **400 Countrywide Way**
Greenacres, FL 33463 **Simi Valley, CA 93065-6298**
Issued: 8-21-2014 **Initiated By: Officer Donna Frandon**

Code Section: 7-27.4	Property Maintenance Nuisance Declared
Code Section: 105.1	Permits
Code Section: 304.2	Protective Treatment
Code Section: 301.3	Vacant Structures & Land
Code Section: 304.7	Roofs & Drainage
Code Section: 110.1	Inspections

Officer Shirley Diamond presented Agenda Item #17, Page 10, to the Board for consideration.

Officer Donna Frandon testified that the Board ordered compliance by January 10, 2015 or a \$100/day fine would be imposed. The property complied on January 18, 2017 with a total fine accrual of \$73,800.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion in reference to Case No. 8-14-4951 to reduce the fine to \$1,000 payable by April 14, 2017, or the fine would revert back to the original amount of \$73,800. Mr. Molow seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

CERTIFICATION OF FINE

11. **Case 8-16-5857#** **Eliseo & Crusita Cantu**
5580 South 37th Street **5580 South 37th Street**
Greenacres, FL 33463-3218 **Greenacres, FL 33463-3218**
Issued: 8-9-16 **Initiated By: Officer Shirley Diamond**
- Code Section: 110.1** **Inspections**
Code Section: 7-27.4 **Property Maintenance Nuisance Declared**
Code Section: 302.1 **Sanitation**
Code Section: 7-27.11 **Property Maintenance Nuisance Declared**
Code Section: 7-27.7 **Property Maintenance Nuisance Declared**
Code Section: 105.1 **Permits**

Officer Shirley Diamond presented Agenda Item #11, Page 7, to the Board for consideration.

Officer Shirley Diamond testified that this property has multiple violations. The property was serviced by Certified Mail. The Board ordered compliance by December 20, 2016, or a fine of \$75/day would be imposed. The violations consisted of a shed in the rear built without a permit, trash, debris, aluminum, vegetation overgrowth, and open storage. The property was partially cleaned; however, no permit has been applied for.

Special Magistrate Roche swore in Eliseo and Christina Cantu.

Property owner Christina Cantu explained that her husband has been cleaning the yard. The vegetation overgrowth is bamboo which is hard to maintain. The permit for the shed was applied for.

Chairman Simon called for a motion.

MOTION: Mr. Molow made a motion in reference to Case No. 8-16-5857 to certify the fine in the amount of \$75/day for every day the violations exist past the date set by the Board for compliance. Mrs. Willey seconded the motion.

VOTE ON **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and
THE MOTION: Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

NEW BUSINESS

12. **Case # 1-17-6016** **Lakeview Gardens of PB Condo Assn.**
800 Nottingham Circle **c/o: Chapman Law Firm, P.A.**
Greenacres, FL 33463 **7200 W Camino Real, Suite 102**
Issued: 1-19-17 **Boca Raton, FL 33433-5511**
Initiated By: Officer Shirley Diamond

Code Section: 7-27.11 Property Maintenance Nuisance Declared

Officer Shirley Diamond presented Agenda Item #2, Page 2, to the Board for consideration. She noted that there were no further respondents in the audience.

Officer Shirley Diamond testified that the violation consisted of an unsafe pool area due to a broken gate. This violation poses a life safety issue since children reside at the home. PBSO and the City have notified the owners. The City placed a chain around the gate that lasted 5 days before it was replaced by the management company with a bicycle lock. Upon inspection, the lock had been removed. The homeowner association (HOA) has trouble keeping the gate locked. The City recommended contacting PBSO or hire a security guard. The HOA claims that non-residents use their pool. The gate needs to be repaired. Photos were admitted without objection due to no respondents in the audience.

Mr. Wade asked if the City has the right to lock the gate until repairs are made due to the gate posing a life-safety hazard? Discussion followed on types of repairs and enforcement.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion in reference to Case No., 1-17-6016, wherein the Board found Lakeview Gardens of Palm Beach Condo Assn. in violation of Code Section 303.2 If Lakeview Gardens of Palm Beach Condo Assn. does not comply by March 25, 2017, the Board may impose a fine of \$250/day for every day the violations exist past the date set by the Board for compliance. Mr. Molow seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

Officer Shirley Diamond reported that Agenda Item #4, Page 2, Case 9-16-5901 had complied. and Agenda Item 6, Pg. 4, Case #10-16-5931 had been withdrawn.

CERTIFICATION OF FINE

15. Case #11-16-5937	David Kislak Company, LLC
3720 S 57th Avenue	P.O. Box 5507
Greenacres, FL 33463	Lake Worth, FL 33466-5507
Issued: 11-1-16	Initiated By: Officer Shirley Diamond

Code Section: 7-27.11 Property Maintenance Nuisance Declared

Officer Shirley Diamond presented Agenda Item #7, Page 4, to the Board for consideration.

Officer Shirley Diamond testified that the Board ordered compliance by December 30, 2016, or a \$100/day fine would be imposed. The fine accrued to \$5,800. The property complied on February 27, 2017. Service was by posting and an Affidavit of Posting is in the file.

Chairman Simon called for a motion.

MOTION: Mr. Wade made a motion in reference to Case No. 11-16-5937 to certify the fine in the amount of \$100/day for every day the violation exists past the date set by the Board for compliance. Mr. Molow seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

16. Case #7-16-5840	Roger & Diane Zapata Martinez
5521 South 38th Court	5521 South 38th Court
Greenacres, FL 33463	Greenacres, FL 33463-3263
Issued: 7-14-16	Initiated By: Officer Shirley Diamond
Code Section: 105.1	Permits
Code Section: 110.1	Inspections

Officer Shirley Diamond presented Agenda Item #10, Page 6, to the Board for consideration.

Officer Shirley Diamond testified that the Board ordered compliance by November 23, 2016, or a fine of \$50/day would be imposed. The property complied on February 16, 2017, with a fine accrual of \$4,200.

Chairman Simon called for a motion.

MOTION: Mrs. Willey made a motion in reference to Case No. 7-16-5840 to certify the fine in the amount of \$50/day for every day the violations exist past the date set by the Board for compliance. Mr. Reich seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

APPEAL OF FINE

17. Case # 5-12-3924	Walter & Joan McMurtry
121 Jackson Avenue	4270 Chelson Lane
Greenacres, FL 33463	Woodbridge, VA 22192
Issued: 5-16-12	Initiated By: Officer Donna Frandon

Code Section: 304.4	Structural Members
Code Section: 304.6	Exterior Walls
Code Section: 304.13.2	Openable Windows
Code Section: 301.3	Vacant Structures & Land
Code Section: 304.7	Roofs & Drainage
Code Section: 304.15	Doors

Officer Shirley Diamond presented Agenda Item #15, Page 9, to the Board for consideration.

Officer Donna Frandon testified that the property is owned by a disabled veteran who lives up north and is in/out of the hospital. The Board ordered compliance by September 28, 2012, or a \$50/day fine would be imposed. The property complied on April 1, 2015, with a fine accrual of \$45,700. The violations consisted of three rotted structures on the property of which two have been removed by a County grant. The owner wanted to keep the third structure, but later realized he could not repair it. Mr. McMurtry now wants to appeal the fine.

Chairman Simon called for a motion.

MOTION: Chairman Simon moved to waive the fine of \$45,700. Mr. Wade seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairman Simon, Mr. Molow and Mr. Reich, Mrs. Willey and Mr. Wade. (No one opposed)

Motion carried: 5 - 0.

IV. Special Magistrate Report. None.

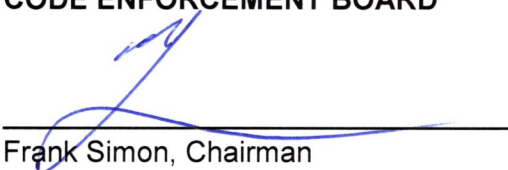
V. Next Meeting.

The next Code Enforcement Board meeting is scheduled for May 10, 2017.

VI. Adjournment.

Chairman Simon adjourned the Code Enforcement Board meeting at 4:56 p.m.

CODE ENFORCEMENT BOARD


Frank Simon, Chairman

Respectfully submitted:


Michael Grimm, Building Director

Date Approved: 5-10-17

/mel