



CITY OF COOPER CITY SPECIAL MAGISTRATE HEARING

WEDNESDAY, SEPTEMBER 21, 2020
 COOPER CITY HALL
 9090 SW 50th PLACE
 COOPER CITY, FL 33338

Post Hearing Minutes for September 21, 2020

- A. EXPLANATION OF PROCEDURES BY SPECIAL MAGISTRATE
- B. SWEARING IN
- C. NOTICE OF VIOLATION HEARING

1.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
06304	Insel, Patricia	5225 SW 95 Avenue	1910 SW 58 Avenue	Plantation, FL 33317	Sec 6-40(b) Maintenance Standards-Exterior Premises Condition- for failure to keep exterior premises free of nuisances, unsightly conditions by allowing litter & debris to be stored on the property. (REPEAT VIOLATION-Case#05902 & 06110)	Jenny Walsh
Date		Note				
8/2/2017	Respondent was present and admitted the violation. Code Officer Walsh was present. FOV- Must pay \$80 admin fee on or before 09/01/2017. Must pay \$100/day from 07/05/2017 until compliance. Admin fee paid on 09/15/2017.					
10/4/2017	Certification of Fine					
02/05/2019	Violation complied per Code on 02/05/2019.					
9/21/2020	Andrew & Gail Siegel (daughter & son In law) were present. Patricia Insel was present. Daughter & son in law requested additional time to comply with the violations which was granted by the Magistrate also the respondent must pay all administrative fees, recording/release fees and abatement costs (\$6,118.00) on or before 10/21/2020. Failure to comply with the violation or payment of the hard costs will result in the foreclosure order to move forward.					

Notes

2.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190258	Insel, Patricia	5225 SW 95 Avenue	1910 SW 58 Avenue	Plantation, FL 33317	8-13 Litter being stored on property	Lynn Duvall
Date		Note				
12/16/2019	Respondent was present. Code Officer Lynn Duvall was present. FOV- Must comply on or before 12/11/2019. If not complied then must pay \$25/day fine from 12/12/2019 until compliance. Must pay \$80 administrative fee on or before 01/03/2020. Paid admin fee on 01/28/2020.					
2/5/2020	Respondent was present. Code Officer Duvall was present. Must comply with the violation on or before 02/20/2020. Magistrate has ordered the property a health, safety, welfare issue. If violation not complied on or before 02/20/2020 the City is ordered to abate the property. Owner responsible for the charges and will be a separate lien. Also, Certification of Fine.					
9/21/2020	Andrew & Gail Siegel (daughter & son In law) were present. Patricia Insel was present. Daughter & son in law requested additional time to comply with the violations which was granted by the Magistrate also the respondent must pay all administrative fees, recording/release fees and abatement costs (\$6,118.00) on or before 10/21/2020. Failure to comply with the violation or payment of the hard costs will result in the foreclosure order to move forward.					

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3.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190677	Insel, Patricia	5225 SW 95 Avenue	1910 SW 58 Avenue	Plantation, FL 33317	6-40(b) Maintenance Standards - Exterior premises - unsafe and unsightly, causing a nuisance (rodents, etc.)	Belinda Graham
Date	Note					
2/5/2020	Respondent was present. Code Officer Duvall was present. FOV- Must comply with the violation on or before 02/20/2020. If violation is not complied then the City is ordered to abate the property and owner would be responsible for expenses for the work done by the City. Also if not complied then must pay \$500/day fine from 12/13/2019 until compliance. Must pay \$80 administrative fee on or before 03/06/2020. Special Magistrate has declared this property and health, safety and welfare issue. Continue to 05/06/2020 for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Respondent was present. Code Officer Lynn Duvall was present. <u>Not complied as of 06/03/2020.</u> Removal of shed in back yard will achieve compliance. Certification of Fine.					
9/21/2020	Andrew & Gail Siegel (daughter & son In law) were present. Patricia Insel was present. Daughter & son in law requested additional time to comply with the violations which was granted by the Magistrate also the respondent must pay all administrative fees, recording/release fees and abatement costs (\$6,118.00) on or before 10/21/2020. Failure to comply with the violation or payment of the hard costs will result in the foreclosure order to move forward.					

Notes

4.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190697	Insel, Patricia	5225 SW 95 Avenue	1910 SW 58 Avenue	Plantation, FL 33317	6-10 Storm Shutters - All shutters on home must be removed.	Lynn Duvall
Date	Note					
2/5/2020	Respondent was present. Code Officer Duvall was present. FOV- Must pay \$80 administrative fee on or before 03/06/2020. Must comply with the violation on or before 03/06/2020 if not complied then must pay \$100/day fine from 03/07/2020 until compliance. If violation is not complied then continue to 05/06/2020 for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Respondent was present. Code Officer Lynn Duvall was present. <u>Violation not complied as of 06/03/2020.</u> Certification of Fine.					
9/21/2020	Andrew & Gail Siegel (daughter & son In law) were present. Patricia Insel was present. Daughter & son in law requested additional time to comply with the violations which was granted by the Magistrate also the respondent must pay all administrative fees, recording/release fees and abatement costs (\$6,118.00) on or before 10/21/2020. Failure to comply with the violation or payment of the hard costs will result in the foreclosure order to move forward.					

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D. REDUCTIONS

5.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0034	Brodsky, Matthew	10357 Lima Street	10357 Lima Street	Cooper City, FL 33026	FBC 105 Sec 6-7 Adoption of Florida Building Code which provides that a permit is required to perform interior renovations.	Gerry Lomastro
Date	Note					
4/3/2019	Continuance granted to May 1, 2019.					
5/1/2019	Respondent was present. Building Inspector Gerry Lomastro was present. Continue to 06/05/2019 for status review. If no violation after inspection then case will be closed.					
6/5/2019	Tom Williams-Contractor was present. Building Inspector Gerry Lomastro was present. FOV-Must comply with the violation (obtain permit) on or before 07/20/2019. If not complied then must pay \$100/day fine from 07/21/2019 until compliance. Must pay \$80 administrative fee on or before 07/05/2019.					
8/7/2019	Respondent was not present. Building Insp. Lomastro was present. Continue to 10/2/2019 for certification of fine due to lack of service.					
10/2/2019	Certification of Fine-Complied with the violation 07/17/2020 per Carlos Vega in Bldg Dept. Admin fee paid on 09/17/2020.					
9/21/2020	09/21/2020 HEARING: KATIE DROZD FROM THE FIRM LEWIS BRISBOIS BISGAARD & SMITH LLP WAS PRESENT. FINE REDUCED 75% FROM \$36,425.50 TO \$9,275.50 TO BE PAID ON OR BEFORE 10/21/2020. IF REDUCED FINE NOT PAID THEN FINE REVERTS BACK TO THE ORIGINAL AMOUNT.					

6.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190650	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	Eureka, CA 95501	Sec 6-10 Storm Shutters - all shutters	Belinda Graham
Date	Note					
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. Declared a health safety welfare issue. FOV - Must comply with the violation on or before 3/14/2020. failure to comply will result in a fine of \$150/day from 03/15/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Respondent was not present. Code Officer Belinda Graham was present. Violation complied by the City on 04/16/2020. Certification of Fine					
9/21/2020	Christophal Hellewell from the firm Ghidotti Berger was present. Fine reduced 95% from \$5,025.50 to \$465.50. (\$240.00 + \$80.00 admin fee + \$45.50 recording/release fees + \$100.00 staff time.) to be paid on or before 10/21/2020. If reduced fine not paid then fine reverts back to the original amount.					



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7.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190651	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	Eureka, CA 95501	23-90(i) Fence Maintenance	Belinda Graham
Date	Note					
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. FOV - Must comply with the violation on or before 4/3/2020. Failure to comply will result in a fine of \$50/day from 04/05/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Respondent was not present. Code Officer Belinda Graham was present. Certification of Fine Hearing. Violation complied on 08/04/2020 per Code Officer Graham.					
9/21/2020	Christophal Hellewell from the firm Ghidotti Berger was present. Fine reduced 75% from \$6,275.50 to \$1,738.00. (\$1,512.50 + \$80.00 admin fee + \$45.50 recording/release fees + \$100.00 staff time.) to be paid on or before 10/21/2020. If reduced fine not paid then fine reverts back to the original amount.					

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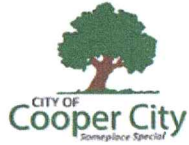
8.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
190652	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	Eureka, CA 95501	25-102(d) Sidewalk Maintenance	Belinda Graham
Date	Note					
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. FOV - Must comply with the violation on or before 4/3/2020. Failure to comply will result in a fine of \$50/day from 04/04/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Respondent was not present. Code Officer Belinda Graham was present. Certification of Fine Hearing. Violation complied on 08/04/2020 per Code Officer Graham.					
9/21/2020	Christophal Hellewell from the firm Ghidotti Berger was present. Fine reduced 75% from \$6,325.50 to \$1,750.50. (\$1,525.00 + \$80.00 admin fee + \$45.50 recording/release fees + \$100.00 staff time.) to be paid on or before 10/21/2020. If reduced fine not paid then fine reverts back to the original amount.					

Notes

9.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
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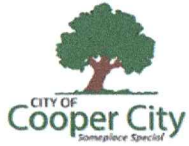
200089	US Bank Trust NA TRSTEE	8971 SW 57 ST	323 5 ST	Eureka, CA 95501	6-40(b) Stagnant Pool Water	Belinda Graham
Date	Note					
3/4/2020	Respondent was not present. Code enforcement Belinda Graham was present. Abatement order granted. Declared a health safety welfare issue. FOV - Must comply with the violation on or before 3/18/2020. Failure to comply will result in a fine of \$150/day from 03/19/2020 until compliance. Must pay \$80 admin fee on or before 4/3/2020. If not complied then continue to May 6, 2020 hearing for Certification of Fine hearing.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Pool drained 03/30/2020 per Diane PW. Respondent was not present. Code Officer Belinda Graham was present. Certification of Fine.					
9/21/2020	Christophal Hellewell from the firm Ghidotti Berger was present. Fine reduced 95% from \$1,875.50 to \$308.00. (\$82.50 + \$80.00 admin fee + \$45.50 recording/release fees + \$100.00 staff time.) to be paid on or before 10/21/2020. If reduced fine not paid then fine reverts back to the original amount.					

TOTAL CASES 9
 REQUESTS FOR EXTENSION TO COMPLY- 4
 REQUEST FOR REDUCTIONS- 5
 MOTIONS TO CONTINUE- 0
 NEXT HEARING DATE: September 2, 2020 @ 9:00 A.M.

G. ADJOURNMENT

This meeting adjourned at 10:22 Am.

Evidence

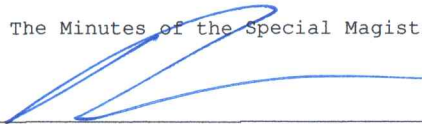


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In general, evidence which is relevant will be admitted if, in the opinion of the Special Magistrate, it is the type of evidence upon which reasonable and responsible persons would normally rely in the conduct of everyday business and other affairs. Relevant evidence is evidence which tends to prove or disprove a matter in issue. Respondents shall be strictly limited to presenting evidence and testimony to those matters specifically set forth within their written statement, as noticed in the Notice of Hearing Before Special Magistrate. Any person requiring auxiliary aids and services to participate in this proceeding should contact the Office of the Clerk to the Special Magistrate at (954) 434-4300, ext. 250, at least forty-eight (48) hours prior to the hearing. If you obtain an attorney, you or your attorney should notify the Special Magistrate Clerk in writing of the representation at least five (5) working days prior to your hearing. One or more members of the City Commission and/or advisory boards of the City may be in attendance at the Special Magistrate proceedings.

The Minutes of the Special Magistrate Hearing on August 5, 2020 were approved on 9/28/20, 2020



Hofit Lottenberg, Esq., Special Magistrate



Ruth Freeston, Clerk of the Special Magistrate