

Town of Southwest Ranches
Code Compliance Division
13400 Griffin Road
Southwest Ranches, FL 33330
Phone (954) 434-0008
Fax (954) 434-1490

**SPECIAL MAGISTRATE AGENDA
NOVEMBER 7TH, 2023
9:00 A.M.**

1. **CALL SESSION TO ORDER**
2. **NON-COMPLIANCE CASE(S) & IMPOSITION OF PENALTY/LIEN**

2.1	CASE 2021-402	OWNER(S): 5901 SW 162 AVE LLC ADDRESS: 5901 SW 162 AVE FOLIO: 5040 32 04 0068 VIOLATION(S): TSWR CODE SEC. 045-050, 045-060 COMMERCIAL BOARDING KENNEL IN RURAL ESTATE DISTRICT IS NOT PERMITTED. FOUND IN VIOLATION AND FINES IMPOSED. 12/07/2021 – 07/08/2022 213 days x \$150.00= \$31,950.00 + \$150.00= \$32,100.00	STATUS: NOTICE OF VIOLATION ISSUED ON 05/26/2021. NOTICE OF HEARING ISSUED ON 06/07/2021 TO APPEAR ON 07/06/2021 FOR HEARING. ORDER OF CONTINUANCE TO APPEAR ON 08/03/2021 FOR HEARING. ORDER OF CONTINUANCE TO APPEAR ON 09/07/2021 FOR HEARING GIVEN UNTIL 09/17/2021 (10) DAYS TO SUBMIT LEGAL BRIEF, AND (10) DAYS FOR TOWN LEGAL DEPARTMENT TO SUBMIT BRIEF TO MAGISTRATE FOR REVIEW AND RULING. NOTICE OF HEARING ISSUED ON 06/23/2023 TO APPEAR ON 07/06/2023 FOR HEARING. NOTICE OF HEARING ISSUED ON 07/06/2023 TO APPEAR ON 09/07/2023 FOR HEARING. REDUCTION PRICE TO \$24,000.00 GIVEN 180 DAYS TO PAY.
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2.2	CASE 2022-361	OWNER(S): ARANGO, SEBASTIAN DARIO ADDRESS: 5040 SW 186 AVE FOLIO: 5039 36 01 0174 VIOLATION(S): TSWR CODE SEC. 005-080 WORK WITHOUT PERMITS, FILLING WITHOUT APPROVAL OR PERMITS.	STATUS: NOTICE OF VIOLATION ISSUED ON 09/20/2022. NOTICE OF HEARING ISSUED ON 10/10/2022 TO APPEAR ON 11/01/2022 FOR HEARING. ADMITTED VIOLATION; GIVEN UNTIL 05/03/2023 TO COMPLY OR TO APPEAR ON 05/04/2023 FOR HEARING IF NOT IN COMPLIANCE. A FINE IN THE AMOUNT OF \$250.00 A DAY WILL BE IMPOSED AFTER THAT. AMENDED FINAL ORDER; GIVEN UNTIL 07/31/2023 TO COMPLY OR TO APPEAR ON 08/01/2023 FOR HEARING IF NOT IN COMPLIANCE. AMENDED FINAL ORDER; GIVEN UNTIL 11/06/2023 TO COMPLY OR TO APPEAR ON 11/07/2023 FOR HEARING IF NOT IN COMPLIANCE.
2.3	CASE 2022-411	OWNER(S): VIDAL, RUBEN RENOVA, BERTHA ADDRESS: 17240 SW 66 ST FOLIO: 5140 06 04 0020 VIOLATION(S): TSWR CODE SEC. 045-030 (C)(1) ALL VEHICLES AND EQUIPMENT PARKED OR STORED MUST BE REGISTERED TO A PERMANENT, FULL-TIME RESIDENT OF THE PREMISES. TSWR CODE 045-030(C)(4)(a) STORAGE OF COMMERCIAL VEHICLES EXCEEDING (2). TSWR CODE 045-030(C)(4)(b) STORAGE OF COMMERCIAL VEHICLES IS ONLY ALLOWED IF FOR NONBUSINESS AND NONSTORAGE PURPOSE.	STATUS: NOTICE OF VIOLATION ISSUED ON 10/20/2022. NOTICE OF HEARING ISSUED ON 01/11/2023 TO APPEAR ON 02/06/2023 FOR HEARING. ORDER OF CONTINUANCE TO APPEAR ON 03/06/2023 FOR HEARING. CONTESTED VIOLATION; GIVEN 30 DAYS FROM THE DATE OF RECEIVING TRANSCRIPTS TO PROVIDE A BRIEF. GIVEN UNTIL 08/28/2023 TO COMPLY OR TO APPEAR ON 09/07/2023 FOR HEARING IF NOT IN COMPLIANCE.

			<p>AMENDED FINAL ORDER; GIVEN UNTIL 11/06/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 11/07/2023 IF NOT IN COMPLIANCE.</p> <p>CASE HAS BEEN SETTLED. SETTLEMENT AGREEMENT WILL ALLOW FOR A NURSERY OPERATION ON THE PROEPRTY. ALL LANDSCAPE OFF-SITE WILL CEASE IMMEDIATELY.</p>
2.4	<p>CASE 2023-065</p>	<p>OWNER(S): ULLOA, OSVALDO ALFONSO ULLOA, YOLASIS ADDRESS: 5201 SW 164 TERR FOLIO: 5040 32 05 0730 VIOLATION(S): 1. TSWR CODE SEC. 005-080 WORK WITHOUT PERMITS, FILLING OR GRADING WITHOUT APPROVAL OR PERMITS.</p> <p>2. TSWR CODE SEC. 045-030 (C)(1) ALL VEHICLES AND EQUIPMENT PARKED OR STORED MUST BE REGISTERED TO A PERMANENT, FULL-TIME RESIDENT OF THE PREMISES. DISMISSED</p>	<p>STATUS:</p> <p>NOTICE OF VIOLATION ISSUED ON 03/01/2023.</p> <p>NOTICE OF HEARING ISSUED ON 04/25/2023 TO APPEAR ON 06/06/2023 FOR HEARING.</p> <p>FOUND IN VIOLATION; VIOLATION #1 GIVEN UNTIL 07/05/2023 TO COMPLY OR TO APPEAR ON 07/06/2023 FOR HEARING IF NOT IN COMPLIANCE. A FINE IN THE AMOUNT OF \$150.00 A DAY WILL BE APPLIED AFTER THAT. VIOLATION#2 DISMISSED.</p> <p>NOTICE OF HEARING ISSUED ON 7/06/2023 TO APPEAR ON 08/01/2023 FOR HEARING IF NOT IN COMPLIANCE.</p> <p>AMENDED FINAL ORDER; GIVEN UNTIL 09/06/2023 TO COMPLY OR TO APPEAR ON 09/07/2023 FOR HEARING IF NOT IN COMPLIANCE.</p> <p>AMENDED FINAL ORDER; GIVEN UNTIL 10/02/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 10/03/2023 IF NOT IN COMPLIANCE.</p> <p>AMENDED FINAL ORDER:</p>

			GIVEN UNTIL 11/06/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 11/07/2023 IF NOT IN COMPLIANCE.
2.5	CASE 2023-090	OWNER(S): CASA DI FORTUNA LLC ADDRESS: 13101 MUSTANG TRL FOLIO: 5140 02 01 0322 VIOLATION(S): TSWR CODE SEC. 095-030(C) LIGHTING THAT RESULTS IN GLARE ONTO ADJACENT PROPERTIES OR STREETS IS PROHIBITED.	STATUS: NOTICE OF VIOLATION ISSUED ON 03/21/2023. NOTICE OF HEARING ISSUED ON 07/21/2023 TO APPEAR ON 09/07/2023 FOR HEARING. ORDER OF CONTINUANCE TO APPEAR ON 10/03/2023 FOR HEARING. 1) ORIGINAL ORDER OF CONTINUANCE TO BE REVISED DUE TO ORDER STATING “THE RESPONDENT(S) VIOLATED TSWR...” SECTION SHOULD BE REMOVED FROM ORDER OF CONTINUANCE. 2) ORDER OF CONTINUANCE TO APPEAR ON 11/07/2023 FOR HEARING.
2.6	CASE 2023-096	OWNER(S): CUARTAS, ANDRES FELIPE ARANGO, ALEXANDRA ADDRESS: 6301 SW 186 WAY FOLIO: 5139 01 02 0140 VIOLATION(S): 1. TSWR CODE 045-030(G)(4) ONLY ONE (1) GUESTHOUSE SHALL BE PERMITTED PER PLOT, AND IT MAY NOT BE RENTED, LEASED, OR SOLD SEPARATELY FROM OVERALL PROPERTY. A GUESTHOUSE SHALL NOT CONTAIN, NOR BE DESIGNED TO CONTAIN, A STOVE OR RANGE, A DISHWASHER, OR MORE THAN ONE (1) REFRIGERATOR. 2. TSWR CODE SEC. 005-080(A) WORK WITHOUT A PERMIT, ACCESSORY STRUCTURE WITHOUT A PERMIT.	STATUS: NOTICE OF VIOLATION ISSUED ON 03/27/2023. NOTICE OF HEARING ISSUED ON 05/09/2023 TO APPEAR ON 06/06/2023 FOR HEARING. ADMITTED VIOLATION; GIVEN UNTIL 09/06/2023 TO COMPLY OR TO APPEAR ON 09/07/2023 FOR HEARING IF NOT IN COMPLIANCE. A FINE IN THE AMOUNT OF \$150.00 A DAY WILL BE APPLIED AFTER THAT. AMENDED FINAL ORDER;

			<p>GIVEN UNTIL 10/02/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 10/03/2023 IF NOT IN COMPLIANCE.</p> <p>AMENDED FINAL ORDER: GIVEN UNTIL 11/06/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 11/07/2023 IF NOT IN COMPLIANCE.</p>
2.7	CASE 2023-108	<p>OWNER(S): INVESTMENT MANAGEMENT MARLA LLC ADDRESS: 6540 MELALEUCA RD FOLIO: 5140 02 01 0173 VIOLATION(S): 1. TSWR CODE SEC. 9-3, 9-4 NOISE DISTURBANCE PROHIBITED: NO PERSON SHALL MAKE, CONTINUE, ANY NOISE DISTURBANCE. NO PERSON SHALL OPERATE ANY SOUND IN SUCH MANNER AS TO CREATE A NOISE DISTURBANCE THAT IS AUDIBLE IN A RECEIVING LAND. 2. TSWR CODE SEC. 045-100(C) ANY STRUCTURE ON A PLOT SHALL BE A MINIMUM SETBACK OF TWENTY-FIVE (25) FEET FROM SURROUNDING PROPERTY LINE, AND FIFTY (50) FEET FROM FRONT PROPERTY LINE IF NOT HOUSING ANIMALS. FIFTY (50) FEET FROM ANY SURROUNDING PROPERTY IF HOUSING ANIMALS.</p>	<p>STATUS:</p> <p>NOTICE OF VIOLATION ISSUED ON 04/04/2023. NOTICE OF HEARING ISSUED ON 04/19/2023 TO APPEAR ON 05/04/2023 FOR HEARING. ORDER OF CONTINUANCE TO APPEAR ON 06/06/2023 FOR HEARING.</p> <p>GIVEN UNTIL 09/06/2023 TO COMPLY OR TO APPEAR ON 09/07/2023 FOR HEARING.</p> <p>AMENDED FINAL ORDER; GIVEN UNTIL 10/02/2023 TO COMPLY ITEM #2 OR TO APPEAR FOR HEARING ON 10/03/2023 IF NOT IN COMPLIANCE.</p> <p>ORDER OF CONTINUANCE TO APPEAR ON 11/07/2023 FOR HEARING.</p>
2.8	CASE 2023-118	<p>OWNER(S): INVESTMENT MANAGEMENT MARLA LLC ADDRESS: 6540 MELALEUCA RD FOLIO: 5140 02 01 0173 VIOLATION(S): TSWR 1) SEC. 045-050, 045-060, 005-120 2) 005-080 3) 005-080 4) 005-080 5) 005-080</p> <p>1) OPERATING A PRIMARILY COMMERCIAL OPERATION FROM A RESIDENTIALLY ZONED PROPERTY. CERTIFICATE OF USE IS NULL AND VOID DUE TO VIOLATION OF CS/HB 403 AND F.S. 559.955 (HOME-BASED</p>	<p>STATUS:</p> <p>NOTICE OF VIOLATION ISSUED ON 04/17/2023.</p> <p>NOTICE OF HEARING ISSUED ON 05/09/2023 TO APPEAR ON 06/06/2023 FOR HEARING.</p> <p>VIOLATION #1 CONTESTED GIVEN 14 DAYS TO GET TRANSCRIPTS FROM CODE HEARING AND 30 DAYS</p>

		<p>BUSINESS) REQUIREMENTS.</p> <ol style="list-style-type: none"> a. ACTIVITIES OF HOME-BASED BUSINESS MUST BE SECONDARY USE TO THE PROPERTY'S USE AS A RESIDENTIAL DWELLING. b. THE BUSINESS EMPLOYEES WHO WORK AT THE RESIDENTIAL DWELLING MUST ALSO RESIDE IN THE RESIDENTIAL DWELLING ASIDE FROM TWO EMPLOYEES THAT MAY NOT RESIDE AT THE RESIDENTIAL DWELLING. c. PARKING RELATED TO BUSINESS MAY NOT GENERATE A NEED FOR PARKING GREATER IN VOLUME THAN A SIMILAR RESIDENCE WHERE NO BUSINESS IS CONDUCTED. VEHICLES MUST NOT BE PARKED IN SPACES THAT ARE LOCATED IN THE RIGHT OF WAY OR ON ANY UNIMPROVED SURFACE. d. BUSINESS ACTIVITIES MUST COMPLY WITH LOCAL REGULATIONS. (NOISE, NOXIOUS ODORS.) e. BUSINESS ACTIVITIES MUST COMPLY WITH LOCAL, STATE, AND FEDERAL REGULATIONS CONCERNING THE USE, STORAGE, OR DISPOSAL OF HAZARDOUS MATERIALS. f. AS VIEWED FROM THE STREET, THE RESIDENTIAL PROPERTY MUST BE CONSISTENT WITH THE USES OF THE RESIDENTIAL AREAS THAT SURROUND THE PROPERTY. ANY EXTERNAL MODIFICATIONS MUST CONFORM TO THE RESIDENTIAL CHARACTER AND ARCHITECTURAL AESTHETICS OF THE NEIGHBORHOOD. <ol style="list-style-type: none"> 2) WORK WITHOUT ANY APPROVAL OR PERMIT. TO WIT: MULTIPLE STRUCTURES ON SITE WERE BUILT OR INSTALLED WITHOUT PERMITS OR ANY INSPECTIONS FOR MECHANICAL, STRUCTURAL, ELECTRICAL OR PLUMBING. 3) WORK WITHOUT APPROVAL OR PERMIT. DRIVEWAY AND CONCRETE SLABS FOR STRUCTURES. 4) WORK WITHOUT APPROVAL OR PERMITS. INTERIOR REMODEL OF PRINCIPAL STRUCTURE. DISMISSED 5) WORK WITHOUT APPROVAL OR PERMITS. GAZEBO STRUCTURE IN POOL AREA. 	<p>AFTER THAT TO PROVIDE A BRIEF.</p> <p>VIOLATION #2 ADMITTED VIOLATION VIOLATION #3 ADMITTED VIOLATION VIOLATION #4 DISMISSED VIOLATION #5 ADMITTED VIOLATION GIVEN 60 DAY TO COMPLY BY 09/06/2023 OR TO APPEAR FOR HEARING ON 09/07/2023 IF NOT IN COMPLIANCE. A FINE IN THE AMOUNT OF \$150.00 A DAY WILL BE APPLIED AFTER THAT.</p> <p>ORDER OF CONTINUANCE TO APPEAR ON 11/07/2023 FOR HEARING.</p>
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2.9	CASE 2023-220	OWNER(S): MUSTANG TRAIL RANCH USA LLC ADDRESS: 13900 MUSTANG TRL FOLIO: 5140 03 01 0452 VIOLATION(S): 1)TSWR CODE SEC. 005-080(A) WORK WITHOUT A PERMIT, FILLING PROPERTY WITHOUT A PERMIT. 2)TSWR CODE SEC. 005-080(A) WORK WITHOUT A PERMIT, BUILT ACCESSORY STRUCTURE WITHOUT A PERMIT.	STATUS: NOTICE OF VIOLATION ISSUED ON 06/15/2023. NOTICE OF HEARING ISSUED ON 07/06/2023 TO APPEAR ON 08/01/2023 FOR HEARING. FOUND IN VIOLATION; GIVEN UNTIL 09/06/2023 TO COMPLY OR TO APPEAR ON 09/07/2023 FOR HEARING IF NOT IN COMPLIANCE. A FINE IN THE AMOUNT OF \$150.00 A DAY PER VIOLATION WILL BE APPLIED AFTER THAT. AMENDED FINAL ORDER; GIVEN UNTIL 10/02/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 10/03/2023 IF NOT IN COMPLIANCE. AMENDED FINAL ORDER: GIVEN UNTIL 11/06/2023 TO COMPLY OR TO APPEAR FOR HEARING ON 11/07/2023 IF NOT IN COMPLIANCE.
2.10	CASE 2023-222	OWNER(S): INVESTMENT MANAGEMENT MARLA LLC ADDRESS: 6540 MELALEUCA RD FOLIO: 5140 02 01 0173 VIOLATION(S): 1. TSWR CODE SEC. 005-080(A) WORK WITHOUT A PERMIT, STRUCTURE ON SOUTH PROPERTY LINE (IDENTIFIED AS A HORSE STABLE) WITHOUT A PERMIT. 2. TSWR CODE SEC. 005-080(A) WORK WITHOUT A PERMIT, STRUCTURE ON SOUTHEAST PROPERTY LINE (IDENTIFIED AS AN OFFICE) WITHOUT A PERMIT. 3. TSWR SEC. 005-270 ILLEGAL USE OF RIGHT OF WAY, PLANTING SHRUBS ON RIGHT OF WAY	STATUS: NOTICE OF VIOLATION ISSUED ON 06/30/2023. NOTICE OF HEARING ISSUED ON 08/07/2023 TO APPEAR ON 09/07/2023 FOR HEARING. ADMITTED VIOLATION; GIVEN UNTIL 11/06/2023 TO COMPLY FOR ITEMS #1 AND #3 OR TO APPEAR FOR HEARING ON 11/07/2023 IF NOT IN COMPLIANCE.

		WITHOUT APPROVAL OR PERMITS.	<p>A FINE IN THE AMOUNT OF \$150.00 A DAY WILL BE APPLIED AFTER THAT PER VIOLATION.</p> <p>GIVEN UNTIL 10/02/2023 TO COMPLY FOR ITEM #2 OR TO APPEAR FOR HEARING ON 10/03/2023 IF NOT IN COMPLIANCE.</p> <p>AMENDED FINAL ORDER: GIVEN UNTIL 10/10/2023 TO CONDUCT AN INSPECTION FOR ITEM #2 OR TO APPEAR FOR HEARING ON 11/07/2023. ITEMS #1 AND #3 ARE SET FOR COMPLIANCE BY 11/06/2023 OR TO APPEAR ON 11/07/2023 IF NOT IN COMPLIANCE.</p>
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3. NEW CASES

3.1	CASE 2023-262	<p>OWNER(S): FIGUEROA, JOSE M & TANIA B ADDRESS: 6241 SW 185 WAY FOLIO: 5139 01 02 0110 VIOLATION(S): TSWR CODE SEC. 005-080 WORK WITHOUT PERMITS, FILLING OR GRADING WITHOUT APPROVAL OR PERMITS.</p>	<p>STATUS: NOTICE OF VIOLATION ISSUED ON 07/12/2023.</p> <p>NOTICE OF HEARING ISSUED ON 10/24/2023 TO APPEAR ON 11/07/2023 FOR HEARING.</p>
3.2	CASE 2023-267	<p>OWNER(S): BOYETT, MARY KATHERINE MARTELL, LAWRENCE ADDRESS: SW 208 LANE FOLIO: 503934010322 VIOLATION(S): TSWR CODE SEC. 005-080 WORK WITHOUT PERMITS, FILLING OR GRADING WITHOUT APPROVAL OR PERMITS.</p>	<p>STATUS: COURTESY NOTICE ISSUED ON 07/16/2023.</p> <p>NOTICE OF VIOLATION ISSUED ON 09/13/2023.</p> <p>NOTICE OF HEARING ISSUED ON 10/24/2023 TO APPEAR ON 11/07/2023 FOR HEARING.</p>

3.3	CASE 2023-289	OWNER(S): VIDAL, RUBEN ADDRESS: SW 61 CT FOLIO: 514006090010 VIOLATION(S): TSWR CODE SEC. 020-040(D) THE FOLLOWING IS CONSIDERED A PUBLIC NUISANCE: EXISTENCE OF OVERGROWN GROUND COVER OR VEGETATION.	STATUS: COURTESY NOTICE ISSUED ON 07/25/2023. NOTICE OF VIOLATION ISSUED ON 08/09/2023. NOTICE OF HEARING ISSUED ON 10/24/2023 TO APPEAR ON 11/07/2023 FOR HEARING.
3.4	CASE 2023-337	OWNER(S): THOMAS, DWAYNE A ADDRESS: 6821 SW 185 WAY FOLIO: 5139 01 01 0471 VIOLATION(S): TSWR CODE SEC. 020-040(D) THE FOLLOWING IS CONSIDERED A PUBLIC NUISANCE: EXISTENCE OF OVERGROWN GROUND COVER OR VEGETATION.	STATUS: COURTESY NOTICE ISSUED ON 08/09/2023. NOTICE OF VIOLATION ISSUED ON 08/30/2023. NOTICE OF HEARING ISSUED ON 10/24/2023 TO APPEAR ON 11/07/2023 FOR HEARING.
3.5	CASE 2023-416	OWNER(S): NAPOLES, MADELAINE NAPOLES, VANLER ADDRESS: 5521 SW 164 TER FOLIO: 504032050280 VIOLATION(S): SWR CODE SEC. 005-080 (A) WORK WITHOUT PERMIT, ACCESSORY STRUCTURE ON PROPERTY WITHOUT APPROVAL OR PERMIT	STATUS: NOTICE OF VIOLATION ISSUED ON 09/26/2023. NOTICE OF HEARING ISSUED ON 10/24/2023 TO APPEAR ON 11/07/2023 FOR HEARING.

4. CITATIONS

4.1	CASE 2022-273	OWNER(S): MASSON, KIMBERLY KAY & ROBERTO F ADDRESS: 18531 SW 58 ST FOLIO: 5039 36 04 0070 VIOLATION(S): TSWR CODE 045-030(C)(4)(a) STORAGE OF COMMERCIAL VEHICLES EXCEEDING (1)	STATUS: WARNING NOTICE OF VIOLATION ISSUED ON 07/18/2022. CIVIL NOTICE OF VIOLATION ISSUED ON 04/21/2023. PAID CIVIL NOTICE OF VIOLATION ISSUED ON 07/31/2023. \$500.00 CIVIL NOTICE OF VIOLATION ISSUED ON 08/01/2023. \$500.00
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			ORDER OF CONTINUANCE TO APPEAR ON 11/07/2023 FOR HEARING.
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5. RE-HEARINGS:

6. FORECLOSURE REQUESTS

7. REPEAT VIOLATION

ANY PERSON WISHING TO APPEAL ANY DECISION MADE AT THIS HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

ANY PERSON REQUIRING AUXILIARY AIDES AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERK'S OFFICE AT 954-434-0008 AT LEAST FIVE (5) BUSINESS DAYS PRIOR TO THE MEETING TO REQUEST SUCH ACCOMMODATIONS. IF YOU ARE HEARING OR SPEECH IMPAIRED, PLEASE CONTACT THE FLORIDA RELAY SERVICE BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD).