

AGENDA REQUEST FORM CITY OF DANIA

Date: September 19, 2013

Agenda Item #:

Title: Request for Abatement

Requested Action:

Request for Reconsideration of the Abatement Request for: My Darling LLC, 4409 SW 60 Street, Case #09-1864 (*Originally considered on 1/19/12*)

Summary Explanation & Background:

This was originally cited on October 5, 2009 for 13 violations, and was given 30 days to comply. This went to the Special Magistrate on 12/03/09 for 13 violations. The Special Magistrate issued an order giving the respondent until 2/11/10 to comply or a fine of \$200.00 per day would be levied. Special Magistrate Mark E. Berman ordered the fine confirmed at the 10/07/10 hearing. The fines ran from 2/11/10 through 9/06/11, 572 days @ \$200.00 per day = \$114,641.00 including costs. An abatement of \$57,000.00 was recommended to the City Commission per Special Magistrate Gordon Linn at the September 8, 2011 Special Magistrate hearing. At the 11/17/11 Commission Abatement Hearing a continuance was granted until 1/19/12. At the 1/19/12 Commission Abatement Hearing an abatement of \$12,000.00 to be paid within one year was granted. Four payments of \$1,000.00 totaling \$4,000.00 were received until 6/14/12 after which no further payments were received. This is a request for reconsideration of the abatement request.

Exhibits (List):

- (1) Copy of the original violation letter issued.
- (2) Copy of the Final Order issued and the Supplemental Order issued by the Special Magistrate.
- (3) Copy of the minutes from the 12/03/09, 10/07/10, and 9/08/11 Special Magistrate hearings, and the minutes from the 1/19/12 Commission Abatement Hearing.
- (4) Copy of the lien total sheet.

Purchasing Approval:

Source of Additional Information: (Name & Phone)

Recommended for Approval By:

An abatement of \$57,000.00 was recommended to the City Commission per Special Magistrate Gordon Linn at the September 8, 2011 Special Magistrate hearing. At the 11/17/11 Commission Abatement Hearing a continuance was granted until 1/19/12. At the 1/19/12 Commission Abatement Hearing an abatement of \$12,000.00 to be paid within one year was granted. Four payments of \$1,000.00 totaling \$4,000.00 were received until 6/14/12 after which no further payments were received. This is a request for reconsideration of the abatement request.

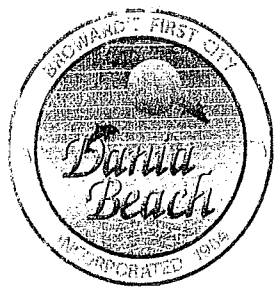
Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk



City of Dania Beach FLORIDA

October 5, 2009

MY DARLING LLC
2320 HOLLYWOOD BLVD
HOLLYWOOD, FL 33020

Case Number: 09-00001864

Location: 4409 SW 60 ST
Folio: 5041-36-03-0140-
Legal Description:
FRANCES GROVE ESTATES 26-46 B LOT 10 BLK 2

Dear MY DARLING LLC:

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 November 04, 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.3718.

Sincerely,

MICHAEL RINALDI
CODE INSPECTOR

I certify that an original hereof was furnished to the above named addressee by:

Certified Mail # 7009 0820 0000 4013 2071 by SM

Also sent regular mail

"Broward's First City"

FILE NUMBER 09-00001864
 PROPERTY ADDRESS 4409 SW 60 ST

VIOLATION: CE008021127001 QUANTITY: 1
 DESCRIPTION: DBCC 8-21(a)(2)(g) Win/Door Mn DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :
 DBCC 8-21(a)(2)(g) states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair.

CORRECTIVE ACTION REQUIRED :
 Insure every window and exterior door is reasonably weathertight, maintained without cracks and holes, and in a state of good repair. Obtain any and all permits and approvals as necessary or required.

VIOLATION: CE008021127002 QUANTITY: 1
 DESCRIPTION: DBCC 8-21(a)(2)(g) Window Equi DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :
 DBCC 8-21(a)(2)(g) states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.

CORRECTIVE ACTION REQUIRED :
 Insure all windows intended for ventilation are equipped with fully operable hardware and fitted with screens. Obtain any and all permits and approvals as necessary or required.

VIOLATION: CE008021145001 QUANTITY: 1
 DESCRIPTION: DBCC 8-21(a)(4)(e) Elec Cond DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :
 DBCC 8-21(a)(4)(e) requires all electrical wiring and accessories to be maintained in good, safe working condition and be adequately insulated and protected. No wiring, outlets, or connections shall be left exposed so as to create a hazardous condition.

CORRECTIVE ACTION REQUIRED :
 Insure all electrical wiring and accessories are maintained in good, safe working condition, are adequately insulated and protected, and that no wiring, outlets, or connections are exposed so as to create a hazardous condition.

VIOLATION: CE008021146002 QUANTITY: 1
 DESCRIPTION: DBCC 8-21(a)(4)(f) Fences/Wall DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 09-00001864
 PROPERTY ADDRESS 4409 SW 60 ST

ORDINANCE DESCRIPTION :

DBCC 8-21(a)(4)(f) states all fences, walls, and similar enclosures shall be maintained in a state of good repair.

CORRECTIVE ACTION REQUIRED :

Insure all fences, walls, and similar enclosures are maintained in a state of good repair. Obtain any and all permits and approvals as necessary or required.

 VIOLATION: CE008021151201 QUANTITY: 1
 DESCRIPTION: DBCC 8-21(a)(5)(a)(2) Paint DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 8-21(a)(5)(a)(2) states all surfaces requiring painting or which are otherwise protected from the elements shall be kept painted or protected, maintained free of graffiti, and be of uniform colors void of any evidence of deterioration.

CORRECTIVE ACTION REQUIRED :

Insure all surfaces requiring painting or which are otherwise protected from the elements are painted or protected, are free of any graffiti, and are uniform in color with no evidence of deterioration.

 VIOLATION: CE013034001001 QUANTITY: 1
 DESCRIPTION: DBCC 13-34(a) Nus Accumulation DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 13-34(a) states it is unlawful for any owner or operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.

CORRECTIVE ACTION REQUIRED :

Remove any garbage, litter, trash, stagnant water, untended vegetation, or discoloration, or any nuisance as defined in section 13-21 from the premises and maintain the property in accordance with all applicable city ordinances.

 VIOLATION: CE013034003001 QUANTITY: 1
 DESCRIPTION: DBCC 13-34(c) Untended Veg DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 13-34(c) states the owners and operators of all improved property within the city shall not permit untended

FILE NUMBER 09-00001864
 PROPERTY ADDRESS 4409 SW 60 ST

ORDINANCE DESCRIPTION :

vegetation upon such property and the public rights of way, swales, and/or canal banks. Untended vegetation includes all grass, weeds, and underbrush in excess of eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation.

CORRECTIVE ACTION REQUIRED :

Cut all untended vegetation and maintain the property and the public rights of way, swales, and/or canal banks as required by code. Insure all grass, weeds, and underbrush are below eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation are removed.

 VIOLATION: CE015001000001 QUANTITY: 1
 DESCRIPTION: DBCC 15-1 BTR/License Required DATE: 10/05/09
 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: CE022001000001 QUANTITY: 1
 DESCRIPTION: DBCC 22-1 Bldg Numbers (Front) DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 22-1 states any building in the city must display the correct street number upon such building.

CORRECTIVE ACTION REQUIRED :

Insure the building has and displays the correct street number upon the building and that it is visible from the right of way.

 VIOLATION: CE028004020101 QUANTITY: 1
 DESCRIPTION: DBCC 28-4.20(a) Appl of Regs DATE: 10/05/09
 LOCATION:

ORDINANCE DESCRIPTION :

DBCC 28-4.20(a) states no building shall be erected, added on to, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the

CASE NUMBER 09-00001864
PROPERTY ADDRESS 4409 SW 60 ST

ORDINANCE DESCRIPTION :
regulations established by this chapter for the district in which the building or land is located.

CORRECTIVE ACTION REQUIRED :
Insure the building or land is in compliance with all requirements of Chapter 28, and that any required permits and/or approvals are obtained for the subject property prior to occupancy and/or use. Contact the inspector listed for further explanations and/or instructions.

VIOLATION: CE028004020401 QUANTITY: 1
DESCRIPTION: DBCC 28-4.20(d) Prohibited Use DATE: 10/05/09
LOCATION:

ORDINANCE DESCRIPTION :
DBCC 28-4.20(d) states any use not specifically listed in the Schedule of Regulations as a permitted use or a special exception use is prohibited in all zoning districts.

CORRECTIVE ACTION REQUIRED :
Cease and desist all unpermitted/prohibited uses on the subject property. Contact the inspector listed for further explanations and/or instructions.

VIOLATION: CE028028060001 QUANTITY: 1
DESCRIPTION: DBCC 28-28.060 Prohibited Sign DATE: 10/05/09
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.

VIOLATION: CE105001000001 QUANTITY: 1
DESCRIPTION: FBC 105.1 Permits Required DATE: 10/05/09
LOCATION:

ORDINANCE DESCRIPTION :
FBC 105.1 requires any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated

FILE NUMBER 09-00001864
PROPERTY ADDRESS 4409 SW 60 ST

ORDINANCE DESCRIPTION :

by the Florida Building Code (2004), or to cause any such work to be done, must first make application to the building official (or building department) and obtain the required permit(s).

CORRECTIVE ACTION REQUIRED :

Obtain any and all permits and approvals required for any and all construction/building activities on the subject property. Contact the inspector listed for further explanations and/or instructions.

CODE COMPLIANCE SPECIAL MAGISTRATE
CITY OF DANIA BEACH, FLORIDA

CITY OF DANIA BEACH, a Florida : CASE # 09-1864
Municipal Corporation

PETITIONER, :

vs. :

MY DARLING LLC

RESPONDENT(S). :

FINAL ORDER OF THE DANIA BEACH CODE COMPLIANCE
SPECIAL MAGISTRATE

This proceeding came on for Formal Hearing on December 3, 2009, after notice. Based upon the evidence presented, the Code Compliance Special Magistrate makes the following findings of fact and conclusions of law:

- a. The Code Compliance Special Magistrate has jurisdiction of the Respondent(s) and the subject matter of this action.
- b. The Respondent(s) or a representative for the Respondent(s) was not present at the hearing.
- c. Petitioner, City of Dania Beach, and Respondent(s), My Darling LLC, executed a Stipulation which is approved by the Code Compliance Special Magistrate and incorporated into this order by this reference.
- d. Respondent(s) did allow the following code violations to exist at property Respondent(s) owns/own, located at 4409 SW 60 Street, Dania Beach, Florida, which property is legally described as: FRANCES GROVE ESTATES 26-46 B LOT 10 BLK 2 (# 0136 03 0140):
 1. DBCC 8-21 (a) (2) (g) Window and Doors Minimum Standards. Every window

and exterior door shall be reasonably weathertight, maintained without cracks and holes and in a state of good repair. The windows are secured shut.

2. DBCC 8-21 (a) (2) (g) Window Equipment Minimum Standards. All windows intended for ventilation must be equipped with fully operational hardware and fitted with screens. The windows lack fully operable hardware.

3. DBCC 13-34 (a) Nuisance Accumulation. It is unlawful for any owner or operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, stagnant water, trash, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises. There are trash, tile and roof debris on the premises. All trash and litter on the premises must be removed.

4. DBCC 13-34 (c) Untended Vegetation Minimum Standards. The owners and operators of all improved property within the city shall not permit untended vegetation upon such property, and the adjoining portions of rights of way, swales, and canal banks. There are tall grass, weeds and brush on the property.

5. 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 from the city. The business of renting property requires a Business Tax Receipt. The property is being used for rental purposes without a Business Tax Receipt. A business tax receipt must be obtained to rent and for business the on property.

6. DBCC 28-4.20 (a) Application of Regulations. No building shall be erected, added on to, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the regulations established by this chapter for the district in which the building or land is located. The building was reconstructed or structurally altered without building and zoning approval.

7. DBCC 28-4.20 (d) Prohibited Use. Any use not specifically listed in the Schedule of Regulations as a permitted use or a special exception use is prohibited in all zoning districts. The single family residence is being used for a commercial business which is not a permitted use.

8. FBC 105.1 Permits Required. Requires any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is

regulated by the Florida Building Code, or to cause any such work to be done, to first make application to the building department and obtain the required permit(s). Electrical work was performed and an air conditioning unit was installed or added without permits.

Upon consideration by the Special Magistrate, it is ORDERED:

(a) Respondent(s) has/have been found to be in violation of the above described code sections listed in paragraphs d.(1) through d.(8). A fine of \$200.00 per day will begin running on February 11, 2010.

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 on February 11, 2010.

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).

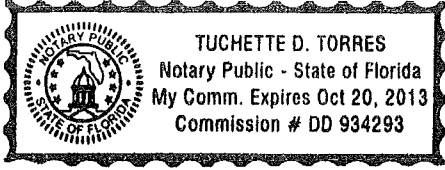
2. In addition, the Special Magistrate has also assessed an additional fine of \$100.00 to cover costs incurred by the City in the prosecution of this matter. Said amount is now due, and must be paid prior to the compliance date as ordered. If not paid, this fine may also constitute a lien against the above referenced property which may also be actionable by law.

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 December 14, 2009.

S/A Final Order

#09-1864

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CODE COMPLIANCE SPECIAL MAGISTRATE

By: _____

A handwritten signature in black ink, appearing to read 'Mitch Kraft', written over a horizontal line.

Mitch Kraft, Esq.

Notary Seal:

Sworn and subscribed before me on

December 14, 2009.

A handwritten signature in black ink, appearing to read 'Tuchette Torres', written over a horizontal line.

NOTARY PUBLIC STATE OF FLORIDA

Mitch Kraft 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 December 14, 2009.

CERTIFIED MAIL # 7009 1680 0000 9715 4737

A handwritten signature in black ink, appearing to read 'Tuchette Torres', written over a horizontal line.

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 # 09-1864
Municipal Corporation,

PETITIONER, : FINAL ORDER

vs. :

MY DARLING LLC

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 Gary Phaneuf, on the City's Motion to Confirm Fine held on October 7, 2010, and based on the evidence, the Code Compliance Special Magistrate enters the following findings of fact and order:

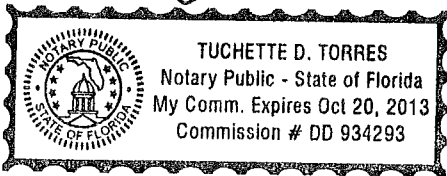
1. The Respondent(s) or a representative for the Respondent(s) was present at the hearing.
2. That the Code Compliance Special Magistrate did issue on December 3, 2009, a Final Order in the above-captioned case commanding the Respondent(s), My Darling LLC, to bring the violations specified in the Final Order into compliance on or before February 11, 2010, 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 4409 SW 60 Street, Dania Beach, which property is legally described as: FRANCES GROVE ESTATES 26-46 B LOT 10 BLK 2 (# 0136 03 0140).
4. Respondent(s) did not comply with the Final Order on or before February 11, 2010. 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 15, 2010.



CODE COMPLIANCE SPECIAL MAGISTRATE

By:

[Handwritten Signature]
Mark Berman, Esq.

Notary Seal:

Sworn and subscribed before me on
October 15, 2010.

[Handwritten Signature]
NOTARY PUBLIC STATE OF FLORIDA

Mark 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 15, 2010.

CERTIFIED MAIL # 7010 1060 0000 1371 5859

[Handwritten Signature]
CODE COMPLIANCE
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

City of Dania Beach

100 W. Dania Beach Blvd.
Dania Beach, FL 33004

ABATEMENT HEARING DATE: 1/19/12 6:00 pm

PROPERTY OWNER: My Darling LLC
PROPERTY FOLIO # 0136-03-0140

On this date your case has been heard before the City Commission of the City of Dania Beach, Florida. The following decision has been made.

CODE ENFORCEMENT ORDER(S) OR LOT MOWING LIEN(S) CASE #09-1864

HAS BEEN ABATED TO THE AMOUNT OF: \$ 12,000.00

THIS AMOUNT IS DUE WITHIN: 12 ^{MONTHS} ~~DAYS~~ FROM THIS HEARING DATE ABOVE.

If this abated amount is not paid by this due date the Code Enforcement Order against your property will revert back to the original enforced order and you will lose the right to come before the Commission again for abatement.

I the property owner or representative signs this agreement with full understanding of the information held within.

Property Owner/Representative _____

Signature

PRINT NAME

WITNESS: Warren Ostrofsky

Warren Ostrofsky

**ALL PAYMENTS MUST BE IN THE FORM OF A CASHIERS CHECK OR MONEY ORDER,
AND MADE OUT TO THE CITY OF DANIA BEACH Attn: A/R Dept**

Contact the Accounts Receivable Dept. for any further questions you may have

Case Order	Case #	Name	Address	Results	
31	09-1797	Jose L. Cruz & Maria C. Quiceno	2460 SW 53 St	Compliance by January 12, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.	NP
32	09-1799	Paul Cates 1/2 Int Ea Adrianna Mora	5199 SW 28 Ter	Compliance by December 23, 2009 or \$200.00 per day fine. Authorization to abate nuisances by cutting and cleaning the property after December 23, 2009 granted in the interest of public health and safety. \$100.00 administrative fee is assessed.	NP
33	07-0805	Broward Casting Foundry INC	2240 SW 34 St	Extension granted until March 13, 2010. \$100.00 administrative fee is assessed.	NP
34	08-0946	Front Water Investments LLC	4600 SW 44 Ave	Extension granted until April 12, 2010.	NP
35	09-0152	Nelly & Clement Heffez	4910 Schooner Dr #5303	Fine confirmed. \$100.00 administrative fee is assessed.	NP
36	09-1486	Leo E. & Phyllis S. Engasser	2351 SW 34 St	Compliance by January 12, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
37	09-1677	Jacob Stewart Wendel & Nadia Wendel	4389 SW 52 St	Compliance by December 23, 2009 or \$250.00 per day fine in regards to the nuisance charges # 7, 8 & 9. Authorization to abate nuisances by cutting and cleaning the property after December 23, 2009 granted in the interest of public health and safety. Compliance by January 12, 2010 or \$200.00 per day fine for all remaining violations. \$100.00 administrative fee is assessed.	NP
38	09-1863	Eunice Alexander 1/2 Int Lyle Alexander	4927 SW 44 Ter	Compliance by December 23, 2009 or \$200.00 per day fine. \$100.00 administrative fee is assessed.	NP
39	09-1864	My Darling LLC	4409 SW 60 St	Stipulated agreement. Compliance by February 11, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.	NP
40	09-0119	Claude Darmony	5018 S Harbor Isles Dr #2406	Continuance granted to the January 7, 2010 hearing.	NP
41	09-0277	Jorge Mario Uribe Gomez & Maria Luz Mercedes N. Perez	4960 Windward Way #1503	Fine confirmed. \$100.00 administrative fee is assessed.	NP
42	09-0573	Travis Ford	280 NW 14 Way	Fine confirmed. \$100.00 administrative fee is assessed.	NP
43	09-1179	A-1 Investments	125 NW 10 Ct	Compliance by December 23, 2009 or \$250.00 in regards to the nuisance charges # 2 & 3. Authorization to abate nuisances by cutting and cleaning the property and removing trash and debris after December 23, 2009 granted in the interest of public health and safety. Compliance by January 12, 2010 or \$200.00 per day fine for all remaining violations. \$100.00 administrative fee is assessed.	NP
44	09-1510	Dou'z INC	Vacant Lot W of 801 SW 1 St Lot 2	Compliance by December 23, 2009 or \$250.00 per day fine. Authorization to abate nuisances by securing the fence, cutting and cleaning the property after December 23, 2009 granted in the interest of public health and safety. \$100.00 administrative fee is assessed.	NP
45	09-1928	Terry Thomas & Victoria Thomas	301 NW 4 Ave	Compliance by December 23, 2009 or \$250.00 per day fine. Authorization to abate nuisances by cutting and cleaning the property, removing trash and debris from the property and the sidewalk after December 23, 2009 granted in the interest of public health and safety. \$100.00 administrative fee is assessed.	NP

Case Order	Case #	Name	Address	Results	
1	09-1112	Warsow Acquisition Corp % Jerome L Tepps PA	17 N Federal Hwy	Extension granted to December 16, 2010.	P
2	09-1137	Warsow Acquisition Corp % Jerome L Tepps PA	4 N Federal Hwy	Extension granted to December 16, 2010.	P
3	10-0670	Russell T Kohuth	113 Phippen Rd	Compliance by December 16, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.	P
4	10-0636	Harold F & Linnette C Miller	136 SE 2 Ct	Continuance granted to November 4, 2010 hearing.	P
5	08-1850	Tauric L Reed	113 NW 13 Ave	Extension granted to January 15, 2011.	P
6	10-0787	Dennis R Cerny & Danielle Cerny	4549 SW 35 Ave	Recurring violation found. Case is in compliance. \$100.00 administrative fee is assessed.	P
7	07-2980	W & O Inc	4331 Ravenswood Rd	Extension granted to January 15, 2011.	NP
8	09-1864	My Darling LLC	4409 SW 60 St	Fine confirmed. Hold on recording lien for 30 days.	P
9	10-0308	MYSB LLC	4680 SW 33 Ave	Extension granted to December 16, 2010.	P
10	09-2010	Rickin Sanchez	224 SW 3 PL	Fine confirmed. Reduced to \$1,000.00 if paid by November 6, 2010.	P
11	10-0184	Richard Dwyer	4621 SW 42 Ter	Extension granted to September 5, 2010. Case is in compliance.	P
12	09-1692	Alecia C Williams 1/2 Int Sharon D Curry	234 NW 9 Ave	Continuance granted to December 2, 2010 hearing.	P
13	10-1186	Jonathan G Falco Tiffany L Kuboske	4649 SW 37 Ave	Compliance by October 27, 2010 or \$250.00 per day fine. Authorization to abate nuisances by cutting and cleaning the overgrowth and debris, and removing the trash container after October 27, 2010 granted in the interest of public health and safety. \$100.00 administrative fee is assessed.	NP
14	07-0194	Christina Hart % Mrs Rosalee Delancy	Vac Lot E of 707 SW 9 St	Authorization to foreclose granted	NP
15	09-1797	Jose L Cruz Maria C Quiceno	2460 SW 53 St	Fine confirmed.	NP
16	10-0728	Zvi H Segall	5933 Ravenswood Rd	Stipulated agreement. Compliance by December 16, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
17	09-1677	Jacob Stewart Wendel & Nadia Wendel	4389 SW 52 St	Fines confirmed.	NP
18	10-0187	Baby Steps Investments LLC	2238 SW 34 St	Stipulated agreement. Compliance by January 15, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
19	10-0904	Rafi & Ilana Levy	3671 Stirling Rd	Stipulated agreement. Compliance by January 15, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
20	09-2281	Bernard R & Carmen M Feinberg	4400 SW 43 Ave	Extension granted to January 15, 2011.	NP

Case Order	Case #	Name	Address	Results
1	10-1853	Cosac Homeless Assistance Center Inc	301 NW 4 Ave	Compliance by December 17, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
2	10-1555	John Leon	1025 SE 4 Ave #102	Compliance by October 18, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
3	10-0441	Feldman Real Estate LLC	109 SW 5 Ct	Abatement of \$5,000.00 recommended to City Commission.
4	10-0924	F & F Real Estate LLC	101 SW 5 Ct	Fine confirmed. Hold on recording lien for 30 days.
5	10-0925	F & F Real Estate LLC	105 SW 5 Ct	Fine confirmed. Hold on recording lien for 30 days.
6	10-0927	Feldman Real Estate LLC	109 SW 5 Ct	Fine confirmed. Reduced to \$2,100.00 if paid by October 18, 2011.
7	10-0930	F & F Real Estate LLC	117 SW 5 Ct	Fine confirmed. Hold on recording lien for 30 days.
8	11-0195	S & N Realty LLC	2860 State Road 84 #118	Fine confirmed. Reduced to \$2,400.00 plus \$100.00 administrative fee if paid by October 18, 2011.
9	11-0730	4173 SW 49th St LLC	4173 SW 49 St	Compliance by October 18, 2011 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
10	11-0848	Yvonne Coley-Lewis	104-108 SE 2 Ave	Compliance by October 18, 2011 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
11	11-0172	Binh Yen Diep Fannie Mae	2857 Griffin Rd	Extension granted to September 8, 2011. Case is complied.
12	11-0087	% Federal National Mortgage Assn	724 SW 7 St	Extension granted to October 18, 2011.
13	10-1020	Dania Phoenix Corp	113 NW 1 Ave	Abatement of \$2,800.00 recommended to City Commission.
14	11-0017	Douglas Hammond	357 SE 6 St	Fine confirmed. Hold on recording lien for 30 days.
15	10-1789	Zvi H Segall	5925 Ravenswood Rd	Compliance by November 17, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
16	10-1770	Drore I LLC	306 SW 16 St	Extension granted to November 17, 2011.
17	10-1771	Drore 2 LLC	300 SW 16 St	Extension granted to November 17, 2011.
18	10-1068	Wendy Bradley	310 SE 3 St	Fine confirmed. Reduced to \$750.00 if paid by November 7, 2011.
19	09-1864	My Darling LLC	4409 SW 60 St	Authorization to foreclose granted. Abatement of \$57,000.00 recommended to City Commission.
20	11-0361	Sandra Cuomo	2200 SW 46 Ct	Continuance granted to November 3, 2011 hearing.
21	11-0362	Sandra Cuomo	2210 SW 46 Ct	Continuance granted to November 3, 2011 hearing.
22	11-0363	Sandra Cuomo William W Cuomo	2220 SW 46 Ct	Continuance granted to November 3, 2011 hearing.
23	11-0288	South Florida Haitian Evangelical Baptist Church Inc	23 NW 1 St	Compliance by December 17, 2011 or \$100.00 per day fine. \$200.00 administrative fee is assessed.
24	10-1754	Marjorie Elnora Atkins	708 SW 7 St	Fine confirmed. Hold on recording lien for 60 days.
25	09-2366	Eugene V Bushell & Ato Lawrence	Vacant Lot NW corner SW 2 Ave & SW 3 St	Abatement of \$1,000.00 recommended to City Commission.
26	11-0351	Louis Ferrer Est	3448 SW 44 St	Continuance granted to October 6, 2011 hearing.
27	11-0842	Louis Ferrer	3448 SW 44 St	Continuance granted to October 6, 2011 hearing.
28	11-0843	Louis Ferrer Est	3460 SW 44 St	Continuance granted to October 6, 2011 hearing.
29	10-1072	Lawrence M Krupnick	1024 SE 3 Ave	Fine confirmed. Hold on recording lien for 30 days.
30	11-0911	Sooky Maharaj	4940 SW 26 Ave	Compliance by October 18, 2011 or \$100.00 per day fine. \$100.00 administrative fee is assessed.
31	10-1758	PPF Industrial 2201-2381 Stirling Rd LLC	2301 Stirling Rd	Extension granted to December 17, 2011.
32	11-0629	Dania Investments Inc	321 N Federal Hwy	Compliance by November 17, 2011 or \$200.00 per day fine. \$150.00 administrative fee is assessed.
33	10-1142	800 Marine Technical Center Inc	800 Old Griffin Rd	Fine confirmed. Hold on recording lien for 30 days.

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
ABATEMENT HEARING
* THURSDAY, JANUARY 19, 2012 – 6:00 P.M.

1. Call to Order

Mayor Flury called the meeting to order at 6:07 p.m.

2. Roll Call

Present:

Mayor:	Patricia A. Flury
Vice-Mayor:	Bobbie H. Grace
Commissioners:	Anne Castro
	C. K. "Mac" McElyea
City Manager:	Robert Baldwin
City Attorney:	Thomas J. Ansbro
City Clerk:	Louise Stilson
Code Attorney:	Tim Ryan

Absent:

Commissioner:	Walter Duke
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3. Abatement Requests

- * 3.1 Consideration of the abatement request for My Darling LLC for property located at 4409 SW 60 Street (aka: Stirling Road), Case # 09-1864 (Folio # 0136-03-0140) *(Continued from November 17, 2011)*

Attorney Ryan advised the case involved 13 violations: windows are secured shut; windows lack fully operable hardware; trash and litter on the premises; tall grass, weeds and brush on the property; property used for rental purposes without a Business Tax Receipt; the building was reconstructed or structurally altered without building and zoning approval; family residence is being used for a commercial business; and electrical work was performed and an air conditioning unit was installed or added without permits. The fine ran for 572 days for a total of \$114,641.00, including costs. The Special Magistrate recommended an abatement of \$57,000.00.

Eli Levy, 3230 Stirling Road, representing My Darling LLC, indicated the property owner is not very savvy. He said he currently works for the property owner and is in charge of taking care of

the building. Mr. Levy commented that the contractor was amazed at the paperwork requested by the City to do the job, and how long it took to bring the site into compliance.

A representative from Ramcon Corp, the contractor, noted that it took 10 months to get the permit and that the property owner spent \$30,000.00 in fees to do the work.

Mr. Levy noted that his client now understands the importance of code enforcement and compliance issues.

Commissioner Castro motioned to abate the lien to \$12,000.00, to be paid in 12 months; seconded by Commissioner McElyea. The motion carried on the following 3-1 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner McElyea	Yes	Mayor Flury	No

- 3.2 Consideration of the abatement request for 2080 Griffin Holdings LLC for property located at 2080 Griffin Road, Case # 10-0201 (Folio # 0233-08-0160) *(Continued from November 17, 2011)*

Attorney Ryan advised the case involved 4 violations: electrical wall signs were installed onto the building without building and zoning approval; the monument sign is in disrepair; and the electrical wall and monument signs were installed without the required building permits. The fine ran for 343 days for a total of \$68,899.50, including costs. The Special Magistrate recommended an abatement of \$7,000.00.

- 3.3 Consideration of the abatement request for 2080 Griffin Holdings LLC for property located at 2080 Griffin Road, Case # 10-0257 (Folio # 0233-08-0160) *(Continued from November 17, 2011)*

Attorney Ryan advised the case involved 1 violation of renting property without a Business Tax Receipt. The fine ran for 441 days for a total of \$44,100.00, including costs. The Special Magistrate recommended an abatement of \$4,000.00.

- 3.4 Consideration of the abatement request for 2080 Griffin Holdings LLC for property located at 2080 Griffin Road, Case # 10-1075 (Folio # 0233-08-0160) *(Continued from November 17, 2011)*

Attorney Ryan advised the case involved 2 violations: monument sign was demolished without building and zoning approval; and the monument sign was demolished without the required permits and inspections. The fine ran for 191 days for a total of \$28,904.00, including costs. The Special Magistrate recommended an abatement of \$3,000.00.

Brian Weiner, representing 2080 Griffin Holdings, LLC, noted the previous owner was responsible for the violations.

City of Dania Beach

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

OWNER: MY DARLING LLC
 FOLIO: 0136-03-0140
 LEGAL: FRANCES GROVE ESTATES 26-46 B LOT 10 BLK 2
 ADDRESS: 4409 SW 60 STREET

CODE ENFORCEMENT ORDER LIEN				CEB 09-1864		RECORDED		RELEASED			
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	DATE	BOOK	PAGE	DATE
2/11/2010	9/6/2011	\$200.00	572	\$114,400.00	\$241.00	47735	999-1005	2/23/2011			
				Total	\$114,641.00						

CASE COMPLETED 9/6/11

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
	ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
		241.00