

A Code Enforcement Board Hearing was held on **June 13, 2024**
It was called to order at 1:41 PM, Adjourned 3:01 PM.

Code Enforcement Board Members Present:

Nicholas Coppola, Chair
Wayne Pasik, Vice Chair
Stephen Burtera
Terrence Delehanty
Robert Cohen
Kevin Wagner, Code Enforcement Board Attorney
Absent: Jimmy Canton And Todd L'Herrou

City Staff Present:

Lawonda Warren, Assistant City Attorney
Phil Cartwright, Code Enforcement Supervisor
Rubenson Dejadin, Code Enforcement
Owners and / or Respondents Present:
Emmanuel Camission, Owner
Sheila Baxta
Eager Burton III
David Trubnikov, Owner

Cases Postponed: 24-856; 24-1441; 24-1832; 24-2117; 24-2757; 24-2762; 24-2878; 24-3211;
24-3228; 24-3550; 24-4020; 24-3008; 24-3211; 24-3550; 24-2161; 24-2877

Compliance Cases: 23-17619; 23-18555; 23-18556; 23-18981; 24-703; 24-1219; 24-1627; 24-
2435; 24-2487; 24-2492; 24-3228; 24-3965; 24-338; 24-2791; 24-3965; 23-17619; 23-18555;
23-18556

Closed or Voided: 23-10148; 23-18981; 24-1217; 24-1788; 24-2211; 24-2412; 24-3810.

4. Case# 23-16931

Zeny Estate LLC
574 NW 53rd Ave.

Code officer supervisor, Phil Cartwright testified that the case was found in violation on January 25th, 2024, for interior/exterior renovation without permit.

The ruling was 30 days to apply and obtain a permit or \$250.00 daily fine. The compliance date was February 24th, 2024. On June 5th, 2024, the violation still exists. The city suggests to lien the property in the amount of \$34,750.00 and continuing the \$250.00 daily fine.

Ten photographs were presented as evidence, they were introduced as City Exhibit 1-10 without objection.

City assistant attorney, Lawonda Warren questioned Mr. Cartwright about the new photo exhibit and what the photo represented.

Mrs. Warren requested code officer, Rubenson Dejadin to translate in Creole language for the respondent Mr. Emmanuel Camission. The code officer translated in Creole for the respondent.

Terrance Delehanty made a motion that a violation exists, and to lien the property in the amount of \$34,750.00 and to continue the \$250.00 daily fine. Seconded by Robert Cohen

The Board ruled unanimously that a violation exists, lien the property in the amount of \$34,750.00 and to continue the daily fine of \$ 250.00.

<i>Board Polled Passes 5-0</i>	
<i>Nicholas Coppola</i>	Yes
<i>Wayne Pasik</i>	Yes
<i>Stephen Butera</i>	Yes
<i>Terrence Delehanty</i>	Yes
<i>Robert Cohen</i>	Yes

Old Business:

5. Case # 22-3243

David Turbnikov
15925 SW 8th Ave.

**** Fine Reduction ****

Code officer supervisor, Phil Cartwright testified that the case was found in violation on June 9, 2022, for installation of Gazebo without permit. The property owner was given 30 days to apply for the permit or daily fine of \$100.00 to be imposed.

On 1/21/2024 the case was presented to the code board for being in noncompliance. It was given additional postponement for 30 days prior to the hearing.

On 1/25/2024 the case was presented to the code board and the ruling was to lien the property in the amount of \$46,900.00 and continue \$100.00 daily fine. The case came into compliance on May 1, 2024. The owner requested a reduction of lien and the accrued fines.

On January 30th, 2024, the lien recorded in the amount of \$46,900.00 and the accrued fine was recorded in the amount of \$9300.00 totaling \$56,200.00.

David Turbnikov was present at the hearing and explained his reasoning for being noncompliance and he apologized.

The code board members discussed back and forth how much the fine reduction should be.

Wayne Pasik made a motion to reduce the amount from \$56,200.00 to \$7500.00 within 60 days. The motion was seconded by Robert Cohen. A vote was taken with all 5 members voting yes.

<i>Board Polled Passes 5-0</i>	
<i>Nicholas Coppola</i>	Yes
<i>Wayne Pasik</i>	Yes
<i>Stephen Butera</i>	Yes
<i>Terrence Delehanty</i>	Yes
<i>Robert Cohen</i>	Yes

1. Case # 24-3389

Anne & Nicholas Bright
135 SE 5th Ave.

Code officer supervisor, Phil Cartwright testified that the case was found in violation on March 21, 2024, regarding maintenance of building and exterior building walls.

On June 13th, 2024, the violation still exists and 13 photo exhibits were entered into evidence.

Assistant city attorney, Lowanda Warren questioned Mr. Cartwright about the 12 photo exhibits and what each photo represents. The city suggests 30 days to comply or apply to obtain a permit or \$100 daily fine.

Stephen Butera made a motion that the violation still exists, and the property owner has 30 days to come into compliance or \$200.00 daily fine.

The Board members ruled unanimously that the violation still exists, and they gave the owner 30 days to apply to obtain a permit or \$200.00 daily fine. Seconded by Terrence Delehanty.

<i>Board Polled Passes 5-0</i>	
<i>Nicholas Coppola</i>	Yes
<i>Wayne Pasik</i>	Yes
<i>Stephen Butera</i>	Yes
<i>Terrence Delehanty</i>	Yes
<i>Robert Cohen</i>	Yes

2. Case # 23-9816

Marta & Ray Daniel Suarez
3625 Avenue Montessoro

Code officer supervisor, Phil Cartwright testified that the case was originally found in violation on September 14, 2023 for fence maintenance repair. The ruling was 30 days to repair fence or \$50.00 daily fine.

On January 25, 2024 the property was still out of compliance and the board member ruled to lien the property in the amount of \$5050.00 on the property and continued \$50.00 daily fine.

On June 5, 2024, the violation still exists. On June 13, 2024, the amount accrued to \$6950.00. The city suggests to lien the property in the amount of \$6950.00 and continue \$50.00 daily fine.

Assistant city attorney, Lowanda Warren questioned Mr. Cartwright about the 6 exhibit photos that entered evidence.

Robert Cohen made a motion that the violation still exists. Lien the property in the previous amount of \$6950.00 and continue with the daily fine of \$ 50.00. Seconded by Terrence Delehanty.

The Board members ruled unanimously that the violation still exists and to lien the property in the amount of \$6950.00 and continue \$50.00 daily fine.

<i>Board Polled Passes 5-0</i>	
<i>Nicholas Coppola</i>	Yes
<i>Wayne Pasik</i>	Yes
<i>Stephen Butera</i>	Yes
<i>Terrence Delehanty</i>	Yes
<i>Robert Cohen</i>	Yes

3. Case # 23-16418

Elouise & Marijo R Belorge
524 Angler Dr.

Code officer supervisor, Phil Cartwright originally found that violation for unlicensed vehicle stored on property on January 24, 2024. The ruling was 30 days to remove the unlicensed vehicle or \$100.00 daily fine. The compliance date was February 24, 2024. On June 5, 2024, code officer, Jude leconte conducted a reinspection prior to code board hearing and the property owner is still not complying.

On June 13, 2024, an accrued fine in the amount of \$13900.00 and continue daily fine of \$100.00.

The city suggests lien the property in the amount of \$ 13900.00 and a daily fine of \$100.00.

Assistant city attorney, Lowanda Warren questioned Mr. Cartwright about the 3 exhibit photos were entered into evidence.

Robert Cohen made a motion that the violation still exists, lien the property in the amount of \$13900.00 and a daily fine of \$100.00 until the property comes into compliance. Seconded by Stephen Butera.

The Board members ruled unanimously that the violation still exists and to lien the property in the amount of \$139000.00 and continue \$100.00 daily fine.

<i>Board Polled Passes 5-0</i>	
<i>Nicholas Coppola</i>	Yes
<i>Wayne Pasik</i>	Yes
<i>Stephen Butera</i>	Yes
<i>Terrence Delehanty</i>	Yes
<i>Robert Cohen</i>	Yes

Code Board Hearing
June 13, 2024 Meeting Minutes

The undersigned is the Secretary of the Code Board and the information provided herein is the minutes of the meeting of said Code Board on June 13, 2024 which minutes were formally approved and adopted by the Board on July 11, 2024.

ATTEST:



CHAIRMAN



CODE BOARD 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.