

A Special Magistrate Hearing was held on **December 1, 2021**,  
was called to order at 1:33 PM, Adjourned 2:10 PM.

**Present:**

David Freed, Code Enforcement Officer  
Ryan Sahai, Code Enforcement Officer  
Thomas Story, Code Enforcement Officer  
William Durr, Building Inspector  
Robert Lion, Plan Review Superintendent  
Steve Tobias, Chief Building Inspector  
Lawonda Warren, Assistant City Attorney  
Kevin Wagner, Special Magistrate

Gary Bud, Property Manager with Crest Management  
Dean Stanley, Contractor representing the owner

Minutes Approved for Special Magistrate Meetings  
10.27.2021 and 11.3.2021

**Case 21-10910**

Officer Ryan Sahai testified regarding maintenance of building violation, which is a violation of 7.8.3. 11 photographs were presented as evidence, they were introduced as City Exhibit 1-11 without objection.

Gary Bud, Property Manager for Crest Management testified that they are aware of the maintenance issues and understands the seriousness of the issues. Mr. Bud will hire an architect and place the work up for bid. Mr. Bud is asking for a 45 day extension to come into compliance.

William Durr, Building Inspector with The City of Delray Beach, testified that he had accompanied code officer Ryan Sahai to the property and observed cracks in exterior walls on and around the terraces. Magistrate asked Mr. Durr how concerned he was with the safety, of the buildings and he responded by stating he did not believe the terraces were at risk for falling at this time but recommended that the building needed to be evaluated by an engineer.

Lawonda Warren, Assistant City Attorney with The City of Delray Beach gave the cities recommendation 21 days to submit engineer report and 30 days to submit application for permit.

Kevin Wagner, Special Magistrate, Attorney for The City of Delray Beach, gave the respondent 21 days to obtain and submit an engineer report; 30 days to apply for permits or a daily fine of \$500.00. A status hearing will be scheduled for 60 days.

### **Case 21-10731**

Officer David Freed testified regarding Erosion Control Methods violation, which is a violation of 4.6.17 (D)(1). Mr. Freed testified that the area inspected was a current work zone and unable to tell if the property was, in compliance. Previous pictures were shown for reference and Two (2) photographs were presented as evidence, they were introduced as City Exhibit 1 and 2 without objection.

Robert Lion, Plan Review Superintendent with The City of Delray Beach, testified that he was unable to reinspect due to the area being active work site.

Lawonda Warren, Assistant City Attorney, testified that even if the property is in compliance it did not change the irreversible or irreparable violation. City recommended \$4,500.00 fine.

Kevin Wagner, Special Magistrate, Attorney for The City of Delray Beach, assessed a fine to the respondent of \$4,500.00.

### **Case 21-6579**

Officer Thomas Story testified regarding the original case and extended time given to respondent for maintenance of building violation, which is a violation of 7.8.3. Original photos were shown to magistrate for reference purposes and 3 photographs were presented as evidence, they were introduced as City Exhibit 1-3 without objection. Mr. Story stated that there is an accrued fine of \$14,000.

Dean Stanley, contractor representing the owner, testified that the demo permit has been held up due to issues with FPL, Gas company and currently having issues receiving letters from xfinity. Mr Stanley is asking for more time to get demo permit.

Steve Tobias, Chief Building Inspector with The City of Delray Beach, testified that paperwork can lag due to outside vendors.

Lawonda Warren, Assistant City Attorney for The City of Delray Beach stated that the city is okay with giving more time if needed.

Kevin Wagner, Special Magistrate, Attorney for The City of Delray Beach, gave the respondent an additional 30 days to come into compliance and stayed the fines.

Adjourned at 2:10 pm