

A Special Magistrate Hearing was held on July 17 2021, was called to order at 1:30 PM, Adjourned 2:20 PM.

Present were:

Kevin Wagner, Special Magistrate

Rubenson Dejadin, Code Enforcement Officer

Joe Lucarelli, Code Enforcement Officer

Steve Tobias, Chief Building Official

Lawonda Warren, Assistant City Attorney

#### **MN 21-21-6573- 590 NW 46<sup>th</sup> Avenue**

Code Officer Rubenson Dejadin testified the structure located at 590 NW 46<sup>th</sup> Avenue was deemed to be an Unsafe Structure due to a structural fire that occurred in 2015. The was deemed to be unsafe at it no longer meets the structural load as required by the Florida Building Code. Testimony was provided that the property owner has taken no action to address the unsafe nature of the property.

The property owner/ respondent was not present at the hearing.

Officer Dejadin presented 8 photographs into evidence depicting the current condition of the property and that no Building Permit has been submitted. The 8 exhibits were entered into evidence without objection.

Steve Tobias, the Chief Building Official testified as to his credentials, and responsibilities. Mr. Tobias testified as to the condition of the property and the unsafe nature of the property.

Officer Dejadin requested that the Magistrate find that the violation is one that seriously affects the life health safety of the surrounding residents, that the structure is deemed to be unsafe and an order be issued that the property owner obtain the required Building Permit to address the unsafe nature of the structure or a \$1000 daily fine will be imposed.

The residents of the adjacent property owners located at 588 NW 46<sup>th</sup> Avenue testified as the unsafe nature of the structure and the no action has been taken by the owner of the cited property.

Magistrate Kevin Wagner found that the structure was unsafe and issued an order that the property owner obtain a Building Permit and start work to address the unsafe condition of the property or a \$1000 daily fine would accrue.

#### **MN 21- 6697 – 590 NW 46<sup>th</sup> Avenue**

Code Officer Rubenson Dejadin testified that there was a bee infestation within the exterior siding of the structure. Testimony was provided that neighboring residents have been stung buy the bees.

The property owner/ respondent was not present at the hearing.

Officer Dejadin presented 4 photographs into evidence depicting the bee infestation. The 4 exhibits were entered into evidence without objection.

Magistrate Kevin Wagner held that there was a violation of the stated code, that the violation is a serious threat to the health safety and welfare to surrounding residents and that the property owner has 3 days to removed the bees or the City will be granted the ability to enter the property and abate the violation.

**MN 21-6579- 924 Gardenia Drive**

Code Officer Lucarelli testified that a fire occurred at the property in May of 2020, subsequently the Chief Building Official deemed the structure to be Unsafe. The property owner was not present at the hearing.

Officer Lucarelli presented 9 photographs into evidence depicting the current condition of the property and that no Building Permit has been submitted. The 9 exhibits were entered into evidence without objection.

Testimony was presented that the property owner had not taken any action to address the condition of the property. Communication was made with the property owner who stated that a demolition Building Permit will be submitted by September 12<sup>th</sup> 2021.

Magistrate Kevin Wagner found that the structure was unsafe and issued an order that the property owner obtain a Building Permit and start work to address the unsafe condition of the property or a \$1000 daily fine would accrue.