

A Special Magistrate Hearing was held on April 25th, 2024.
was called to order at 1:33 PM, Adjourned 2:24 PM

Present:

Kevin Wagner, Special Magistrate
Lawonda Warren, Assistant City Attorney
Sammie Walthour, Neighborhood & Community Services Director
Denise Cleckley, Assistant Neighborhood & Community Services Director
Enrique Fernandez, Code Enforcement Administrator
Janet Kent, Code Enforcement Coordinator
Marc Woods, Code Enforcement Officer
Amy Alvarez, Assistant Development Services Director
Hope Plevy, Counselor
Randell Sly, Agent to CGC Realty
Clinton Williams, Transportation Engineer

Postponed cases: 24-1672; 24-3747

Compliance Cases: 24-3602

Closed or Voided: 24-3634

The magistrate called the hearing to order and had the people that are going to testify sworn in.
He then approved the minutes from the last hearing on March 6th, 2024.
The city attorney stated that the same property owner, who is known as GCG Realty is involved in the next four cases:

Case # 23-13368

Owners Name: GCG Real Estate Holdings LLC
Register Agent: Kenneth Goldberg
Property Address: SW 10th Street
Presented by: Marc Woods

Case #23-13454

Owners Name: GCG Real Estate Holdings LLC
Register Agent: Kenneth Goldberg
Property Address: SW 10th Street
Presented by: Marc Woods

Case # 23-13514

Owners Name: GCG Real Estate Holdings LLC
Register Agent: Kenneth Goldberg
Property Address: SW 10th Street
Presented by: Marc Woods

Case # 23-13515

Owners Name: GCG Real Estate Holdings LLC
Register Agent: Kenneth Goldberg
Property Address: SW 10th Street
Presented by: Marc Woods

The purpose of this hearing is to give a status update. The compliance date is May 15th of 2024. The Assistant City Attorney called Marc Woods, code enforcement officer, to testify and give a quick update on the property address that is located on SW 10th Street.

Marc Woods, Code Enforcement Officer, stated that no building permits were submitted on the vacant parcel property located on SW 10th Street. However, they did remove the spray booths which partially come into compliance.

Attorney Hope Plevy revealed that they have submitted the amended site plan as of last Friday. The compliance date is May 15th. The purpose of this hearing is to check status update. Hope Plevy then called Randel Slay to testify.

Mr. Slay stated that they submitted the site plan as of last Friday and they need more time for various reasons including but not limited to the fact they hired a new engineering firm, they need more time for a traffic study, and the notice to the community for conditional use. They do not have a permit currently because they do not know the zone of allowable use. They have been corresponding with the city and have a list of items that need to be addressed. One of the items requested by the city is a traffic study which takes approximately four to six weeks.

Amy Alvarez, Senior Planner for The City of Delray Beach, stated that she has not seen permit submissions on the record.

Kevin Wagner, special magistrate, stated that the company was already given six months to come into compliance and it doesn't appear that they will meet the compliance date.

Lawonda Warren, Assistant City Attorney stated that she understood the complexity of the case and asked for the time frame that needed to be given to come into compliance. One year?

Kevin Wagner, special magistrate agreed and revealed that he was a little worried that they were not any closer to the compliance date than at the last hearing. He revealed that he is not going to change the order at this time, and he is going to keep the compliance date of May 15th, 2024. He urged both sides to meet and discuss the case in the meantime to come into compliance.

Mr. Wagner, took no action on this case, a 6 month Status Hearing is scheduled for May 15, 2024.

Case # 24-4241:

Lawonda Warren, Assistant City Attorney called Enrique Fernandez, code enforcement administrator, to be sworn in and testify to the background of the case. Enrique testified that this case is about health, safety and welfare concerns relating to a road closer due to a construction project. They did not have approval for a road closer and the construction project caused damage to the road.

Clinton Williams, City Transportation Engineer testified about the damage to the roadway and the steel plates that were replaced on the roadway in order to repair the damage.

The owner of the property, John Beckworth testified that he hired a plumbing company to do work on his property. They caused a very large hole in the road, and they placed steel plates that were not properly set correctly. He tried to make corrections: He placed a sign to alert the public, he hired a new plumbing company.

Lawonda Warren questioned Enrique about the photo exhibits (1-9). Mr. Beckworth agreed what everything the city stated. The owner hired a company to close the road because he was worried about the safety concerns due to the hole in the road.

Kevin Wagner, magistrate ordered 14 days to come into compliance, update work permit and MOT permit or \$250 daily fine.

Special Magistrate

April 25th , 2024

The document signed by the Special Magistrate, and the information provided herein is the minutes of our Special Magistrate on April 25th, 2024. Minutes were formally approved and adopted by Kevin Wagner on April 25, 2024.

ATTEST:



A handwritten signature in blue ink, appearing to read "Kevin Wagner", is written over a horizontal line. Below the signature, the text "Special Magistrate" is printed in a smaller, black, sans-serif font.

Code Enforcement Liaison

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Special Magistrate). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.