

**A Special Magistrate Hearing was held on August 6, 2025.  
The hearing was called to order at 1:30 PM, Adjourned at 2:17 PM**

**Code Enforcement and City Representatives Present:**

Kevin Wagner, Special Magistrate  
Lawonda Warren, Assistant City Attorney  
Delinda Witkowski, Code Officer  
Latoya Thompson, Code Officer

**Owners and/or Respondents Present:**

Abbey Reich-Bennett, Property Manager  
Jayme Enido, Property Manager  
Joe Moser, Home Builder  
George Sidell, Resident

**IR Case Code25-000090  
Address: 400 E Atlantic Ave.  
Owners Name: Rosebud George East One LLC  
Registered Agent: CM Rac, Inc.  
Presented by: Code Officer Delinda Witkowski**

**Violation- Illicit Discharge 53.012 (A to C)**

Code Officer, Delinda Witkowski testified that she observed large black bags of trash near the shared compactor where garbage juice is coming out from the bags and going into the storm drain.

Mrs. Witkowski presented 7 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 7 exhibits into evidence without objection.

Abby Reich Bennett, Property Manager, was present and testified that the compactor is not on the property, but they have an agreement between the property next door and recently had a discussion with them and are aware that they have an issue that they need to address.

The city recommends a one-time fine in the amount of \$5,000.00 to be paid within 30 days or an authorization to fine the property if not paid.

Kevin Wagner, Magistrate, ruled that the violation does exist. The respondents will be given 30 days to pay an one-time fine of \$2,500.00 or the city has authorization to lien the property.

**IR Case Code25-000091**

**Address: 450 E Atlantic Ave.**

**Owners Name: 450 Atlantic Investments LLC**

**Registered Agent: James Batmasian**

**Presented by: Code Officer Delinda Witkowski**

**Violation- Illicit Discharge 53.012 (A to C)**

Code Officer, Delinda Witkowski testified that she observed large black bags of trash near the shared compactor where garbage juice is coming out from the bags and going into the storm drain.

Mrs. Witkowski presented 6 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 6 exhibits into evidence without objection.

Jayne Ndeto, Property Manager, was present and testified that it's very challenging to share a compactor with other businesses. They are looking into making some changes with Waste Management to change the type of waste compactor at the property.

The city recommends a one-time fine in the amount of \$5,000.00 to be paid within 30 days or an authorization to fine the property if not paid.

Kevin Wagner, Magistrate, ruled that the violation does exist. The respondents will be given 30 days to pay an one-time fine of \$2,500.00 or the city has authorization to lien the property.

**IR Case Code25-000092**

**Address: 418 E Atlantic Ave.**

**Owners Name: JHB Florida Properties**

**Registered Agent: James Batmasian**

**Presented by: Code Officer Delinda Witkowski**

**Violation- Illicit Discharge 53.012 (A to C)**

Code Officer, Delinda Witkowski testified that she observed large black bags of trash near the shared compactor where garbage juice is coming out from the bags and going into the storm drain.

Mrs. Witkowski presented 7 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 7 exhibits into evidence without objection.

Jayne Ndeto, Property Manager, was present and testified that it's very challenging to share a

compactor with other businesses. They are looking into making some changes with Waste Management to change the type of waste compactor at the property.

The city recommends a one-time fine in the amount of \$10,000.00 to be paid within 30 days or an authorization to fine the property if not paid.

This property has had a previous violation with a finding of fact for a similar case.

Kevin Wagner, Magistrate, ruled that the violation does exist. The respondents will be given 30 days to pay an one-time fine of \$7,500.00 or the city has authorization to lien the property.

**IR Case Code25-000121**

**Address: 126 Seabreeze Ave.**

**Owners Name: Christopher W. Kratky**

**Presented by: Code Officer Latoya Thompson**

**Violation- Erosion & Sediment Control Methods 4.6.17 (D)(3)(4)**

Code Officer, Latoya Thompson testified that she observed sediment from the construction site discharging into the gutters which then flowed into the catch basin just north of the property.

Ms. Thompson presented 6 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 6 exhibits into evidence without objection.

Joe Moser, builder of home, was present and testified all the erosion control rocks has been removed prior to the landscape installation. He wasn't aware that a silk fence had to be placed within days. The landscape installation took 2 weeks to complete.

The city recommends a one-time fine in the amount of \$5,000.00 to be paid within 30 days or an authorization to fine the property if not paid.

Kevin Wagner, Magistrate, ruled that the violation does exist. The respondents will be given 30 days to pay an one-time fine of \$3,500.00 or the city has authorization to lien the property.

**IR Case Code25-000123**

**Address: 1180 Nassau St.**

**Owners Name: Edward J. & Jane M. Graham**

**Presented by: Code Officer Latoya Thompson**

**Violation- Erosion & Sediment Control Methods 4.6.17 (C)(2)**

Code Officer, Latoya Thompson testified that she received a citizen's complaint regarding the construction site cutting tile without the proper equipment causing dust to pollute the air.

Ms. Thompson presented 4 exhibits into evidence.

Lawonda Warren, Assistant City Attorney, entered 4 exhibits into evidence without objection.

George Sidell, complainant, testified to the photos and what he observed that day.

The city recommends a one-time fine in the amount of \$5,000.00 to be paid within 30 days or an authorization to fine the property if not paid.

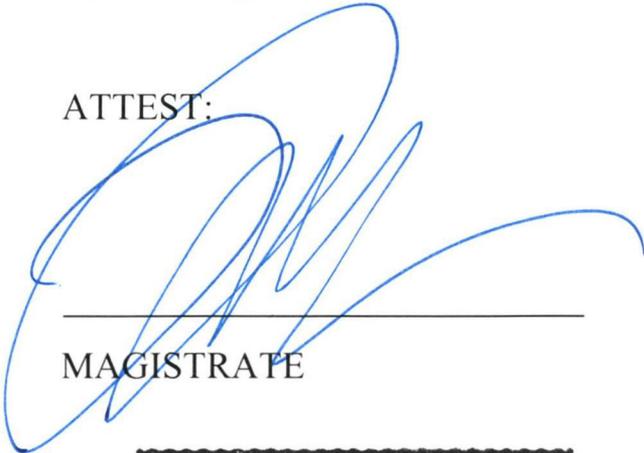
Kevin Wagner, Magistrate, ruled that the violation does exist. The respondents will be given 30 days to pay an one-time fine of \$5,000.00 or the city has authorization to lien the property.

Adjourned: 2:17 PM

Special Magistrate Hearing  
August 6, 2025  
Meeting Minutes

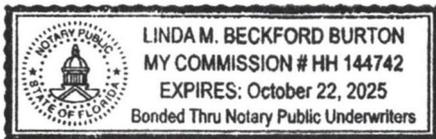
The undersigned is the Secretary of the Special Magistrate, and the information provided herein is the minutes of the meeting of said Special Magistrate Hearing on August 6, 2025, which minutes were formally approved and adopted by the Special Magistrate on October 1, 2025.

ATTEST:



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MAGISTRATE



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MAGISTRATE 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 (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.