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Code Compliance Division
Department of Development Services
City of Coral Springs
9551 West Sample Road
Coral Springs, Florida 33065

**CITY OF CORAL SPRINGS, FLORIDA
SPECIAL MAGISTRATE HEARING
ORDER IMPOSING FINE/CERTIFICATION OF LIEN**

CITY OF CORAL SPRINGS, FLORIDA

Petitioner

CASE NO: 13-10335

vs.

Respondent(s)

Certification of Lien Hearing Date: MARCH 12, 2014

Property Address: NORTHWEST 108 DRIVE
Legal Description: THE WINDINGS 70-44 B LOT 3 BLOCK B
Folio:

Pursuant to the Order of **January 8, 2014**, the Respondent(s) was given until **February 24, 2014** to comply the above referenced case.

Based upon the testimony presented, in accordance with Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Respondent(s) violated the Order and the Respondent(s) continues to violate the Order; therefore the Special Magistrate imposes and certifies the following violation and the respective fine, plus administrative costs, which shall continue to accrue, beginning the date indicated below, until the Respondent(s) come into compliance or until a judgment is entered based upon the certification of fine.

Violation(s):	Beginning Date for Accrual:	Fine Amount:
No. 1 (RCL)	FEBRUAY 25, 2014	\$100.00 PER DAY
No. 2 (ASH)	FEBRUAY 25, 2014	\$100.00 PER DAY
No. 3 (BES)	FEBRUAY 25, 2014	\$100.00 PER DAY
No. 4 (MLSR)	FEBRUAY 25, 2014	\$100.00 PER DAY
No. 5 (LMRQ)	FEBRUAY 25, 2014	\$100.00 PER DAY
No. 6 (BX)	FEBRUAY 25, 2014	\$100.00 PER DAY

2. Interest on the daily fine amount shall continue to accrue until total fine and costs are paid by the Respondent(s) or until a judgment is entered based upon this certification of fine. In determining the fine amount to be imposed, consideration was given to: (1) the gravity of the violation(s), (2) any actions taken by the Respondent(s) to correct the violation(s); and (3) any previous violation(s) committed by the Respondent(s).

case # 13-10335 (mondesir)
certification of lien
doc: 126164 - ss (3/12/14)

CERTIFIED

I certify this to be an original record of the
City of Coral Springs.

WITNESSETH my hand and official seal of the
City of Coral Springs, Florida this 27th day
of March 2014

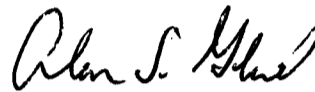
[Signature] City Clerk

(5)

3. That this Certification, together with the original Final Order, will be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violations(s) exist, and upon any other real or personal property owned by Respondent(s).
4. If any person desires to appeal, pursuant to section 162.11, Florida Statutes, such person will need a record of the proceedings, which includes the testimony, and evidence upon which the appeal is based.

Certification of Lien ordered at Coral Springs, this 12th day of March 2014. Executed March 20, 2014

CITY OF CORAL SPRINGS, FLORIDA



Alan L. Gabriel, Special Magistrate

Copies to:

Yves Mondesir and Marie Louise Mondesir, 3980 Northwest 108 Drive, Coral Springs, Florida 33065
Morales Law Group, P.A., c/o Marisol Morales, Esquire, 14750 Northwest 77 Court, Suite 303, Miami Lakes, Florida 33016

**CITY OF CORAL SPRINGS
CODE COMPLIANCE DIVISION
SPECIAL MAGISTRATE HEARING**

FINAL ORDER

CITY OF CORAL SPRINGS, FLORIDA
Petitioner

CASE NO. 13-10335

vs.

**YVES MONDESIR
MARIE LOUISE MONDESIR**
Respondent(s)

Hearing Date: JANUARY 8, 2014

Present for Petitioner: DEREK W. HALL, CODE INSPECTOR

Present for Respondent: NO ONE WAS PRESENT ON BEHALF OF THE RESPONDENT

Violation(s):

- No. 1 **OVERGROWN LAWN (OGL)** (FAILURE TO MAINTAIN LAWN, UNTENDED VEGETATION/UNTENDED LAWN; CUT, TRIM AND EDGE ALL UNTENDED GRASS AND WEEDS THROUGHOUT THE SITE AND RIGHT-OF-WAY) / MUNICIPAL CODE, SECTION 8-20 (b)
- No. 2 **ROOF DISCOLORED (RCL)** (FAILURE TO MAINTIAN ROOF AND IS DISCOLORED; PLEASE CLEAN ROOF) / MUNICIPAL CODE, SECTION 8-20.2 (b) AND 8-19 (j)
- No. 3 **ACCESSORY STRUCTURE HEDGE (ASH)** (FAILURE TO SCREEN ACCESSORY STRUCTURE FROM VIEW – AIR CONDITIONING UNIT/EQUIPMENT) / LAND DEVELOPMENT CODE, SECTION 250129 (4) (a)
- No. 4 **BUILDING EXTERIOR STORAGE (BES)** (FAILURE TO REMOVE GOODS, MATERIALS OR EQUIPMENT STORED OUTSIDE ON THE PREMISES – MARBLE TOP AND SHEET GLASS IN FRONT) / MUNICIPAL CODE, 8-20.2 (d)
- No. 5 **MINIMUM LANDSCAPE REQUIREMENTS (MLSR)** (FAILURE TO INSTALL FOUNDATION PLANTING MEETING THE MINIMUM LANDSCAPE REQUIREMENT – ONE PLANT EVERY 3’ WHERE THE YARD MEETS THE HOUSE) / LAND DEVELOPMENT CODE, SECTION 250833 (2) (c)
- No. 6 **LANDSCAPE MAINTENANCE REQUIREMENTS (LMRQ)** (FAILURE TO MAINTAIN LANDSCAPING) / LAND DEVELOPMENT CODE, CHAPTER 25, SECTION 250835
 - FAILURE TO REMOVE DEAD SHRUBS
 - FAILURE TO REMOVE ALL DEAD HANGING PALM BRANCHES
 - FAILURE TO RESTORE LAWN TO HEALTHY GROWING CONDITION AND CONTROL WEEDS
- No. 7 **BUILDING EXTERIORS (BX)** (FAILURE TO MAINTIAN EXTERIOR WALL SURFACES IN A GOOD CONDITION – PLEASE TOUCH-UP THE PEELING PAINT) / MUNICIPAL CODE, SECTION 8-20.2 (a)

final order : (mondesir)
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doc: 125608 – ss

Record indicates the Respondent owns certain real property as described below:

Property Address: 3980 NORTHWEST 108 DRIVE
 Legal Description: THE WINDINGS 70-44 B LOT 3 BLOCK B
 Folio: 4841-17-04-0530

Notice:

Petitioner provided proof of notice pursuant to Section 162.12, Florida Statutes; and/or
 Respondent Stipulated to Notice

Based upon the testimony and evidence, Petitioner, City, met its burden of providing substantial competent evidence that the alleged violation does in fact exist on the subject property. Therefore, based upon the finding of facts and conclusions of law, the undersigned Special Magistrate finds the Respondent is guilty of the following violation(s) and shall comply by the designated compliance date or face a per diem fine, as indicated, for each day the subject property remains in violation beyond the compliance date. In determining the fine amount imposed, consideration was given to the gravity of the violation (s), any actions taken by the respondent (s) to correct the violation (s); and any previous VIOLATION committed by the respondent (s).

Violation(s) Compliance Date: Fine Amount:

No. 1 (OGL)

IN VIEW OF THE FACT THAT THE OVERGROWN LAWN VIOLATION HAS BEEN CORRECTED AS OF THE DATE OF THIS HEARING, NO FINE IS IMPOSED FOR THIS VIOLATION, BUT THE RESPONDENTS ARE PUT ON NOTICE THAT IF THE RESPONDENTS REPEAT THIS VIOLATION WITHIN FIVE (5) YEARS OF THE DATE OF THIS FINAL ORDER, THE RESPONDENTS SHALL BE DEEMED TO BE REPEAT VIOLATORS AND A FINE NOT TO EXCEED FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) PER DAY MAY BE IMPOSED

No. 2 (RCL)	FEBRUAY 24, 2014	\$100.00 PER DAY
No. 3 (ASH)	FEBRUAY 24, 2014	\$100.00 PER DAY
No. 4 (BES)	FEBRUAY 24, 2014	\$100.00 PER DAY
No. 5 (MLSR)	FEBRUAY 24, 2014	\$100.00 PER DAY
No. 6 (LMRQ)	FEBRUAY 24, 2014	\$100.00 PER DAY
No. 7 (BX)	FEBRUAY 24, 2014	\$100.00 PER DAY

Certification of Lien Date: MARCH 12, 2014 for violations No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7

Hearing will be held on this date if subject property not complied by above referenced compliance date(s). Hearing will be held in City Commission Chambers, 9551 West Sample Road, Coral Springs, Florida, on or about 9:00 AM. You have a right to be heard at this hearing.

You are further ordered to contact the City's Code Compliance Division (954-346-1720) to arrange for re-inspection of the property to verify compliance with this final order. IT IS YOUR RESPONSIBILITY TO NOTIFY THE CODE COMPLIANCE DIVISION OF COMPLIANCE.

In addition to the above, the Respondent shall be responsible for paying the applicable administrative costs which shall be determined upon compliance date, pursuant to the Resolution 2011-39 adopted by the City Commission on September 20, 2011. Non-payment of administrative cost will result in a lien being recorded against the property.

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Finally, the Special Magistrate orders that if Respondents have a repeat violation of the referenced code provision within five (5) years of the date of this final order, Respondents may be deemed to be a repeat violator and a fine not to exceed five thousand and no/100 dollars (\$5,000.00) per day per violation may be imposed.

DONE AND ORDERED in Coral Springs, Florida, January 8, 2014. Executed February 13, 2014

CITY OF CORAL SPRINGS, FLORIDA



Eugene M. Steinfeld, Special Magistrate

Copy(ies) provided to:

Yves Mondesir and Marie Louise Mondesir, 3980 Northwest 108 Drive, Coral Springs, Florida 33065

Morales Law Group, P.A., c/o Marisol Morales, Esquire, 14750 Northwest 77 Court, Suite 303, Miami Lakes, Florida 33016

Property subject of a mortgage foreclosure action:					
Circuit Court Case # 12-002971					
Lis Pendens:	2/13/12	ORBK:	48510	119	

The Respondents may seek a rehearing of this case by filing a written motion for rehearing within ten (10) calendar days of execution of this Order. The motion shall set forth any issues that were overlooked or omitted at the hearing but shall not consist of re-argument of the case. The motion shall be filed with the Special Magistrate Clerk, Code Compliance Division, City of Coral Springs, 9551 W. Sample Road, Coral Springs, Florida 33065 (see section 190.3, City Land Development Code). A party may appeal the decision of the special magistrate by certiorari to circuit court within thirty (30) days of the date of rendition of the decision as provided by the Florida Rules of Appellate Procedure. See section 162.11, Florida Statutes. A record of the proceedings is required.

final order : (mondesir)

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doc: 125608 – ss