

CITY OF OAKLAND PARK
CODE ENFORCEMENT DIVISION
5399 N. DIXIE HWY SUITE 3
OAKLAND PARK, FL 33334

NOTICE OF VIOLATION

DATE: 11/3/2015

ALL SAINTS CATHOLIC MISSION INC
821 NW 34 ST
OAKLAND PARK, FL 33309

FOLIO #: 494222092740

CASE NBR: 176622
CEB NBR:

CERT.#: 91 7199 9991 7034 2298 0126

PREMISES: 3460 NW 9 AVE OAKLAND PARK

YOU ARE HEREBY NOTIFIED that an inspection on 10/29/15 revealed that you are in violation of the referenced section(s) of the City Code of Ordinances.

The violations are itemized and attached to this letter.

This is a repeat violation and is to be remedied immediately. This department has no alternative but to refer this matter to the Code Enforcement Board or Special Master for legal action. Florida State Statute Section 162 provides the Board the authority to levy fines of up to \$500.00 per day per violation.

When the property comes into compliance, or if you have any questions regarding this notice, please contact me at the following number between the hours of 8:00 a.m. and 5:00 p.m.: (954) 630-4400.

Sincerely,



DEBRA WALLACE
Deputy Sheriff

cc: ALL SAINTS CATHOLIC MISSION INC
821 NW 34 ST
OAKLAND PARK, FL 33309

Attachment A
Violations Found

Violation Code/Description: 01300 - ZONING CODE

Ordinance: SEC.24.58(A)(3) - POWERLINE ROAD ZONING DISTRICT PERMITTED USE LIST.
IT IS THE INTENT OF THIS SECTION TO PROVIDE, IN TABULAR FORM, A LISTING (HEREIN REFERRED TO AS THE "PRZD BUSINESS LIST") OF THE USES THAT SHALL BE PERMITTED OR PROHIBITED IN THE POWERLINE ROAD DISTRICT.

Comment: The feeding program operating at this location is a Use not permitted, which would require unlisted conditional use from the City Commission.

Please cease and desist this activity immediately.

Violation Code/Description: 01300 - ZONING CODE

Complied prior to magistrate
(B)

Ordinance: SEC.24.94(A) - Swale obstructions/maintenance

The area immediately adjacent to the paved road surface extending to the right-of-way line or to the edge of the sidewalk is defined as the swale area, and is primarily intended for the drainage of the paved roadway by percolation of the water through the soil. Swale areas shall not be used for parking vehicles except for parallel parking in R-1 and R-2 districts. Swale areas shall not be obstructed in any manner except as permitted pursuant to this Code. The planting of trees is permitted in certain swale areas following the review and approval by the city's development review committee (DRC). Swales shall be maintained by abutting property owners. Maintenance shall include the preservation of adequate sod and slope.

Comment: Please remove the picnic table and benches and any other items from the City's Right of Way/swale.

Please remove immediately.

**CITY OF OAKLAND PARK
CODE ENFORCEMENT/SPECIAL MAGISTRATE HEARING
IMPORTANT NOTICE**

IF ANY DECISION OF THE CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE AFFECTS YOU, AND YOU DECIDE TO APPEAL ANY DECISION MADE AT A MEETING WITH RESPECT TO ANY MATTER CONSIDERED, YOU WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, YOU MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

(The above NOTICE is required by State law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript.)

VIOLATION HEARING

(1) When the City sets a violation for hearing, a time and date shall be set for the formal hearing. The violator shall be given written notice by the Code Enforcement Division of the time and date of the hearing.

(2) At the time and place set for the violation hearing, the hearing agency shall consider all testimony offered and shall examine and consider evidence presented. After the conclusion of the hearing, the hearing agency shall issue findings of facts and conclusions of law and an order commanding whatever steps are necessary to bring a violation into compliance by the time set forth in the order.

(3) In the event the hearing agency believes that a violation presents a serious threat to the public health, safety and welfare, the hearing agency may direct the City Commission to seek appropriate injunctive relief.

FINES

In accordance with the authority entrusted to it, upon notification by the Code Inspector that a previous order of the hearing agency has not been complied with by the set time, may order the violator to pay a fine not to exceed \$250.00 per day for each day that a violation continues past the date set for compliance. A certified copy of an order imposing a fine will be recorded in the public records and thereafter shall constitute a lien against the property upon which the violation exists.

**INFORMATION FOR VIOLATION HEARING
Hearing Procedures**

- (1) All hearings of the Board shall be open to the public.
- (2) Hearings shall be held in accordance with Chapter 162 of Florida Statutes.
- (3) Each party to the hearing shall have the right to:
 - (a) Call and examine witnesses.
 - (b) Introduce exhibits.
 - (c) Cross-examine opposing witnesses.
 - (d) Impeach witnesses.
 - (e) Rebut evidence
- (4) The violator may be represented by an attorney at the violation hearing.
- (5) All testimony before the Board shall be UNDER OATH and shall be recorded. The violator or the City may cause the proceedings to be recorded by a certified court reporter or other certified recording instrument.