

AGENDA REQUEST FORM

CITY OF DANIA

Date: November 5, 2010

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Abatement Request for: Violet M. Klatt Rev Tr, 100 S. Federal Highway #201, Case #09-0073

Summary Explanation & Background:

This was originally cited on January 20, 2009 for 2 violations, and was given 30 days to comply. This went to the Special Magistrate on 4/02/09 for 2 violations. The Special Magistrate issued an order giving the respondent until 5/12/09 to comply or a fine of \$200.00 per day would be levied. Special Magistrate Mark Berman ordered the fine confirmed at the 10/08/09 hearing. At the 6/03/10 hearing Special Magistrate Mitch Kraft granted an authorization to foreclose. The fines ran from 5/12/09 through 6/18/10, 402 days @ \$200.00 per day = \$80,400.00. An abatement of \$8,000.00 was recommended to the City Commission per Special Magistrate Mitch Kraft at the September 2, 2010 Special Magistrate hearing. A continuance was requested by the respondents from the September 16, 2010 Commission Abatement hearing.

Exhibits (List):

- (1) Copy of the Final Order issued and the Supplemental Order issued by the Special Magistrate.
- (2) Copy of the original violation letter issued.
- (3) Copy of the minutes from the 4/2/09, 10/08/09, 6/03/10, and 9/02/10 Special Magistrate hearings.
- (4) Copy of the lien total sheet.

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

An abatement of \$8,000.00 was recommended to the City Commission per Special Magistrate Mitch Kraft at the September 2, 2010 Special Magistrate hearing. A continuance was requested by the respondents from the September 16, 2010 Commission Abatement hearing.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk



City of Dania Beach

FLORIDA

January 20, 2009

VIOLET M KLATT REV TR
% DANIA SHOPPING PLAZA
126 S FEDERAL HWY STE 201
DANIA BEACH, FL 330043661

Case Number: 09-00000073

Location: 100 S FEDERAL HWY
Folio: 5042-34-01-3560-
Legal Description:
TOWN OF DANIA B-49 D LOT 1 LESS ST RD, 2, 3, 4 LESS ST RD, 5 LESS ST
RD, 6 BLK 25 TOWN OF DANIA B-49 D LOT 1 LESS ST RD, 2, 3, 4 LESS ST

Dear VIOLET M KLATT REV TR
% DANIA SHOPPING PLAZA:

You are hereby notified that you are presently in violation of Dania Beach Code of Ordinances. We have attached the ordinance section(s) and corrective actions for your reference.

You are required to correct the violation(s) and call for a re-inspection by February 19, 2009. Failure to comply will result in proceedings against you by the Code Enforcement Special Magistrate, as provided by law. If the violation is corrected and then reoccurs or if the violation is not corrected by the time specified for correction by the Code Inspector, the case may be presented to the Code Enforcement Special Magistrate for imposition of a fine and lien against the property even if the violation has been corrected prior to the hearing.

If you require further information or have any questions about the attached violation(s), please do not hesitate to contact me at 954 924-6810 ext.3649.

Sincerely,

TUCHETTE TORRES
CODE INSPECTOR

I certify that an original hereof was furnished to the above named addressee by:
Certified Mail # 7008 1300 0000 4135 7618 by SM

Also sent regular mail

"Broward's First City"

CASE NUMBER 09-00000073
 PROPERTY ADDRESS 100 S FEDERAL HWY

VIOLATION: CE015001000001 QUANTITY: 1
 DESCRIPTION: DBCC 15-1 BTR/License Required DATE: 1/20/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 15-1 states it is unlawful for any person to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city.

CORRECTIVE ACTION REQUIRED :

Cease all unlawful activities and obtain all required business tax receipts (previously referred to as licenses) and approvals before resuming business operations.

VIOLATION: CE028028060001 QUANTITY: 1
 DESCRIPTION: DBCC 28-28.060 Prohibited Sign DATE: 1/20/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 28-28.060 states it is unlawful to erect, cause to be erected, maintain, or cause to be maintained any sign that is not specifically permitted, exempted, or authorized by the code.

CORRECTIVE ACTION REQUIRED :

Remove any and all prohibited signs from the subject property. Contact the inspector listed for further explanations and/or instructions.

1. DBCC 15-1 BTR/License Required. It is unlawful for any person to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city. A business is operating on the property without a business tax receipt.

Upon consideration by the Special Magistrate, it is ORDERED:

1. Respondent(s) has/have been found to be in violation of the above described code section(s) listed in paragraph(s) c.(1). A fine of \$200.00 per day will begin running on May 12, 2009.

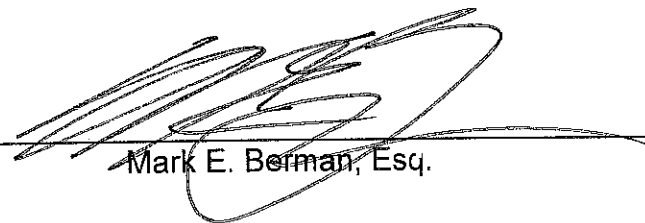
The City of Dania Beach shall have and recover from Respondent(s), for the foregoing violations listed above, a fine of \$200.00 per day beginning May 12, 2009.

The fine shall continue until the violations come into compliance with the sections of the City Code upon requested inspection. Upon complying, the Respondent(s) MUST notify the City's Code Compliance Department and an officer will inspect the property and notify the Code Compliance Special Magistrate whether Respondent(s) has/have complied. If the Respondent(s) does/do not notify the City's Code Compliance Department, an officer will not inspect the property and the fine will continue to be imposed each day until a Code Officer is notified, inspects the property and determines the property to be in compliance with this order. The fine shall constitute a lien upon the real property and personal property of the Respondent(s).

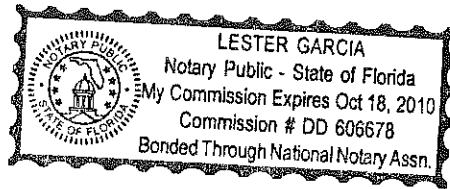
In the event this Final Order is recorded as a lien, a charge will be imposed to record the Final Order and any lien satisfaction. ORDERED at Dania Beach, Broward County, Florida, on APRIL 17, 2009.

CODE COMPLIANCE SPECIAL MAGISTRATE

By:



Mark E. Berman, Esq.



Notary Seal:

Sworn and subscribed before me on
APRIL 14 2009.




NOTARY PUBLIC STATE OF FLORIDA

Mark E. Berman is personally known to me.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing Final Order was mailed to the Respondent(s) on APRIL 14, 2009.

CERTIFIED MAIL # 7009 0080 0001 9339 2117



CODE COMPLIANCE
SPECIAL MAGISTRATE CLERK

CC: First Class Standard Mail

/sm

CODE COMPLIANCE SPECIAL MAGISTRATE

CITY OF DANIA BEACH, FLORIDA

CITY OF DANIA BEACH, a Florida : CASE # 09-0073
Municipal Corporation,

PETITIONER, : FINAL ORDER

vs. :

VIOLET M. KLATT REV TR
% DANIA SHOPPING PLAZA

RESPONDENT(S). :

SUPPLEMENTAL ORDER /CLAIM OF LIEN

The CITY OF DANIA BEACH CODE COMPLIANCE SPECIAL MAGISTRATE, having received the notice and testimony of Code Officer Warren Ostrofsky, on the City's Motion to Confirm Fine held on October 8, 2009, and based on the evidence, the Code Compliance Special Magistrate enters the following findings of fact and order:

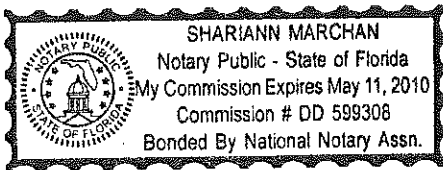
1. The Respondent(s) or a representative for the Respondent(s) was not present at the hearing.
2. That the Code Compliance Special Magistrate did issue on April 14, 2009, a Final Order in the above-captioned case commanding the Respondent(s), Violet M. Klatt Rev Tr % Dania Shopping Plaza, to bring the violations specified in the Final Order into compliance on or before May 12, 2009, or pay a fine in the amount of \$200.00 per day for each day of non-compliance thereafter.
3. The violations found by the Code Compliance Special Magistrate and entered in the Final Order occurred on the following described real property located at 100 S. Federal Highway, Dania Beach, which property is legally described as: TOWN OF DANIA B-49 D LOT 1 LESS ST RD 2,3,4 LESS ST RD, 5 LESS ST RD, 6 BLK 25 (# 0234-01-3560).
4. Respondent(s) did not comply with the Final Order on or before May 12, 2009. There are violations stated in the Final Order which still exist on the Property.

5. The fine stated in the Final Order is confirmed and ratified and shall accrue at the per diem rate specified until such time as the Respondent(s) has/have complied with the Final Order. Upon complying, **the Respondent(s) MUST notify** the City's Code Compliance Department and an officer will inspect the property and notify the Code Compliance Special Magistrate whether Respondent(s) has/have complied.

6. The fine shall constitute a lien against the above-described real property and it shall be a lien against any other real or personal property owned by Respondent(s).

DONE and ORDERED at Dania Beach, Broward County, Florida, on

October 20, 2009.



CODE COMPLIANCE SPECIAL MAGISTRATE

By: _____

[Handwritten Signature]
Mark E. Berman, Esq.

Notary Seal:

Sworn and subscribed before me on

October 20 2009.

Shariann Marchan
NOTARY PUBLIC STATE OF FLORIDA

Mark E. Berman is personally known to me.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing Supplemental Order/Claim of Lien was mailed to the Respondent(s) on October 20, 2009.

CERTIFIED MAIL # 7009 1680 0000 9715 1071

Shariann Marchan
CODE COMPLIANCE
ACTING SPECIAL MAGISTRATE CLERK

CC: First Class Standard Mail
sm

Return to: Mark Bates
Finance Director
City of Dania Beach
100 West Dania Beach Blvd.
Dania Beach, FL 33004

Case Order	Case #	Name	Address	Results
35	09-0107	Secretary of Housing & Urban Development	5300 SW 26 Ave	Compliance by May 12, 2009 or \$150.00 per day fine.
36	09-0120	Barak Rozen	5091 SW 27 Ave	Compliance by May 12, 2009 or \$75.00 per day fine.
37	08-1771	Jerry Bass	4731 SW 33 Ave	Extension granted until June 11, 2009.
38	07-0936	Robert W Sandstrom	4421 SW 23 Ave	Authorization to sue for money judgment granted.
39	07-1782	Robert Steven Attaway	225 SW 3 Ter	Authorization to sue for money judgment granted.
40	07-2488	Jeffrey Friel	258 SW 1 Court	Extension granted until August 10, 2009.
41	08-0946	Front Water Investments LLC	4600 SW 44 Ave	Extension granted until June 11, 2009.
42	08-1555	CBLB Inc	3489 Griffin Rd	Fine confirmed.
43	09-0105	ACP Partners LLC	4101 Ravenswood Rd	Compliance by May 12, 2009 or \$200.00 per day fine.
44	09-0108	CBLB Inc	3489 Griffin Rd	Compliance by May 12, 2009 or \$200.00 per day fine.
45	09-0121	Daniel Gelfand	2235 Clipper Pl #5109	Compliance by May 12, 2009 or \$100.00 per day fine.
46	09-0175	Hoa Nguyen	2453 SW 58 Mnr West	Compliance by May 12, 2009 or \$150.00 per day fine.
47	07-0805	Broward Casting Foundry Inc	2240 SW 34 St	Extension granted until May 12, 2009.
48	08-0459	Victor Medina	529 E Sheridan St #2011	Fine confirmed.
49	08-0489	Jack Besner Tr & Hanna S Besner	731 SW 3 Pl	Extension granted until June 11, 2009.
50	09-0014	Golden Key Plaza Inc	801 S Federal Hwy	Compliance by May 12, 2009 or \$200.00 per day fine.
51	09-0073	Violet M Klatt Rev Tr % Dania Shopping Plaza	100 S Federal Hwy	Compliance by May 12, 2009 or \$200.00 per day fine.
52	09-0075	AJRT Investments Inc	1005 S Federal Hwy	Stipulated agreement. Compliance by May 12, 2009 or \$150.00 per day fine.
53	09-0085	Andrey Korchagin % Yana Franz	105 S Federal Hwy	Stipulated agreement. Compliance by June 11, 2009 or \$150.00 per day fine.
54	09-0087	Stirling Design Center % Neal Property Management Inc.	1249 Stirling Rd	Compliance by May 12, 2009 or \$200.00 per day fine.
55	09-0089	Elisabeta Patriche	200 SE 4 Ter	Stipulated agreement. Compliance by July 11, 2009 or \$150.00 per day fine.
56	09-0202	Joseph Dobson, Dorothea B Dobson TR Est.	231 SW 9 St	Compliance by May 12, 2009 or \$250.00 per day fine.
57	07-1260	Douglas Orland	47 SW 15 St	Authorization to foreclose granted.
58	07-2930	Z & Lillie Parrish	209 NW 6 Ave	Fine confirmed.
59	08-0247	Gmac Mortgage LLC	133 SW 5 Ct	Authorization to foreclose granted.
60	08-0719	Samuel Weiss	128 SW 2 Ave	Extension granted until June 11, 2009.
61	08-0769	Samuel Weiss	130 SW 3 Ave	Extension granted until June 11, 2009.
62	08-1758	Elizabeth Morrison & Paul Morrison	413 NW 3 Ter	Compliance by May 12, 2009 or \$150.00 per day fine.
63	08-1917	Radhika Waddraji, Veerapen Waddraji	109 SW 5 Ct	Fine confirmed. Authorization to abate nuisances granted after 20 days in the interest of public health and safety.
64	08-1919	Radhika Waddraji, Veerapen Waddraji	113 SW 5 Ct	Fine confirmed. Authorization to abate nuisances granted after 20 days in the interest of public health and safety.
65	08-1973	Avi Levy	1400 NW 9 St	Compliance by May 12, 2009 or \$150.00 per day fine.
66	08-2059	Michelle Wilcox & J Bryant	137 NW 4 Ave	Compliance by May 12, 2009 or \$250.00 per day fine.
67	08-2104	Musa LLC	11 SW 12 Ave Bld 4 107	Compliance by May 12, 2009 or \$150.00 per day fine.

Case Order	Case #	Name	Address	Results
50	09-0073	Violet M. Klatt Rev Tr % Dania Shopping Plaza	100 S. Federal Hwy	Fine confirmed.
51	07-1093	Carib 169-34 LLC	1190 Stirling Road	Abatement of \$1,500.00 recommended to City Commission.
52	07-2558	Ellen Bithell & Linda J. Simon	1461 NW 10 St	Continued to January 2010 hearing.
53	08-1499	Christine Taylor Est % Jacquelen I Kurland	31 NW 14 Ct	Extension granted until November 17, 2009. Final extension.
54	08-1979	Associated Financial Inc.	Vacant Lot E of 421 NW 3 Ter	Fine confirmed.
55	09-0996	Randall A. Suhr	309 NE 2 Avenue	Compliance by December 17, 2009 or \$150.00 per day fine.
56	09-1069	Cheryl Clarke	501 W. Dania Beach Blvd	Stipulated agreement. Compliance by December 17, 2009 or \$150.00 per day fine.
57	09-1097	Marcus & Danette Estes	246 NW 8 Avenue	Compliance by November 17, 2009 or \$150.00 per day fine.
58	09-1193	Alonzo Neal	813 NW 3 St	Compliance by November 17, 2009 or \$250.00 per day fine.

Case Order	Case #	Name	Address	Results
1	09-2291	James C Juranitch	325 NE 5 Ct	Compliance by August 12, 2010 or \$150.00 per day fine. Charge # 8 dismissed without prejudice. \$100.00 administrative fee is assessed.
2	07-0368	Thomas Flannery & Mario Perez	502 SW 2 Ave	Recommendation of \$2,500.00 to City Commission.
3	10-0404	Abdul Haq	714 SW 3 PI	Compliance by July 13, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
4	10-0360	Charles Coldiron & Dawnaa Smith	4581 SW 25 Ave	Compliance by September 11, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
5	09-2280	Jeanne M Towne	4598 SW 35 Ave	Compliance by August 12, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
6	09-2097	Dana Chowen	317 Phippen Rd	Fine confirmed. Reduced to \$1,250.00 if paid by July 3, 2010.
7	07-2481	Sharon Nielsen	4326 SW 48 Ct	Payment extension granted of \$50.00 per month until paid in full.
8	09-1924	Port Property LTD	1101 Eller Dr West	Extension granted to October 11, 2010.
9	09-1925	Port Property LTD c/o Stiles C	1101 Eller Dr East	Extension granted to October 11, 2010.
10	10-0034	Marc Vaillancourt & Pauline Vaillancourt	5851 SW 29 Ave	Compliance by October 11, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
11	10-0295	Emerald Lake Village Inc	5551 Ravenswood Rd	Compliance by September 11, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
12	09-2288	Louis Labarbera	200 SE 7 St	Compliance by July 13, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
13	10-0431	Colette O'Hanlon	42 SE 12 St	Compliance by July 13, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
14	09-0073	Violet M Klatt Rev Tr % Dania Shopping Plaza	100 S Federal Hwy	Authorization to foreclose granted.
15	09-2320	Import-Export Livestock Corp	236 N Federal Hwy	Compliance by September 11, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
16	10-0297	Kathleen K Graham	833 Argonaut Isle	Compliance by September 11, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
17	10-0405	David Zinn	114 NW 7 Ave	Compliance by August 12, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
18	09-2281	Bernard R & Carmen M Feinberg	4400 SW 43 Ave	Extension granted to September 11, 2010.
19	10-0184	Richard Dwyer	4621 SW 42 Ter	Compliance by August 12, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
20	08-2114	Robert Liauw	31 SW 10 St	Extension granted to September 11, 2010.
21	09-2192	Rhiana Barrero & Myriam Barrero	215-213 SW 11 St	Compliance by July 13, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
22	10-0379	Shamsideen Obafemi Laguda	715 SW 6 St #1	Continuance granted to July 8, 2010 hearing.
23	09-2363	Alison Werner Weinstein & Ronald M Weinstein	4961 SW 28 Ter	Compliance by September 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
24	10-0375	Essel Corp	Vacant Lot W of 3047 SW 50 St	Compliance by July 13, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
25	10-0434	Kwok Keung Lai	2320 SW 44 St	Compliance by July 13, 2010 or \$250.00 per day fine. \$100.00 administrative fee is assessed.
26	08-1771	Jerry Bass	4731 SW 33 Ave	Authorization to foreclose granted.

Case Order	Case #	Name	Address	Results
1	09-2060	Coon Holdings Inc	999 Eller Dr C1-2	Fine confirmed. Hold on recording lien for 30 days. Case pending an abatement request once the property comes into compliance. The \$100.00 administrative fee is to be paid immediately and the BTR obtained. Compliance by December 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
2	10-0927	Feldman Real Estate LLC	109 SW 5 Ct	Compliance by December 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
3	10-0930	F & F Real Estate LLC	117 SW 5 Ct	Fine confirmed. Hold on recording lien for 30 days. \$100.00 administrative fee is to be paid immediately.
4	09-1204	Raquel Molak	3019 SW 50 St	Stipulated agreement. Compliance by November 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
5	09-2116	Wilson Hollywood Showroom LLC %TTA/Eproperty Tax Dept 207	5555 Anglers Ave 16-B	Motion to confirm fine rescinded. Extension granted to November 11, 2010. Extension granted to September 2, 2010. Property is in compliance. Case will be complied once the \$200.00 administrative fee and nuisance abatement liens are paid within 30 days.
6	10-1009	ICGC2 LLC	719 SW 5 St	Compliance by November 11, 2010 or \$50.00 per day fine. \$100.00 administrative fee is assessed.
7	08-0099	Sean Eckhardt Penny Eckhardt 1/2 Int	4741 SW 42 Ter	Compliance by December 11, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
8	10-0672	Raymond V Heim	414 SE 5 St	Fine confirmed at \$7,000.00. Fine reduced to \$500.00 payable by December 11, 2010 with the stipulation that the \$100.00 administrative fee is paid immediately.
9	09-2305	Melba Butler	195 NW 14 Way	Abatement of \$2,200.00 recommended to the City Commission.
10	10-0816	Ana M Marin	217 SW 3 Ter	Abatement of \$8,000.00 recommended to the City Commission.
11	09-2137	Kenney Gonzalez Miguel Angel Gonzalez	4533 SW 51 St	Fine confirmed at \$3,450.00. Fine reduced to \$1,500.00 if paid by October 12, 2010.
12	06-1658	Violet M Klatt Rev Tr % Dania Shopping Plaza	126 S Federal Hwy	Previous order amended. Fine confirmed. \$100.00 administrative fee is assessed.
13	09-0073	Violet M Klatt Rev Tr % Dania Shopping Plaza	100 S Federal Hwy	Fine confirmed.
14	10-0120	John Wardell & Pamela Carr	4930 SW 27 Ave	Fine confirmed.
15	07-0020	Dania Development Group LLC Catherine Egholm & Thomas L Ford	246 N Federal Hwy	Compliance by October 12, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
16	09-2113	Edward F Gonzalez	325 SE 4 Ave	Compliance by September 22, 2010 or \$250.00 per day fine. Authorization to abate nuisances by cutting and cleaning the overgrowth and debris, securing the doors and removing the trash container after September 22, 2010 granted in the interest of public health and safety. \$200.00 administrative fee is assessed.
17	09-2205	Georgios Vihos	219 SW 11 St	Stipulated agreement. Compliance by November 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
18	10-0933		242 SW 7 St	
19	10-1012	New Horizon Counseling Center	721 SW 12 Ave	
20	10-1027	A & J Subachan Invest Inc	380 S Federal Hwy	

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: KLATT,VIOLET M REV TR
 % DANIA SHOPPING PLAZA
FOLIO: 0234-01-3560
LEGAL: TOWN OF DANIA B-49 D LOT 1 LESS ST RD,2,3,4 LESS ST RD,5 LESS ST RD,6 BLK 25
ADDRESS: 100 S FEDERAL HIGHWAY

COMPLIED AS OF 6/18/2010 PER TUCHETTE TORRES - CODE COMPLIANCE. FLD

CODE ENFORCEMENT ORDER LIEN		CEB 09-0073		RECORDED		RELEASED					
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	DATE	BOOK	PAGE	DATE
5/12/2009	6/18/2010	\$200.00	402	\$80,400.00	\$141.00	46765	1232-1237	12/30/2009			
					Total	\$80,541.00					

This property is in compliance as of 6/18/2010.

REVISED 9/8/2010
 Cherrie-Ann Browne
 Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES		
1	PAGES CERTIFIED COPY COVER	10.00
3	PAGES FINAL ORDER	25.50
2	PAGES SUPPLEMENTAL ORDER	17.00
2	PAGES RELEASE OF LIEN	18.50
	ADM. FEE RECORDING LIEN	40.00
	ADM. FEE RECORDING RELEASE	30.00
		141.00