



Environmental Protection and Growth Management Department  
ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION – ENFORCEMENT ADMINISTRATION  
One N. University Drive, Mailbox 307, Plantation, FL 33324 954-519-1210 · FAX 954-519-1493

**NOTICE OF VIOLATION  
and  
NOTICE OF HEARING  
TO ASSESS A CIVIL PENALTY**

**NOTICE OF VIOLATION NUMBER: NOV15-0018**

**Page 1 of 4**

The undersigned certifies that he/she has just grounds to believe that from March 05, 2015, to March 06, 2015 at the location below, the following Respondent(s) was/were in violation of the section(s) of the Broward County Code of Ordinances ("Code" or "BCC") identified in each count:

**Location:** 704 NE 20TH AVE  
Fort Lauderdale, FL 33304

**COUNT 1: Respondent: Lovell Built, Inc. d/b/a Lovell Marine Construction**  
**Respondent: WA Lovell, LLC d/b/a Lovell Marine Construction**  
**Respondent: Shawn Benyo**

**Violated Section 27-27(a)(2), BCC, which states:**

"(a) Violations: It shall be a violation of this chapter for any person: (2) To fail to obtain any license, environmental review approval, or any other approval required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, license, certification, environmental review approval, or any other approval adopted or issued by EPGMD pursuant to its lawful authority."

**By:** Discharging unauthorized fill material (spoil material) into regulated surface waters in violation of Environmental Resource General License No. FTL1410-006, Standard Specific Condition No. 3.

**COUNT 2: Respondent: Lovell Built, Inc. d/b/a Lovell Marine Construction**  
**Respondent: WA Lovell, LLC d/b/a Lovell Marine Construction**  
**Respondent: Shawn Benyo**

**Violated Section 27-27(a)(2), BCC, which states:**

"(a) Violations: It shall be a violation of this chapter for any person: (2) To fail to obtain any license, environmental review approval, or any other approval required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, license, certification, environmental review approval, or any other approval adopted or issued by EPGMD pursuant to its lawful authority."

**By:** Causing, permitting, suffering, allowing, conducting or causing to be conducted impact, alteration, or dredging outside of the designated dredging area in violation of Environmental Resource General License No. FTL1410-006.

**COUNT 3: Respondent: Lovell Built, Inc. d/b/a Lovell Marine Construction**  
**Respondent: WA Lovell, LLC d/b/a Lovell Marine Construction**  
**Respondent: Shawn Benyo**

**Violated Section 27-27(a)(2), BCC, which states:**

"(a) Violations: It shall be a violation of this chapter for any person: (2) To fail to obtain any license, environmental review approval, or any other approval required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, license, certification, environmental review approval, or any other approval adopted or issued by EPGMD pursuant to its lawful authority."

**By:** Failing to properly deploy turbidity screens by failing to effectively enclose the entire work area in violation of Environmental Resource General License No. FTL1410-006, Standard Specific Conditions No. 4 and 7.

**COUNT 4: Respondent: Lovell Built, Inc. d/b/a Lovell Marine Construction**  
**Respondent: WA Lovell, LLC d/b/a Lovell Marine Construction**  
**Respondent: Shawn Benyo**

**Violated Section 27-27(a)(2), BCC, which states:**

"(a) Violations: It shall be a violation of this chapter for any person: (2) To fail to obtain any license, environmental review approval, or any other approval required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, license, certification, environmental review approval, or any other approval adopted or issued by EPGMD pursuant to its lawful authority."

**By:** Causing, permitting, suffering, allowing, conducting or causing to be conducted impact, alteration, or dredging outside of turbidity screens in violation of Environmental Resource General License No. FTL1410-006, Standard Specific Condition No. 7.

**IMPORTANT HEARING INFORMATION**

There will be a Hearing held before the Broward County duly appointed Hearing Examiner at the following location:

**Broward County Government Center West  
One North University Drive  
Hearing Room - Second Floor  
Plantation, Florida**

**Date: May 28, 2015**

**Time: Hearings begin at 9:30 a.m. and continue until all cases on the docket are heard.**

You may appear and present defenses to the violation(s) charged. The Hearing will take place whether or not you appear unless you make prior arrangements for continuance pursuant to section 27-31 of the Broward County Code. You may be represented by an attorney at the Hearing. After hearing the evidence, the Hearing Examiner may assess a Civil Penalty of up to \$15,000.00 per violation per day and may assess administrative costs associated with the Notice of Violation. You may request a Settlement Conference at least five (5) days prior to the scheduled Hearing to discuss compliance and the amount of penalty and costs to be assessed.

If you have any questions or wish to schedule a Settlement Conference, please contact Kristy Cave at (954) 519-1472.

If, due to a disability, you require accommodation or auxiliary services to attend this Hearing or a Settlement Conference, please call to make a request within 48 hours of the Hearing or Conference.



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John Stagnari,  
Environmental Compliance Administrator

Date: 4/3/15

**Registered Agent(s)/Mailed To:**

Mr. Shawn Benyo  
(for Mr. Benyo)  
2612 NE 3rd St  
Pompano Beach, FL 33062  
RRR: 7003 2260 0005 8985 8238

Rose A. Lovell  
(for Lovell Built, Inc. d/b/a Lovell Marine Construction)  
840 N.E. 20th Ave.  
Fort Lauderdale, FL 33304  
RRR: 7003 2260 0005 8985 8252

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**C: Department of Environmental Protection, S.E. Florida District - West Palm Beach**  
**Daphne E. Jones, Assistant County Attorney**  
**Elissa Taylor, Environmental Licensing and Building Permitting Division**  
**Ryan St. George, Environmental Licensing and Building Permitting Division**