



# **AGENDA**

**CITY OF RIVIERA BEACH  
CODE COMPLIANCE DIVISION  
SPECIAL MAGISTRATE HEARING**

**SEPTEMBER 16, 2021  
AT 10:00AM  
RIVIERA BEACH MARINA EVENT CENTER  
CITY OF RIVIERA BEACH**

**COREY M. SMITH, ESQ.  
SPECIAL MAGISTRATE**

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## **SPECIAL MAGISTRATE**

**MONTHLY MEETING AT 10:00A.M.**

**DATE: THURSDAY, SEPTEMBER 16, 2021**

**ROLL CALL: COREY M. SMITH, ESQ  
SPECIAL MAGISTRATE**

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### **SPECIAL MAGISTRATE'S STATEMENT**

Good morning,

Today is September 16<sup>th</sup>, 2021. This code compliance hearing is called pursuant to Chapter 162, Part 1, Florida Statutes. My Name is Corey M. Smith and I am the special magistrate appointed by the City of Riviera Beach to act as impartial hearing officer for the City's code compliance cases.

If you have been cited with a code violation, today's hearing will be conducted pursuant to the procedure set forth in Chapter 162, Florida Statutes. Strict rules of evidence do not apply; however, fundamental due process will be observed at all times. When your case is called, please come forward. The city will present its case first and you will be given the chance to review the City's evidence and to cross-examine any City witnesses. Once the City has presented its case, that will be your opportunity to present any testimony and evidence you may have regarding the cited violation. The City will be allowed to review your evidence and cross-examine any of your witnesses. All testimony is required to be under oath and you will be sworn in shortly. The City has

the burden of proving its case in this matter by a preponderance of the evidence. Once all evidence and testimony has been presented, I will make an oral ruling. My oral ruling will be documented in a written order which you will receive by mail.

If I find you in violation of the City's code and you fail to correct the violation, you may be fined up to \$250 per day per violation for a first violation and up to \$500 per day for a repeat violation. If the nature of the violation is irreparable or irreversible, you may face a fine of up to \$5,000.00. If I find that you are a repeat violator, an administrative charge will be assessed against you which is payable in 30 days or will be included in any lien authorized under Chapter 162, Florida Statutes.

If you disagree with my ruling, you have the right to appeal my ruling to the Circuit Court within 30 days.

Please be advised that all testimony provided today is being recorded as required by Chapter 162, Florida Statutes.

If you have a cell phone, please turn off your cell phone or place it on vibrate. Please remain quiet if you are in the audience waiting for your case to be called.

Before we call the first case, let us stand for the pledge of allegiance.

Now, I will swear in all persons desiring to provide testimony to me today.

Thanks !

## **SPECIAL MAGISTRATE HEARING**

**THURSDAY, SEPTEMBER 16, 2021 AT 10:00 A.M.**

**CALL TO ORDER:**

**CONSIDERATION OF RESCHEDULED CASES:**

**HEARING OF CASES BEFORE THE SPECIAL MAGISTRATE:**

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**-----CHERYL BOSTIC-----**

**CON'T FROM 08/19/2021**

1. **CASE #CC- 20-0126**  
4601 N. OCEAN DRIVE  
RIVIERA BEACH, FL 33404

HALO DEVELOPMENT LLC  
13901 NW 118<sup>TH</sup> AVENUE  
MIAMI, FL 33178  
CODE ADMIN: CHERYL BOSTIC

**1. UNPERMITTED FENCE:**

CODE SECTION: 22-34 (A)

CONSTRUCTION NOT IN  
COMPLIANCE WITH CODES  
PROHIBITED

CODE SECTION: 23-84

PROHIBITED ACTIVIES WITHIN  
WETLANDS PRESERVATION AREA

CODE SECTION: 23-87

PERMIT PROCEDURES

**2. PROHIBITED SIGNS:**

CODE SECTION: 28-5 (13)

PROHIBITED SIGNS

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**ADMINISTRATIVE FEE: \$250.00  
CONTINUED FROM 06/02/2021**

2. **CASE #CC- 21-0092**  
5101 N. OCEAN DRIVE  
RIVIERA BEACH, FL 33404

FANE LOZMAN  
2913 AVENUE F  
5101 N. OCEAN DRIVE  
CODE ADMIN: CHERYL BOSTIC

**REPEAT VIOLATOR**

CODE SECTION: 13-54(A)

ANCHORING AND MOORING OF  
VESSELS **COMPLIED**

CODE SECTION: 23-84

PROHIBITED ACTIVITIES WITHIN  
WETLANDS PRESERVATION  
AREA **(R) COMPLIED**

CODE SECTION: 22-34

PERMIT **(R)**

CODE SECTION: 23-87

PERMIT PROCEDURES (WETLANDS  
PRESERVATION AREA) **COMPLIED**

**(CC-20-0038)**

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-----JOHN JOHNSON-----

3. **CASE #CC- 21-0145**  
1328 W. 6<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

EAST MIDWEST PARTNERS  
LLC TRUSTEE  
151 N. NOB HILL ROAD #268  
FORT LAUDERDALE, FL 33324  
CODE OFFICER: JOHN JOHNSON

CODE SECTION: 22-1

HOUSE NUMBERS **COMPLIED**

CODE SECTION: 31-606 (A)

LANDSCAPE **COMPLIED**

CODE SECTION: 10-4

OCCUPATIONAL LICENSE

CODE SECTION: 31-607

SWALE MAINTENANCE **COMPLIED**

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**STIP: 30 DAYS/\$100.00 & 60  
DAYS/\$100.00**

4. **CASE #CC- 21-0147**  
1436 W. 6<sup>TH</sup> STREET 1  
RIVIERA BEACH, FL 33404

EFREM HARRELL  
450 W. 33<sup>RD</sup> STREET  
RIVIERA BEACH, FL 33404  
CODE OFFICER: JOHN JOHNSON

CODE SECTION: 10-15

COMMERCIAL PROPERTY STANDARD

CODE SECTION: 31-606 (A)

LANDSCAPE

CODE SECTION: 10-4

OCCUPATIONAL LICENSE

CODE SECTION: 31-607

SWALE MAINTENANCE

CODE SECTION: 31-547

WALLS & FENCES **COMPLIED**

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**STIP: 30 DAYS/\$100.00 & 60  
DAYS/\$100.00 & 60 DAYS/\$200.00  
ADMINISTRATIVE FEE: \$250.00**

5. **CASE #CC- 21-0148**  
1100 W. 6<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

JAMES E. ROBERTS JR.  
5429 BELVEDERE ROAD  
WEST PALM BEACH, FL 33415  
CODE OFFICER: JOHN JOHNSON

**REPEAT VIOLATOR**

CODE SECTION: 17.5-10 (B) (3)

GARBAGE CONTAINER **COMPLIED**

CODE SECTION: 31-606 (A)

LANDSCAPE **(R)**

CODE SECTION: 10-4

OCCUPATIONAL LICENSE

CODE SECTION: 31-607

SWALE MAINTENANCE

**(CEB 19-076)**

**STIP: 60 DAYS/\$100.00**

6. **CASE #CC- 21-0149**  
1352 W. 6<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

IAN LAZARO OSORIO  
9061 NW 11<sup>TH</sup> COURT  
FORT LAUDERDALE, FL 33322  
CODE OFFICER: JOHN JOHNSON

CODE SECTION: 31-606 (A)

LANDSCAPE

CODE SECTION: 10-4

OCCUPATIONAL LICENSE **\*\***

CODE SECTION: 31-607

SWALE MAINTENANCE

-----DARLENE HENRY-----

7. **CASE #CC- 21-0150**  
1037 W. 30<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

FYR SFR BORROWER LLC  
3505 KOGER BLVD. SUITE 400  
DULUTH, GA 30096  
CODE OFFICER: DARLENE HENRY

CODE SECTION: 17.5-11 (A)

ACCUM. OF DEBRIS **COMPLIED**

CODE SECTION: 11-94

INOP. VEHICLE **COMPLIED**

CODE SECTION: 31-606 (A)

LANDSCAPE

CODE SECTION: 11-7

OVERGROWTH

CODE SECTION: 31-579 (C) (1A)

PARKING NOT PERMITTED

CODE SECTION: 31-607

SWALE MAINTENANCE

**STIP: 60 DAYS/\$100.00**  
**ADMINISTRATIVE FEE: \$250.00**

8. **CASE #CC- 21-0151**  
1314 W. 25<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

HOWARD HARDING  
390 W. 32<sup>ND</sup> STREET  
RIVIERA BEACH, FL 33404  
CODE OFFICER: DARLENE HENRY

## **REPEAT VIOLATOR**

CODE SECTION: 10-15	COMM. PROPERTY STAND.	<b>(R)</b>
CODE SECTION: 22-1	HOUSE NUMBERS	**
CODE SECTION: 31-606 (A)	LANDSCAPE	<b>(R)</b>
CODE SECTION: 8-31	LITTER	
CODE SECTION: 31-547	WALLS & FENCES	**

### **(CEB 17-042)**

**STIP: 60 DAYS/\$100.00**

9. **CASE #CC- 21-0152**  
1154 W. 25<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

JOE KRAVICH & RANIT KRAVICH  
21150 POINT PLACE APT. 2603  
AVENTURA, FL 33180  
CODE OFFICER: DARLENE HENRY

CODE SECTION: 31-579 (B) 1	VIEW/VEHICLE	<b>COMPLIED</b>
CODE SECTION: 31-606 (A)	LANDSCAPE	
CODE SECTION: 11-7	OVERGROWTH	

10. **CASE #CC- 21-0153**  
1248 W. 33<sup>RD</sup> STREET  
RIVIERA BEACH, FL 33404

CODE SECTION: 31-579 (C)

**CON'T UNTIL NOV. 2021**

JONAH FREDERICK  
1248 W. 33<sup>RD</sup> STREET  
RIVIERA BEACH, FL 33404  
CODE OFFICER: DARLENE HENRY

BOAT/CAMP TRAILERS

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11. **CASE #CC- 21-0154**  
1489 W. 35<sup>TH</sup> STREET  
RIVIERA BEACH, FL 33404

CLEMONTINE MCKOY  
P.O. BOX 11943  
RIVIERA BEACH, FL 33419  
CODE OFFICER: DARLENE HENRY

CODE SECTION: 17.5-11 (A)

ACCUM. OF DEBRIS **COMPLIED**

CODE SECTION: 11-94

INOPERATIVE VEHICLE

CODE SECTION: 31-606 (A)

LANDSCAPE

CODE SECTION: 11-7

OVERGROWTH **COMPLIED**

CODE SECTION: 31-579 (C) 1A

PARKING NOT PERMIT **COMPLIED**

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**SPECIAL NOTE:**

**\*\* (ASTERISKS) – INDICATES CODE SECTIONS THAT COMPLIED BEFORE CASE WAS SCHEDULED FOR HEARING.**

**COMPLIED – INDICATES CODE SECTIONS THAT COMPLIED AFTER CASE WAS SCHEDULED FOR HEARING. THESE CODE SECTIONS WILL BE ADJUDICATED AND MUST REMAIN IN COMPLIANCE.**

**(R) – INDICATES CODE SECTIONS THAT WERE PREVIOUSLY ADJUDICATED AND MUST REMAIN IN COMPLIANCE, BUT ARE NOW OUT OF COMPLIANCE. PREVIOUSLY ADJUDICATED CASE NUMBER IS NOTED IN PARENTHESES.**

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## **FINAL ORDER EXTENSION REQUESTS**

12.	AFN #19-01286 OWNER(S): ADDRESS: NEW DUE DATE:	<b>CASE# CC-20-0043</b> EST. LINDA G HARRIS & LARRY MARTIN 253 W. 27 <sup>TH</sup> STREET <b>120 DAYS, UNTIL <u>11/29/2021</u></b>
13.	AFN #19-01252 OWNER(S): ADDRESS: NEW DUE DATE:	<b>CASE# CC-21-0096</b> FEDERAL HOLDING FUND LLC 176 W. BLUE HERON BLVD. <b>60 DAYS, UNTIL <u>9/17/2021</u></b>
14.	AFN #20-00783 OWNER(S): ADDRESS: NEW DUE DATE:	<b>CASE# CC-21-0079</b> JORGE A. CASTILLO 1401 W. 33 <sup>RD</sup> STREET <b>60 DAYS, UNTIL <u>7/16/2021</u></b>
15.	AFN #19-01330 OWNER(S): ADDRESS: NEW DUE DATE:	<b>CASE# CC-21-0031</b> LOLDY JEANTY 981 SILVER BEACH ROAD <b>30 DAYS, UNTIL <u>9/27/2021</u></b>
16.	AFN #18-00445 OWNER(S): ADDRESS: NEW DUE DATE:	<b>CASE# CC-19-0011</b> AUGUSTE CHITOLIE 820 AUSTRALIAN AVENUE <b>270 DAYS, UNTIL <u>9/5/2021</u></b>

## **FINE REDUCTION REQUESTS**

17. CASE # **CEB 13-280**  
OWNER(S): 47 W 11<sup>TH</sup> STREET LLC  
ADDRESS: 47 W. 11<sup>TH</sup> STREET  
REDUCED AMOUNT: **\$4,515.00** WITHIN **30** DAYS

18. CASE # **CEB 09-030**  
OWNER(S): 933 W. 7<sup>TH</sup> ST LLC  
ADDRESS: 933 W. 7<sup>TH</sup> STREET  
REDUCED AMOUNT: **\$11,725.00** WITHIN **60** DAYS

19. CASE # **CEB 06-267**  
OWNER(S): ACRE HOME PARK LOTS 3 & 4 LAND TRUST  
ADDRESS: & CHERYL B. NASAI TR  
REDUCED AMOUNT: 3401 RJ HENDLEY AVENUE  
**\$3,820.00** WITHIN **90** DAYS

20. CASE # **CEB 16-086**  
OWNER(S): ACRE HOME PARK LOTS 3 & 4 LAND TRUST  
ADDRESS: & CHERYL B. NASAI TR  
REDUCED AMOUNT: 3401 RJ HENDLEY AVENUE  
**\$10,240.00** WITHIN **90** DAYS

21. CASE # **CEB 09-030**  
OWNER(S): 1191 CABANA RD PARTNERS LLC  
ADDRESS: 1191 CABANA RD. 1  
REDUCED AMOUNT: **\$5,671.21** WITHIN **30** DAYS

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## **IMPOSE FINES & LIEN**

22. CASE # **CEB 16-067 (CONTINUANCE)**  
OWNER(S): LAKE WORTH LAGOON ENVIRONMENTAL  
DEFENSE  
DEFENSE FUND INC  
ADDRESS: 901 W. 15<sup>TH</sup> STREET  
FINE AMOUNT DUE: **\$1,853,600.00**

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## **FORECLOSE**

23. CASE # **CEB 19-074 (CONTINUANCE)**  
OWNER(S): TANIA S. BEVERLY  
ADDRESS: 61 E. 25<sup>TH</sup> STREET  
FINE AMOUNT DUE: **\$313,000.00**

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## **ADJOURNMENT:**

**PURSUANT TO THE AMERICAN WITH DISABILITIES ACT, PERSONS IN NEED OF SPECIAL ACCOMODATIONS TO ATTEND THIS HEARING, PLEASE CONTACT THE OFFICE OF THE LEGISLATIVE AID OF THE CITY OF RIVIERA BEACH AT 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FL 33404, (561) 845-4095 OR (561) 840-3350.**