



**CITY OF COOPER CITY SPECIAL MAGISTRATE HEARING
BUILDING DEPARTMENT VIOLATIONS**

WEDNESDAY, OCTOBER 4, 2023
10:00 A.M.
COOPER CITY HALL
9090 SW 50th PLACE
COOPER CITY, FL 33328

October 4, 2023 Draft Agenda

- 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
EEN23-0032	Brian A & Heidi S Kirlew	12101 Sailboat Way	12101 Sailboat Way	Cooper City, FL 33026	Section 105 Permits Section 6-7 of the Code, entitled "Adoption of Florida Building Code," which provides that a permit is required to INSTALL A METAL PERGOLA WITH COVER AND ELECTRICAL AT FRONT ENTRYWAY OF HOUSE.	Marc Young
Notes						
	Date	Note				
	7/5/2023	Respondent request for continuance renoticed to 09/06/2023 which has been granted. Case continued to 09/06/2023.				
	9/6/2023	Respondent request for continuance submitted on 08/28/2023. Continuance granted to 10/04/2023.				
	10/4/2023					



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D. CERTIFICATION OF FINE HEARINGS



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E. REDUCTION OF FINE HEARING

2.

Case #	Name	Property Address	Mailing Address	C/S/Z	Violation Description/Assessment	Assigned To
EEN19-0129	REAL SUB LLC	10006 GRIFFIN RD	PO BOX 407	Lakeland, FL 33802-0407	FBC 105 Sec. 6-7 Adoption of Florida Building Code which provides that a permit is required to renovate the existing commercial kitchen.	Gerry Lomastro
Date	Note					
11/6/2019	Respondent was not present. Building Inspector Lomastro was present. FOV- Must comply with the violation on or before 02/04/2020. If not complied then must pay \$100/day from 02/05/2020 until compliance. Must pay \$80 admin fee on or before 12/06/2019. Paid admin fee on 11/06/2019. If not complied then continue to 03/04/2020 for certification of fine hearing.					
3/4/2020	GENERAL CONTRACTOR FREDY ROGER AND ALEJANDRO LOPEZ WERE PRESENT. BUILDING INSPECTOR GERRY LOMASTRO WAS NOT PRESENT BUT BUILDING COORDINATOR CARLOS VEGA WAS PRESENT. GRANTED 60 DAYS CONTINUANCE TO MAY 6, 2020 TO COMPLY. IF COMPLIED CASE WILL CLOSED. FAILURE TO COMPLY WILL CONTINUE THE CASE FOR MAY 6, 2020 HEARING.					
5/6/2020	Hearing cancelled due to COVID-19. Case rescheduled to 06/03/2020.					
6/3/2020	Submittal process started on 02/04/2020. Second review denied with comments on 05/28/2020. Heidi Davis-Attorney for owner, Alejandro Lopez-Tenant (Wings of Cooper City), Gerry Lomastro & Al Bostwick from Building Dept & Roger Gonzalez-Fire Inspector were present. Previous order revised to state that compliance date has been extended for 60 days (October 1, 2020). If not complied then must pay \$100/day fine from October 2, 2020 until compliance. If complied then case will close if not complied then case will continue to 10/07/2020 for Certification of Fine hearing.					
10/7/2020	Second Plan Review with comments completed on 6/1/20. Plan have not been resubmitted. Attorney requesting extension-see letter attached to file. Heidi Davis from the Law Firm Gunster was present. Owner sick-not present. Requesting 90 days to submit plans which has been denied. Certification of Fine. Violation complied on 05/04/2023.					
10/4/2023	\$100/day from 10/02/2020 through 05/04/2023 (944 days)=\$94,400.00 + \$54.00 recording/release fees + \$100 staff time=\$94,554.00.					



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TOTAL CASES--
REQUESTS FOR EXTENSION TO COMPLY--
REQUEST FOR REDUCTIONS--
MOTIONS TO CONTINUE--
REQUEST FOR PARTIAL RELEASE--
NEXT HEARING DATE: November 1, 2023 @ 10:00 A.M.

F. ADJOURNMENT

This meeting adjourned at a.m.

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 October 4, 2023 were approved on _____, 2023.

Hofit N. Lottenberg, Esq., Special Magistrate

Ruth Freeston, Clerk of the Special Magistrate