AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
FEBRUARY 15, 2024
10:00 AM

If a person decides to appeal any decision made by the Magistrate, they will need a record of the proceeding, and that for such purpose they 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 to be based.

AGENDA CHANGES

MOTION HEARINGS

1. CIT Case 2024-14 - 3227 Lillian Road - Kyle Kahant
   CE Officer Tom Gehrman
   Violation of Village Code of Ordinances
   Section 34-883: Hedges over four (4) feet tall in front of a residence.
   Section 34-1359: Traffic Visibility violation (safety issue)

Citation Fine:	NA
Admin Cost:	TBD
Recommendation:	$100 per day, per violation
Compliance Date:	February 25, 2024

2. CIT Case 2024-2778 - 1466 South Congress Avenue - South Congress Realty Partners Inc.
   CE Nanciann Cuenot
   Violation of Village Code of Ordinances
   Section 34-262: Prohibited banner flag signs

Citation Fine:	$50.00 + $30.00 = $80.00
Admin Cost:	TBD
Recommendation:	$25.00 per day
Compliance Date:	February 9, 2024

3. Case 2024-13 - 3959 Lake Worth Road - Bella Raza Inc.
   CE Nanciann Cuenot
   Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Work without required Village of Palm Springs Building Permit - Repaving & striping.
Section 10-31 (FBC 110.1): Inspections required
Section 34-265: Responsibility for maintenance; unsafe signs; abandoned signs
Section 34-262: Prohibited banner sign
Section 10-9(o): Exterior of Building - Holiday decorations

Citation Fine:	N/A
Admin Cost:	$202.54
Recommendation:	$50.00 per day, per violation
Compliance Date:	March 21, 2024

4. Case No. 2024-15 - 316 Alemeda Drive - Jean Joseph & Azema Elivat Joseph
CE Officer Nicole Tamayo
Violation of Village Code of Ordinances
Section 10-8: Exterior property area. Driveway maintenance/repair required.
Section 66-112: General maintenance requirements. Broken sidewalk repair required, responsibility of the property owner to pressure wash sidewalk use areas.
Section 34-221: Responsibility of the owner; practices enumerated. Owner is responsible for maintaining all landscape in good condition.

Citation Fine:	N/A
Admin Cost:	$216.91
Recommendation:	$100.00 per day, per violation
Compliance Date:	April 01, 2024

5. Case 2024-16 - 3578 Coconut Road - Debra J. Hartig
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section 30-143: Trash/Debris/Vegetative Waste/Materials
Section 34-1381: Open Storage
Section 34-225: Fence Maintenance
Section 10-8: Driveways/Weeds
Section 34-883: Hedges
Section 30-141: Overgrowth
Section 30-142: Landscape Maintenance
Section 10-9: Exterior Property Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missing "8" House ID number on the Mailbox

Citation Fine:	N/A
Admin Cost:	$296.91
Recommendation:	$100.00 per day, per violation
Compliance Date:	March 1, 2024

PETITION FOR REDUCTION OR ABATEMENT OF FINE

6. CIT Case 2022-50 - 2625 & 2665 10th Avenue North - 10th Avenue Partnership LTD
CE Officer Tom Gehrman
Violation of Village Code of Ordinances
Section 46-3: Graffiti
Section 34-916: parking commercial vehicles
Section 10-9: exterior of structure or building

Initial Violation:	November 23, 2022
Order Finding Violation:	December 15, 2022
Compliance Deadline:	January 18, 2023
Compliance Date:	July 27, 2023
Fine Amount:	$14,175.00
Citation Fine:	Paid
Admin Cost:	Paid
Recommendation:	$2,835.00
Compliance Date:	February 26, 2024

7. CIT Case 2023-2612 - 3734 Gulfstream Road - Miguel & Isrrael Tijero
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section 30-143: Public Nuisance Trash & Debris

Initial Violation:	February 6, 2023
Order Finding Violation:	February 16, 2023
Compliance Deadline:	March 15, 2023
Compliance Date:	December 20, 2023
Fine Amount:	$28,000.00
Citation Fine:	Paid
Admin Cost:	Paid
Recommendation:	$2,800.00
Compliance Date:	March 1, 2024

8. Case 2021-38A - 3734 Gulfstream Road - FAMI INVEST LLC - Miguel & Isrrael Tijero
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section FBC 105.4: Permits Expired
Section FBC 110.3: Inspections Required

Initial Violation:	September 6, 2021
Order Finding Violation:	September 16, 2021
Compliance Deadline:	October 21, 2021
Compliance Date:	April 18, 2022
Fine Amount:	$36,000.00

Citation Fine:	N/A
Admin Cost:	Not Paid
Recommendation:	$3,600.00
Compliance Date:	March 1, 2024

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

9. CIT Case 2021-38B - 1859 Emilio Lane - Kenneth B. Embler
CE Officer - Tom Gehrman
Violation of Village Code of Ordinances
Section 30-143: Public nuisance, trash, debris, nesting place for vermin.
Section 10-9: Building not maintained and allowed to deteriorate.

Initial Violation:	June 26, 2021
Order Finding Violation:	August 19, 2021
Compliance Deadline:	December 21, 2023 (per Stipulated Agreement)
Compliance Date:	Extension Requested
Fine Amount:	NA
Citation	NA
Admin Cost & Fees	Paid
Recommendation:	NA
Compliance Date:	Extend 90 Days to March 21, 2024

10. Case 2023-18 - 2964 2nd Avenue North - 2964 Second Avenue North, LLC
CE Officer Nanciann Cuenot
Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1 & 110.1): Repave and stripe parking lot without permits and inspections.

Initial Violation:	April 24, 2023
Order Finding Violation:	May 18, 2023
Compliance Deadline:	July 20, 2023
Compliance Date:	Not in Compliance
Fine Amount:	$100.00 per day, per violation
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	180 day extension
Compliance Date:	August 9, 2024

11. Case No. 2024-05 - 441 Kirk Road - Yilena Naranjo & Jose L. Naranjo
CE Officer Nicole Tamayo
Violation of Village Code of Ordinances
Section 34-914: Residential Parking Violations; Parking on grass, Parking

blocking sidewalk use area.

Section 30-142: Maintenance of the swale and right-of-way area required. Broken sidewalk repair required.

Section 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without permits and inspections.

Initial Violation:	January 03, 2024
Order Finding Violation:	January 18, 2024
Compliance Deadline:	February 29, 2024
Compliance Date:	Not In Compliance
Fine Amount:	$75.00 per day, per violation
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	90 day extension
Compliance Date:	May 29, 2024

12. Case No. 2024-07 - 241 Tam O' Shanter Drive - Yenny Vidal & Adisbel Valdes
CE Officer Nicole Tamayo

Violation of Village Code of Ordinances

Section 34-890: Home Occupation

Section 70-99: Evidence of Engaging in Business

Section 10-9: Exterior of Structure or Building - House Numbers

Section 10-31 (FBC 105.1 & FBC 110.1): No permits and inspections.

Initial Violation:	January 04, 2024
Order Finding Violation:	January 18, 2024
Compliance Deadline:	February 29, 2024
Compliance Date:	Not In Compliance
Fine Amount:	$75.00 per day, per violation
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	90 day extension
Compliance Date:	May 29, 2024

Next Magistrate Hearing is NEXT MAGISTRATE HEARING IS THURSDAY, MARCH 21, 2024 @ 10:00 AM
VILLAGE COUNCIL CHAMBERS

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration welcomes input from all of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8421

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION NO: 2024-14 **XX** **AFFIDAVIT OF COMPLIANCE**
AFFIDAVIT OF NON-COMPLIANCE
(Check One)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

KYLE KAHANT
CASSIE KAHANT
3227 LILLIAN ROAD
WEST PALM BEACH, FL 33406 7906
Respondent

The property at **3227 LILLIAN ROAD** on the Code Enforcement **NOTICE OF VIOLATION/NOTICE OF HEARING** dated **FEBRUARY 1, 2024**, in the above-mentioned case, has been re-inspected and, I TOM GEHRMAN state that said property is **NOW in compliance with Section 34-883 Hedges over the maximum 4 foot height in front of residential house, Section 3-1359 Traffic Visibility (safety issue),** of the Ordinance Codes of the Village of Palm Springs on the **Eighth (8th) day of FEBRUARY 2024**.

NO HEARING

Tom Gehrman
Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to, (or affirmed) and subscribed before me by means of □ physical presence or □ online notarization, this 9th day of FEBRUARY, 2023, by, TOM GEHRMAN, who is personally known to me or who has produced _____ as identification.

My Commission expires: April 25, 2024

Nanciann M Cuenot
NOTARY SIGNATURE

NANCIANN M. CUENOT
PRINT NAME
Notary Public, State of Florida
Commission No.: GG 963551

NANCIANN M CUENOT
Notary Public - State of Florida
Commission # GG 963551
My Comm. Expires Apr 25, 2024
Bonded through National Notary Assn.

CEB Forms Updated 9-29-2020

2/9/2024 9:06:37 AM

3227 Lillian Rd.

Case 2024-14

Hedges Trimmed As Required!

TA

Village of Palm Springs, FL
Planning and Zonning
226 Cypress Ln
Palm Springs, FL 33461
(561) 584-8200 x8460
Welcome

02/02/2024 02:48PM Clara S.
008399-0001

MISCELLANEOUS
Code Citations (35401)
External Item Reference: 35401
External Payment Reference:
2024-02-5407599-5407599
2024 Item: 35401
1 @ $80.0000
Balance unpaid: -$80.00
Code Citations (35401) $80.00

$80.00

Subtotal $80.00
Total $80.00

CREDIT CARD PBZ $80.00
Visa **********8928
Ref=208155 26403
Auth=04131G

Change due $0.00

Paid by: YINA BERKOFF

Comments: CITATION NO. 2778
1466 S.
CONGRESS AVE

Thank you for your payment

CUSTOMER COPY
DUPLICATE RECEIPT

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2778

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Tuesday	Jan.	30	2024	

FIRST NAME	MID INT.	LAST NAME
Great Benefits Value Inc.		

STREET ADDRESS: 1466 S. Congress Ave

CITY	STATE	ZIP CODE
Palm Springs	FL	33406

TAG NO. DESCRIPTION: Property Owner; SOUTH CONGRESS REALTY Partners Inc

VIOLATION CODE SECTION(S) & DESCRIPTION:
Sec. 34-262
Prohibited banner flags signs (2)

☐ REPEAT VIOLATION

Nancy Cuevas — Code Enforcement Officer
154 — ID#

This citation is issued pursuant to Chap. 162, Florida Statutes and Section 2-233. The violation charge is a civil infraction and may subject you to a fine of up to $250 per day (or $500 per day for Repeat Violations), plus costs assessed by a Magistrate before whom this matter is heard. You are scheduled to appear before the Magistrate at a hearing for this violation on:

Feb. 15, 2024 (Hearing Date) at 10:00am (Time)

Location: Community Room,
226 Cypress Lane, Palm Springs, Florida

584-8300/8514

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-304-4826 or 561-304-4829 and paying a fine of $ 50.00, plus a re-inspection fee of $30.00 for a TOTAL Civil Penalty of $ 80.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 5:00PM on FEB. 9 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

If you fail to pay the civil penalty within the time allowed, or fail to appear at the hearing to contest the citation, you shall be deemed to have waived your right to contest the citation and a judgment may be entered against you for an amount up to the maximum civil penalty.

Hand delivered — Respondent Signature
Yina Berkoff — Printed Name

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

JANUARY 31, 2024

SOUTH CONGRESS REALTY PARTNERS LLC
3626 EMBASSY DR
WEST PALM BEACH, FL 33401 1032

Dear Property Owner,

You have been issued a CITATION for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **1466 S CONGRESS AVE in Palm Springs, FL**
PCN: 70-43-44-08-10-003-00221

This property is in violation of local ordinances.
SECTION 34-262 PROHIBITED SIGNS
The following signs are prohibited:
Any banner over any street or sidewalk, without permission from the village.

No Special Event permit on file with the Village. Previous warning have been issued to the tenant.

Compliance Date: FEBRUARY 9, 2024

Failure to comply WILL result in a Citation Fine, Court Costs and possible Lien on the property.

Respectfully,

Nanciann Cuenot
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584-8300 Ext. 8424
ncuenot@vpsfl.org

CERTIFIED MAIL

PALM SPRINGS POLICE DEPARTMI
230 CYPRESS LANE
PALM SPRINGS, FL 33461

9589 0710 5270 1045 6827 39

NEOPOST FIRST-CLASS MAIL
01/31/2024
US POSTAGE $008.53⁰

ZIP 33461
041M11460879

SOUTH CONGRESS REALTY PARTNERS LLC
3626 EMBASSY DR
WEST PALM BEACH, FL 33401 1032

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
South Congress Realty Partners LLC
3626 Embassy Dr.
West Palm Beach, FL.
33401-1032

9590 9402 5704 9346 3190 69

2. Article Number *(Transfer from service label)*
9589 0710 5270 1045 6827 39

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)* Gabriela Bosch
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
FEB 06 2024
BY:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-13

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461
Respondent.

PCN 70-43-44-19-20-066-0150

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **FEBRUARY 1, 2024**, the Respondent, **BELLA RAZA INC** owner of the property at **3959 LAKE WORTH RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances:

SECTION 10-31 (FBC 105.1 & 110.1) Working without required Village of Palm Springs Building Permits and Inspections – Parking lot paving and striping.
SECTION 34-265 Responsibility of maintenance; unsafe signs; abandoned sign – Remove abandoned non-conforming sign erected within the front set-back of property.
SECTION 34-262 Prohibited signs – banner sign must be removed.
SECTION 10-9(o) Exterior of Building – Remove holiday Christmas decoration on windows.

These violations must be corrected on or before February 9, 2024, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext. 8524, at 10:00 a.m., on THURSDAY FEBRUARY 15, 2024. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 Ext. 8524 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

If you are found in violation of the Village Code, the Special Magistrate has the legal authority to levy fines of up to **$500.00** per day, per violation, for each and every day that each violation continues, and to levy all administrative costs required to obtain compliance. **ALL FINES AND COSTS BECOME LIENS ON YOUR PROPERTY**.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)584-8200 Ext. 8430.

CE/ CEB Case No. 2024-13

Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours prior to the hearing.

Code Enforcement Officer 561-584-8300 Ext 8524

NANCIANN CUENOT
Printed Name of Officer

Date Issued: February 1, 2024

2/2/2024 8:40:37 AM

2/2/2024 8:40:20 AM

Photo's of the Posting and
Violation Section 10-9(6) Holiday decorations

6/28/2023 3:11:42 PM

Parking lot - Before Photo

2/1/2024 11:34:32 AM

Parking lot Repared + Striped - No permits

2/1/2024 11:34:14 AM

2/1/2024 11:33:42 AM

Abandoned Sign
Prohibited Banner Sign
Sign location within
5-foot set back- nonconforming
PELUQUERIA UNISEX
La Raza
561-506-0212
CABALLEROS & NIÑOS
$10
* CORTES REGULARES
3959

2/1/2024 11:35:23 AM

2/1/2024 11:35:15 AM

Parking lot Before Repaving + Striping

6/28/2023 3:12:11 PM

6/28/2023 3:11:52 PM

SECTION 105
PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

SECTION 110
INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain exposed and provided with access for inspection purposes until approved.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Sec. 34-265. Responsibility of maintenance; unsafe signs; abandoned signs.

(a) All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted, if paint is required. Defective or damaged parts shall be replaced.

(b) If any sign regulated in this article is found by the building official to be unsafe, insecure, a menace to the public or constructed, erected or maintained in violation of the provisions of this article, written notice by the building official shall be given to the owner of the sign and of the property the sign is located on. If the owner or person in possession fails to remove or alter the structure so as to comply with the provisions of this article within ten days after the notice is delivered, the village manager shall approve the removal or alteration of the sign to comply, at the expense of the owner of the property upon which it is located. The land development department may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

(c) If any sign regulated in this article is found to be abandoned or the business advertised shall move from the property where the sign is located, the owner, agent or responsible person shall be responsible to remove the sign, cover the sign with a plain fabric cover or place a blank copy panel in the sign frame within 30 days of the abandonment or relocation of the business.

(d) Upon the failure, neglect or refusal of any owner, agent or responsible person to remove or repair any sign in violation of this article, after notification by the building official, the village manager is hereby authorized and empowered to effect the removal of the sign which is in violation.

(Code 1994, § 30-180; Ord. No. 2015-13, § 2, 5-14-2015)

Sec. 34-266. Responsibility for cost of repair or removal; lien right.

When the village has affected the repair or removal of a sign or has paid for the repair or removal thereof, the actual cost thereof, plus accrued interest at the rate of ten percent per annum, shall be charged to the owner of the property on the next regular tax bill forwarded to the owner. The charge shall be due and payable to the village within 30 days following written notice, given to the property owner, of the amount due. If the amount shall not be paid by the property owner, then such amount due to the village shall become a lien upon the property of the owner, and the village manager may cause the filing of such lien in the public records of this county or any other county in which the property owner owns real property.

(Code 1994, § 30-181; Ord. No. 2015-13, § 2, 5-14-2015)

Sec. 34-262. Prohibited signs.

The following signs are prohibited:

(1) Animated signs with surface movements, flashing lights, flashing and/or moving messages, bright flashing colors or exposed outdoor neon; or changeable sign copy (except as expressly permitted in this article), extruding figures, translucent fiberglass or composite awnings, illumination (interior or exterior) resulting in an unshielded light source visible from adjacent properties or public right-of-way, waving, fluttering, revolving or any other such device to attract attention. This prohibition includes any form of light treatments used with the intent to draw attention to a business, which is not within an approved sign package (except for seasonal, accent, building lighting, or landscape ornamental lighting), visible beyond the property line on which it is located.

(2) Statuary of any kind, except that of a distinctly religious nature.

(3) Signs which produce noise or sounds capable of being heard even though the sounds produced are not understandable.

(4) Signs which emit visible smoke, vapors, particles or odors.

(5) Signs or other advertising matter as regulated by this article, erected at the intersection of any street or in any street right-of-way in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "stop," "look," "drive-in," or any other word, phrase, symbol or character, in such a manner as to interfere with, mislead or confuse vehicular traffic as determined by the village council.

(6) Signs erected, constructed or maintained so as to obstruct or be attached to any firefighting equipment, window, door or opening used as a means of ingress or egress, or for firefighting purposes, or placed so as to interfere with any opening required for proper light and ventilation as required by the building code of the village.

(7) Signs with any lighting or control mechanism which causes radio, television or other communication interruption or interference.

(8) Flags, except those exempted by section 34-291(b)(2), banners, streamers, twirling, A type, sandwich type, sidewalk or curb signs, balloons or other air-filled or gas-filled figures and blank copy signs, as well as vehicular signs.

(9) Moving or stationary advertising signs on any vessel plying the canals or other waterbodies.

(10) Outdoor advertising of any kind or character where any live animals or human beings are used as part of the advertising and which is visible from any public street or adjacent property, including use of human directionals.

(11) Off-premises signs (i.e., signs/billboards offering services or products for sale or rent and not offered or provided on the same lot or premises as the advertising structure).

(12) Any snipe sign.

(13) Any banner over any street or sidewalk within any village playground or park, without permission from the village manager.

(14) Any sign, portable or fixed, placed or erected on or over any part of the ultimate road right-of-way, other than directional signs erected by county, state or village officials.

(15) Signs erected on public property including public rights-of-way, with the exception of signs erected by a public authority for public purposes and temporary signs as permitted by section 34-324.

(16) Any illuminated sign of an intensity that the vision of the observer becomes momentarily impaired.

(17) Any sign which exhibits any lewd, lascivious, indecent, pornographic or immoral material.

(18) Any sign attached to a tree, utility pole, trailer, roller casters, trash receptacle and any other unapproved supporting structure, including portable signs and vehicular signs, including those on trailers.

(19) Flashing signs, searchlights and beacons not operated by a governmental agency, and signs with chasing borders and twinkling lamps.

(20) Any roof sign or projecting sign.

(21) Bus bench advertising, except ads permitted per palm tran shelter/bench contracts, or where such bench advertises the bus or transit carrier for whose benefit the bench is installed.

(22) Murals require prior approval from the village council as set forth in section 34-295 and are otherwise prohibited.

(23) Any type of light banding around signs, windows, or gas canopies.

(24) Any flag pole taller than 25 feet.

(25) Electronic changeable copy signs; except time and temperature signs at financial institutions and gas/fuel price signs, and public service message signs on governmental/public/educational properties, all of which are subject to the requirements of section 34-267.

(26) Pole signs and pylon signs, except as provided in section 34-327(c).

(Code 1994, § 30-177; Ord. No. 2008-10, § 3, 8-28-2008; Ord. No. 2012-29, § 3, 1-10-2013; Ord. No. 2014-27, § 2, 11-13-2014; Ord. No. 2015-04, § 2, 3-12-2015; Ord. No. 2015-13, § 2, 5-14-2015; Ord. No. 2016-02, § 2, 3-10-2016)

Sec. 10-9. - Exterior of structure or building.

(a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(b) *Exterior painting.* All wood and metal surfaces including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

(c) *Street numbers.* One address sign shall be required for each principal building or use on premises showing only the numerical address designation on the premises upon which they are maintained or multi-unit buildings which utilize a roadside marquee/signboard, the full building address shall be posted on such marquee/signboard. The address shall be posted in a color contrasting that of the marquee/signboard or building a minimum of four inches for residential and six inches for commercial structure, and of sufficient size to be plainly visible and legible from the roadway. When the building utilizes multiple addresses, such as multiple occupant mercantile buildings, the address range shall be posted as indicated above. Signs shall be plainly visible from the street or right-of-way providing access to the lot and shall be installed and maintained pursuant to the county building security code. This requirement shall apply to all new and existing structures.

(d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.

(f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

(g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.

(h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(j)

Stairways, decks, porches and balconies. Every exterior stairway, deck, porch, balcony, railings and all other appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(k) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

(l) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(m) *Window and doorframes.* Every window, door and frame shall be kept in sound condition, good repair and weather tight.

(1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.

(2) *Openable window.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(n) *Doors.* All exterior doors and hardware shall be maintained in good condition Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

(o) Holiday lights and decorations, erected during the appropriate holiday season, shall comply with all applicable building and electrical codes. Holiday lights and decorations may be erected no earlier than 30 days prior to the subject holiday, with the exception of the Christmas/Hanukkah holidays. Christmas/Hanukkah lights and decorations may be erected no earlier than October 15. All Christmas/Hanukkah lights and decorations must be removed within 30 days following the holiday. All other holiday lights and decorations shall be removed within 14 days following the holiday.

(p) Protection from windborne debris is encouraged for all structures certified for occupancy in the village. Storm shutters, or hurricane protection devices, shall be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the building department.

(q) It is prohibited to maintain any device (including but not limited to wood, aluminum, or approved hurricane shutters) used for securing property, which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated. In addition, it is prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:

(1) A hurricane occurs during the ten-day period, at which point the ten-day period begins anew the day after hurricane conditions have subsided; or

(2) Hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or

(3)

The structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (1) and (2), above, shall still apply during periods when a person is in residence.

(4) Clerestory windows exempted under this section, shall be removed ten days after the official conclusion of the hurricane season.

(r) The owner of an occupied structure shall promptly repair any broken door or window so that a temporary boarded up condition is limited. Any such repair, other than in the case of a natural disaster, shall be made within ten (10) consecutive days. Any means of securing property including crime prevention devices shall be subject to review by the building official for safety and compliance with the Florida Building Code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Real property may be secured via boarding up windows, doors, or other openings upon the requirement of the building official provided a permit is issued by the village prior to securing a property.

(Ord. No. 2006-47, § 2, 11-9-2006; Ord. No. 2007-07, § 2, 9-13-2007)

CASE PRESENTATION
CASE No. CASE 2024-13

1. Good morning, my name is **Nanciann Cuenot**, and I have been sworn in.

2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.

3. This is **Case No. 2024-13**. concerns the property at **3959 Lake Worth Rd.** in the Village of Palm Springs, FL.

4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector records the current owner(s) of the property is **Bella Raza Inc.**

5. Pursuant to my own observation, there are violations of local ordiances:

*** Section 10-31 FBC 105.1 No Permits & FBC 110.1 No Inspections** – The parking lot was repaved with asphalt and striped WITHOUT a permit or inspection:. A passing final inspection is required for this section to be in compliance.

***Section 34-265 Responsibility of maintenance; unsafe abandoned sign** This sign is missing the top panel and has been recently refaced with new signage without permits or inspections. The sign sits on the property line and within the 5-foot setback. The Village requests that the sign be removed – it is nonconforming.

***Section 34-262 Prohibited Sign** – banner sign affixed to existing nonconforming sign must be removed.

*** Section 10-9 (o) Exterior of Structure or Building** – Holiday/Christmas window paintings must be removed.

6. On June 28, 2023 I wrote a Courtesy Notice for violations. The property owner stated that a new site plan for changes at the property had been submitted to Planning, Zoning & Building and the parking lot and sign were being addressed. No further actions were taken by the property owner and on November 8, 2023, another courtesy Notice was mailed. On a routine inspection in the area, I noticed on January 18, 2024, that the parking lot was paved and striped without permits or inspections. Another courtesy notice was mailed informing the property owner that permit and inspections are required.

7. PHOTOS OF the violations are included in the file. The property remains in violation.

8. On **February 1, 2024,** I wrote **Notice of Violation/Notice of Hearing 2024-13** for the violations. The Notice was mailed certified and regular to the respondents address of record and posted at the property. The green card receipt was not returned; however, the property owner called me and acknowledged receipt of the posting.

9. I request that the respondent be ordered to come into compliance with actions to correct the violations and gain compliance by March 21, 2024. If not in compliance by March 21, 2024, a $50 per day, per violation fine shall commence.

10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **$202.54** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **March 21, 2024**.

11. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.

Case Administrative / Court Costs

FEBRUARY 15, 2024, 3959 LAKE WORTH ROAD		Case 2024-13		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	2.00	35.00	70.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	3.00	20.00	60.00
6	Additional certified copies for hearing	1.00	8.53	8.53
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.63	1.26
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
	Total Costs for Case 2024-13			202.54

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

2/5/24 Luz (P.O) called
Refered to PZB for permits.
Holiday Decor removed.

FEBRUARY 1, 2024

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Dear Property Owner,

A **Notice of Violation/ Notice of Hearing** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property a **3959 Lake Worth Rd in Palm Springs, FL**
PCN: 70-43-44-19-20-066-0150

This property is in violation of local ordinances.
SECTION 10-31 (FBC 105.1 & 110.1) Working without required Village of Palm Springs Building Permits and Inspections – Parking lot paving and striping.
SECTION 34-265 Responsibility of maintenance; unsafe signs; abandoned sign – Remove abandoned non-conforming sign erected within the front set-back of property.
SECTION 34-262 Prohibited signs – banner sign must be removed.
SECTION 10-9(o) Exterior of Building – Remove holiday Christmas decoration on windows.

The options available include coming into voluntary compliance and paying the citation **OR** arguing your case at the Special Magistrate hearing, **THURSDAY, FEBRUARY 15, 2024 AT 10:00 AM** that is noted on your NOTICE OF VIOLATION. This is part of your right under the judicial system.

Please be advised, that if you present your case at the hearing and the Magistrate rules against you, there may be court costs assessed in addition to the citation amount. Court costs for a Code Enforcement case typically run from $200.00 to $300.00.

Please call me if you have any questions at 561-584-8300 Ext. 8524.

Respectfully,

Nanciann Cuenot

Nanciann Cuenot, CEP
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584-8300 ext. 8524
ncuenot@vpsfl.org

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

JANUARY 18, 2024

BELLA RAZA INC
3959 LAKE WORTH RD
LAKE WORTH, FL 33461

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **3959 Lake Worth Rd in Palm Springs, FL**
PCN: 70-43-44-19-20-066-0150

This property is in violation of local ordinances.
SECTION 10-31 FBC 105.1 Work without permits – Parking lot repaving
SECTION 10-31 FBC 110.1 No required inspections by the Village of Palm Springs

Call Planning Zoning & Building for information regarding permits and inspections at (561) 584-8200 Ext. 8460
Compliance Date: January 29, 2024

Failure to comply can result in a Notice of Violation/Hearing, Court Costs and possible Lien on the property.

Respectfully,

Nanciann Cuenot, CEP
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584-8200 Ext. 8524
ncuenot@vpsfl.org

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

NOVEMBER 8, 2022

BELLA RAZA INC
3959 LAKE WORTH RD
LAKE WORTH, FL 33461

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **3959 Lake Worth Rd in Palm Springs, FL**
PCN: 70-43-44-19-20-066-0150

This property is in REPEAT violation of local ordinances.
SECTION 30-141 OVERGROWN COMMERCIAL
SECTION 30-143 – TRASH & DEBRIS
SECTION 34-916 PARKING TRAILER IS PROHIBITED
Compliance Date: December 11, 2022

Additional violations at the property are:
SECTION 34-265(a) DAMAGED SIGN None conforming sign
SECTION 34-1332 Parking lot not maintained – resurfacing required
Compliance Date: March 9, 2023

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please call me if you have any questions at (561) 584-8200 Ext.8524

Respectfully,

Lvzelejimenez90@gmail.com
561 506 0212

Nanciann Cuenot, CEP
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584-8200 Ext. 8524
ncuenot@vpsfl.org

Courtesy Code Violation Notice

Case# La Raza

Date: 6-28-23 Time: 3:09

Location: 3959 Lake Worth Rd

The Village of Palm Springs is committed to improving our community. Well maintained property enhances the quality of life in neighborhoods and reduces crime.

Please address the listed code violations:

○ 30-141 Overgrown

34-265 - Damaged Sign OK

34-1332 - Parking Lot OK

Resurface - Asphalt

561-506-0212

Personal Contact w Luz

+ Plans submitted for sign + restaurant - CRA GRANTS emailed 6.29

Mow - 1WK

Compliance Date: Sign + Parking - 30 days

Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions.

NANCIANN CUENOT 154

Name I.D. #

Palm Springs Police Department
(561) 584-8300, ext. 8520

8524

PALM SPRINGS POLICE DEPARTM
230 CYPRESS LANE
PALM SPRINGS, FL 33461

CERTIFIED MAIL

9589 0710 5270 1045 6827 22

NEOPOST FIRST-CLASS MAIL
02/02/2024 US POSTAGE $008.53⁰
ZIP 33461
041M11460879

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

PALM SPRINGS POLICE DEPARTMENT
230 CYPRESS LANE
PALM SPRINGS, FL 33461

NEOPOST FIRST-CLASS MAIL
02/02/2024
US POSTAGE $000.63⁰

ZIP 33461
041M11460879

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

PALM SPRINGS POLICE DEPARTMENT
230 CYPRESS LANE
PALM SPRINGS, FL 33461

NEOPOST FIRST-CLASS MAIL
01/19/2024
US POSTAGE $000.63⁰

ZIP 33461
041M11460879

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Property Detail

Location Address : 3959 LAKE WORTH RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-20-066-0150
Subdivision : SUB 19-44-43
Official Records Book/Page : 27882 / 238
Sale Date : OCT-2015
Legal Description : SUB 19-44-43 N 143 FT OF S 165 FT OF E 155.34 FT OF TRACT 66

Owner Information

Owner(s)	Mailing Address
BELLA RAZA INC	3959 LAKE WORTH RD LAKE WORTH BEACH FL 33461 4061

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2015	$277,500	27882 / 00238	WARRANTY DEED	BELLA RAZA INC
MAR-2011	$195,000	24432 / 01693	WARRANTY DEED	MARTINEZ PROPERTIES LLC
MAR-2011	$0	24409 / 00828	CERT OF TITLE	BAYVIEW LOAN SERVICING LLC
NOV-2010	$382,200	24176 / 01532	CERT OF TITLE	BAYVIEW LOAN
JAN-1990	$180,000	06345 / 01670	WARRANTY DEED	FLORIDA SEARCH CO
JUN-1985	$100	04581 / 00688	QUIT CLAIM	
MAY-1984	$80,000	04240 / 00192	WARRANTY DEED	
JAN-1973	$25,000	02182 / 00038		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 2000
Acres : 0.4816
Property Use Code : 1700—OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	$126,226	$119,026	$98,960	$100,880	$96,300
Land Value	$308,391	$293,706	$251,748	$251,748	$238,321
Total Market Value	$434,617	$412,732	$350,708	$352,628	$334,621

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	$424,357	$385,779	$350,708	$352,628	$334,621
Exemption Amount	$0	$0	$0	$0	$0
Taxable Value	$424,357	$385,779	$350,708	$352,628	$334,621

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	$8,380	$7,901	$7,220	$7,323	$7,029
NON AD VALOREM	$576	$556	$536	$526	$540
TOTAL TAX	$8,956	$8,456	$7,755	$7,848	$7,568

Detail by Entity Name

Florida Profit Corporation
BELLA RAZA, INC.

Filing Information

Document Number	P15000068918
FEI/EIN Number	30-0886976
Date Filed	08/14/2015
Effective Date	08/14/2015
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	11/04/2016
Event Effective Date	NONE

Principal Address

5561 South 35th Court
5561 S 37 Ct
Greenacres, FL 33463

Changed: 04/28/2023

Mailing Address

3959 LAKE WORTH ROAD
PALM SPRINGS, FL 33461

Registered Agent Name & Address

JIMENEZ, LUZ E.
5561 South 35th Court
5561 S 37 Ct
Greenacres, FL 33463

Name Changed: 11/04/2016

Address Changed: 04/28/2023

Officer/Director Detail

Name & Address

Title P

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

CODE CASE: 2024-13

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

MAILING ADDRESS:
(SAME AS ABOVE)
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of following Village of Palm Springs Code of Ordinances:

SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits
SECTION 10-31 FBC 110.1: No Inspections
SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign
SECTION 34-262: Prohibited signs – banner sign
SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations

Address:	3959 LAKE WORTH ROAD
Legal Description:	SUB 19-44-43 N 143 FT OF S 165 FT OF E 155.34 FT OF TRACT 66
PCN:	70-43-44-19-20-066-0150

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of February 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent _____ was / _____ was not present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:

☐ **SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits for the following:**
- **Repave asphalt parking lot and stripe**

☐ **SECTION 10-31 FBC 110.1: No Inspections**

☐ **SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign**
- **Nonconforming sign erected on property line within front set-back**

☐ **SECTION 34-262: Prohibited signs – banner sign**

☐ **SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations**

Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:

- ☒ **SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits for the following:**
  - **Repave asphalt parking lot and stripe**
- ☒ **SECTION 10-31 FBC 110.1: No Inspections**
- ☒ **SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign**
  - **Nonconforming sign erected on property line within front set-back**
- ☒ **SECTION 34-262: Prohibited signs – banner sign**
- ☒ **SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations**

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **February 09, 2024:**

- ☐ Administrative costs of $202.54
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **March 21, 2024.** If Respondent fails to comply within the time given, a fine of **$50.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent is ordered to pay the following amounts on or before **February 23, 2024.**

- ☐ Administrative costs of $202.54
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

All payments shall be made to The Village of Palm Springs at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nanciann Cuenot at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgement for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561)584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of February 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:

3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

MY COPY

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-15

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL, 33461 1502
Respondent(s).

PCN 70-43-44-18-08-036-0190

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **FEBRUARY 05, 2024**, the Respondent(s), **JEAN JOSEPH & AZEMA ELIVAT JOSEPH** owner(s) of the property at **316 ALEMEDA DRIVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-8: Exterior Property Area. Driveway Maintenance/Repair Required.
SECTION 66-112: General Maintenance Requirements. Broken Sidewalk Repair Required, Responsibility of the Property Owner to Pressure Wash Sidewalk Use Areas.
SECTION 34-221: Responsibility of the Owner; Practices Enumerated. Owner is Responsible for Maintaining All Landscape in Good Condition.

These violations must be corrected on or before FEBRUARY 12, 2024, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8520, on THURSDAY FEBRUARY 15, 2024 at 10:00AM. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.
IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

If you are found in violation of the Village Code, the Special Magistrate has the legal authority to levy fines of up to **$500.00** per day, per violation, for each and every day that each violation continues, and to levy all administrative costs required to obtain compliance. **ALL FINES AND COSTS BECOME LIENS ON YOUR PROPERTY.**

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)584-8200 EXT 8430. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours prior to the hearing.

Nicole
Code Enforcement Officer 561-584-8300 ext. 8521

NICOLE TAMAYO
Printed Name of Officer

Date Issued: FEBRUARY 05, 2024

CODE ENFORCEMENT BOARD
VILLAGE OF PALM SPRINGS, FLORIDA

VILLAGE OF PALM SPRINGS, FLORIDA,

Petitioner **Case No. 2024-15**

RETURN OF SERVICE

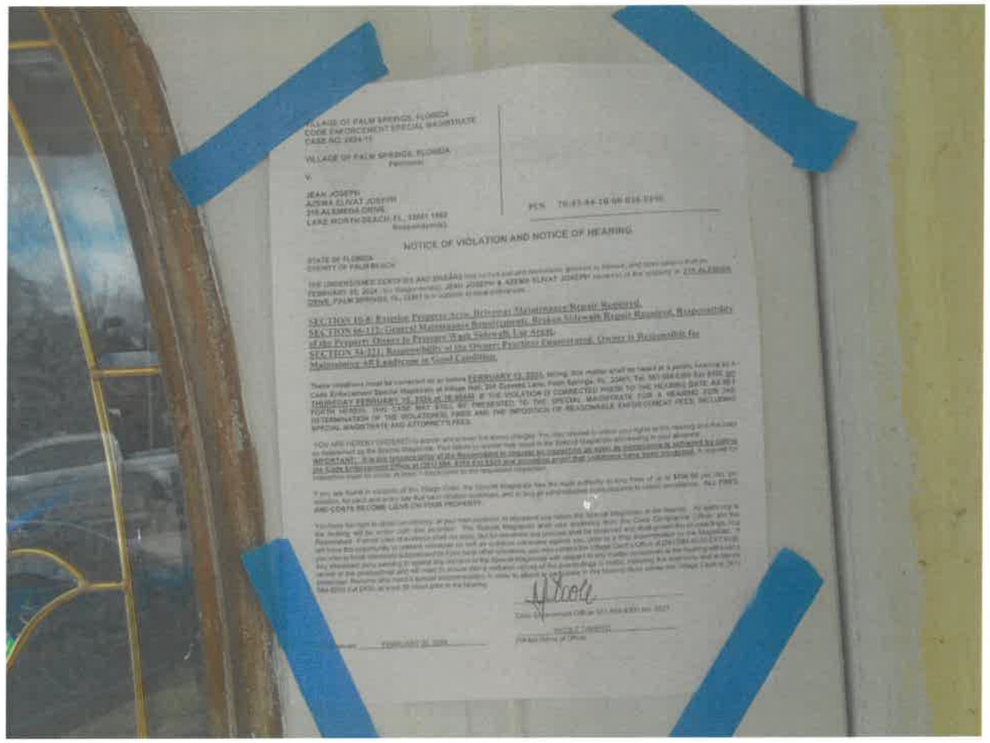
JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502 **Respondent**
_____/

On the **6th Day of FEBRUARY at 10:30am**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **AZEMA ELIVAT JOSEPH** at **316 ALEMEDA DRIVE,** Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

___XX___	INDIVIDUAL SERVICE:	By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.
_____	SUBSTITUTE SERVICE:	By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: ___ and informing such person of their contents pursuant to F.S. 48.031.
___XX___	POSTED BY:	Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Tom Hehuman



2/6/2024 11:27:03 AM

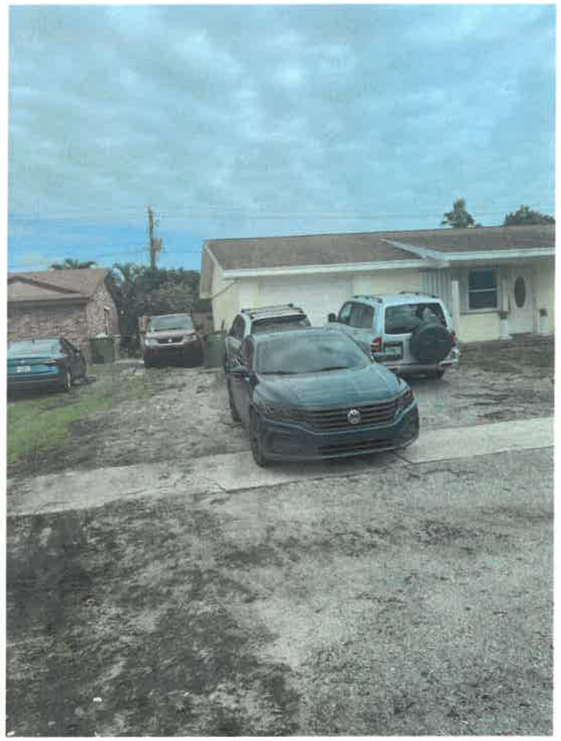
Posting 2024-15 316 Alemeda Dr.

2/6/2024 11:30:52 AM

2/6/2024 11:28:40 AM

316 ALEMEDA DR. Case 2024-15

2/6/2024 11:27:18 AM

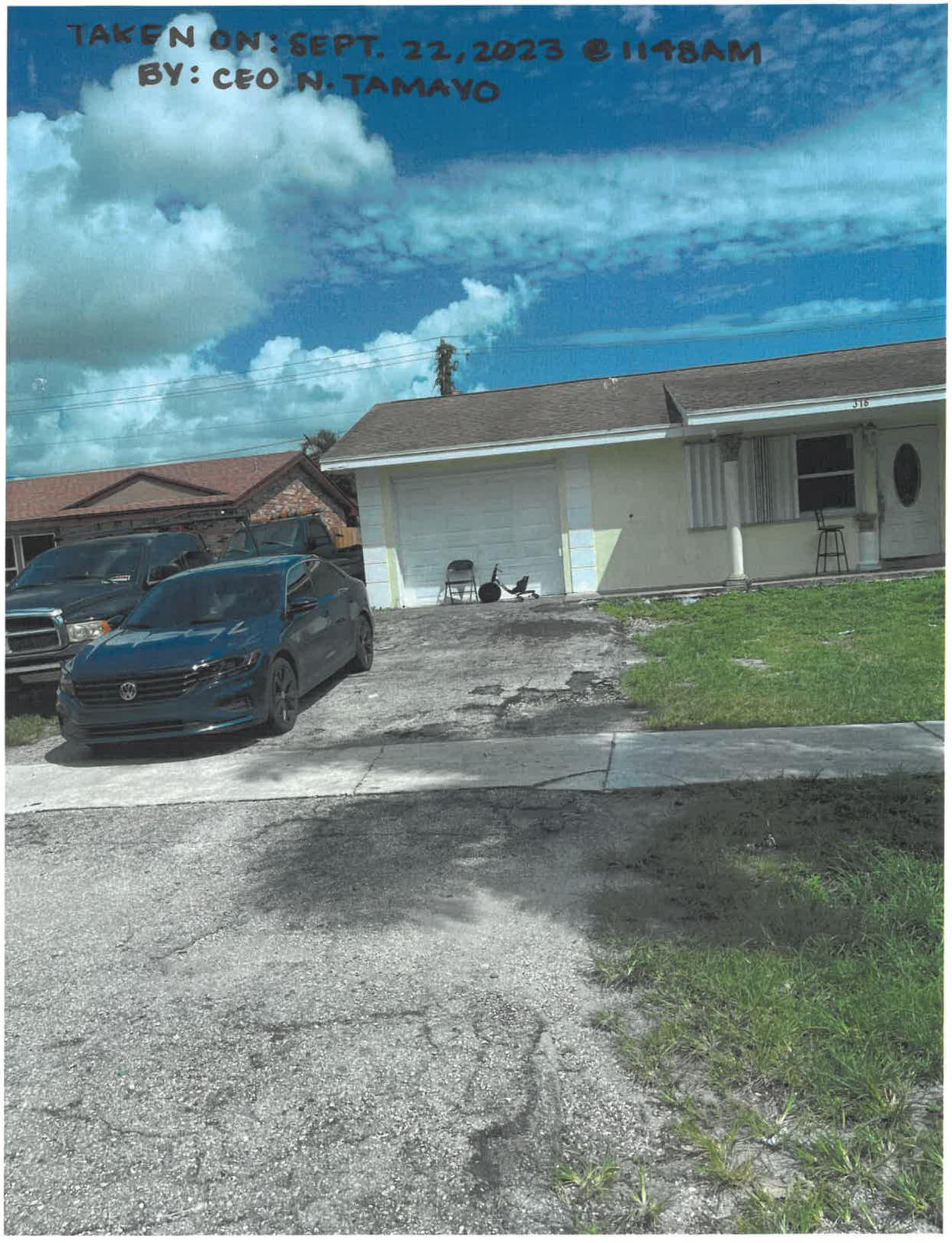


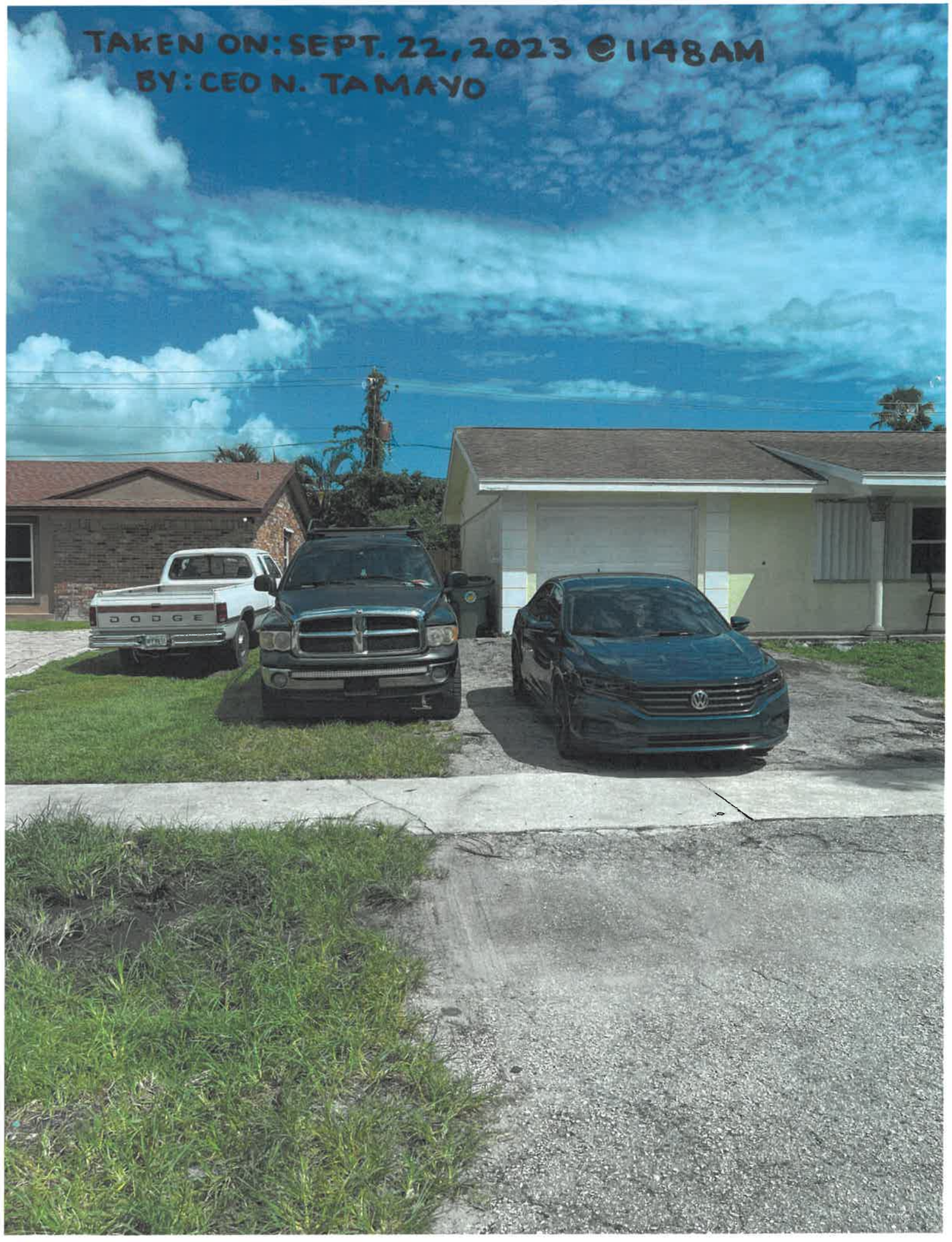
316 ALEMEDA DRIVE (1) 01.17.24 - 1035AM.jpg

316 ALEMEDA DRIVE (2) 01.17.24 - 1035AM.jpg

316 ALEMEDA DRIVE (3) 01.17.24 - 1036AM.jpg

TAKEN ON: SEPT. 22, 2023 @ 1148AM
BY: CEO N. TAMAYO


TAKEN ON: SEPT. 22, 2023 @ 1148AM
BY: CEO N. TAMAYO


TAKEN ON: SEPT. 22, 2023 @ 1148AM
BY: CEO N. TAMAYO
DODGE

TAKEN ON: SEPT. 22,2023 @ 11:51 AM
BY: CEO N. TAMAYO

MY COPY

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

FEBRUARY 05, 2024

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **316 ALEMEDA DRIVE in Palm Springs, FL.**
PCN: 70-43-44-18-08-036-0190

VIOLATION/HEARING CASE 2024-15

SECTION 10-8: Exterior Property Area. Driveway Maintenance/Repair Required.
SECTION 66-112: General Maintenance Requirements. Broken Sidewalk Repair Required, Responsibility of the Property Owner to Pressure Wash Sidewalk Use Areas.
SECTION 34-221: Responsibility of the Owner; Practices Enumerated. Owner is Responsible for Maintaining All Landscape in Good Condition.

The options available include coming into voluntary compliance on or before **FEBRUARY 12, 2024, OR** arguing your case at the Special Magistrate hearing, **THURSDAY FEBRUARY 15, 2024, AT 10:00 AM**. This is part of your right under the judicial system.

Please be advised that if you present your case at the hearing and the Magistrate rules against you, there may be court costs assessed in addition to the citation amount. Court costs for a Code Enforcement case typically run from $200.00 to $300.00.

Please feel free to call/text me if you have any questions or concerns at (561)801-9162.

Respectfully,

Nicole Tamayo
Code Enforcement Officer
Palm Springs Police Department
Cell: 561-801-9162
Office: 561-584-8300 ext. 8521
ntamayo@vpsfl.org
www.vpsfl.org

7019 1640 0000 7353 7829

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $ _____
- ☐ Return Receipt (electronic) $ _____
- ☐ Certified Mail Restricted Delivery $ _____
- ☐ Adult Signature Required $ _____
- ☐ Adult Signature Restricted Delivery $ _____

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To
JEAN JOSEPH & AZEMA ELIVAT JOSEPH
Street and Apt. No., or PO Box No.
316 ALEMEDA DRIVE
City, State, ZIP+4®
LAKE WORTH BEACH, FL, 33461 1502

PS Form **3800**, April 2015 PSN 7530-02-000-9047 — See Reverse for Instructions

---

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL, 33461-1502

9590 9402 8293 3094 2172 57

2. Article Number *(Transfer from service label)*
7019 1640 0000 7353 7829

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*
C. Date of Delivery 2/9/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
00)

PS Form **3811**, July 2020 PSN 7530-02-000-9053 — Domestic Return Receipt

Returned
02/13/2024

PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT
230 CYPRESS LANE
PALM SPRINGS, FL 33461

NEOPOST FIRST-CLASS MAIL
02/05/2024
US POSTAGE $000.63⁰
ZIP 33461
041M11460879

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

CERTIFIED MAIL®

PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT
230 CYPRESS LANE
PALM SPRINGS, FL 33461

7019 1640 0000 7353 7829

NEOPOST FIRST-CLASS MAIL
02/05/2024
US POSTAGE $008.53⁰
ZIP 33461
041M11460879

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

Sec. 10-8. - Exterior property areas.

(a) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which the occupant occupies or controls in a clean, neat, and sanitary condition.

(b) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of subsection 10-10(g).

(c) *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches, as set forth in chapter 30. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.

(d) *Accessory structures.* All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair.

(1) *Water clarity in swimming pools.* Water clarity shall be maintained. When standing at the pool's edge at the deep end, the deepest portion of the swimming pool floor shall be visible.

(Ord. No. 2006-47, § 2, 11-9-2006)

Sec. 66-112. - General maintenance requirements.

It is the responsibility of the contiguous property owner to maintain all grass, landscaping, and sidewalks that exist in the public rights-of-way and swales contiguous to the subject property in accordance with the following:

(1) All grass and landscaping located in the public rights-of-way shall be maintained in accordance with the code of ordinances.

(2) All sidewalks located in public rights-of-way shall be kept free of grass, weeds, and trash and shall be cleaned of sand, dirt, discoloration, mold, and debris. Structural deficiencies shall be the responsibility of the village. However, in the event of damage to a sidewalk caused by the negligent or intentional act of the contiguous property owner and/or utility provider, the party responsible for the damage shall make all necessary repairs to same.

(3) Landscaping material root systems that show evidence of causing damage to public property shall be removed.

(Ord. No. 2018-13 , § 2, 6-14-2018)

Sec. 34-221. - Responsibility of owner; practices enumerated.

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching and other activities as needed in accordance with accepted horticultural practices. Landscaping shall be inspected periodically by the village to ensure proper maintenance. The owner, tenant or their agent shall be notified in writing, of any areas which are not being properly maintained and shall provide corrective action within 30 calendar days from the time of notification.

(Code 1994, § 30-146; Ord. No. 2015-12, § 6, 4-9-2015)

Case Administrative / Court Costs

FEBRUARY 15, 2024, 316 ALEMEDA DRIVE		Case No. 2024-15		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.00	35.00	105.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	2.00	20.00	40.00
6	Additional certified copies for hearing	1.00	8.53	8.53
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.63	0.63
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
	Total Costs for Case No. 2024-15			216.91

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

JANUARY 18, 2024

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **316 ALEMEDA DRIVE in Palm Springs, FL**
PCN: 70-43-44-18-08-036-0190

This property is in violation of local ordinances.
SECTION 34-914 →Already liened. Case No. 2017-2199
PARKING IN SINGLE-FAMILY RESIDENTIAL LAND USE DISTRICTS
Parking on grass is **NOT** allowed. All vehicles must be operable, and currently licensed and registered and must be parked on an approved driveway or paved surface. It is prohibited to park blocking any sidewalk use area.

Parking in the swale area **IS** allowed and must follow these guidelines:
-No more than two vehicles may be parked in the swale area.
-Must be parked Parallel to the road, not within the paved roadway.
-Must be operable, licensed, and registered.

SECTION 66-112
GENERAL MAINTENANCE REQUIREMENTS
-It is the responsibility of the Property Owner to keep all sidewalk use areas contiguous to the subject property cleaned of sand, dirt, discoloration, mold and/or debris. Sidewalk needs to be pressure washed.
-Sidewalk repairs required. Owner is responsible for repairing broken sidewalk use areas. Permits are necessary for sidewalk repair.

SECTION 34-221
RESPONSIBILITY OF OWNER; PRACTICES ENUMERATED
The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy and neat appearance. Maintenance is required.

SECTION 10-8
EXTERIOR PROPERTY AREA
All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

Compliance Date: FEBRUARY 02, 2024

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please call/text me if you have any questions at (561)801-9162.

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

SEPTEMBER 26, 2023

AZEMA ELIVAT JOSEPH
JEAN JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **316 ALEMEDA DRIVE in Palm Springs, FL**
PCN: 70-43-44-18-08-036-0190

This property is in violation of local ordinances.

SECTION 34-913
PROHIBITED VEHICLE IN RESIDENTIAL DISTRICT
Certain vehicles are prohibited from being parked in any residential parcel of land. Tow truck located on the west side of the property is considered a prohibited vehicle and must be removed and stored elsewhere.

SECTION 34-914
PARKING IN SINGLE-FAMILY RESIDENTIAL LAND USE DISTRICT
Parking on grass is NOT allowed. All vehicles must be operable, and currently licensed and registered and must be parked on an approved driveway or paved surface. It is prohibited to park blocking any sidewalk use area.

Parking in the swale area **IS** allowed and must follow these guidelines:
-No more than two vehicles may be parked in the swale area.
-Must be parked Parallel to the road, not within the paved roadway.
-Must be operable, licensed, and registered.

SECTION 10-8
EXTERIOR PROPERTY AREAS
Driveway is to be kept in a proper state of repair and maintained free of hazardous conditions. Potholes and cracks throughout the driveway use area must be repaired. Please contact the Planning, Zoning and Building Department to find out what permits are required for repairs. (PZ&B Contact Information Below)

Planning Zoning and Building Department
226 Cypress Lane
Palm Springs, FL 33461
561-584-8200 ext. 8460
permits@vpsfl.org

SECTION 10-9
EXTERIOR OF STRUCTURE OR BUILDING
It is prohibited to maintain any device (including wood, aluminum, or approved hurricane shutters) used for securing property in a closed/secured position on occupied building after a designated hurricane watch or warning has terminated.

SECTION 66-112
GENERAL MAINTENANCE REQUIREMENTS
It is the responsibility of the property owner to maintain all sidewalks located in public rights-of-way free of sand, dirt, discoloration, mold, and debris. All sidewalks must be cleaned/pressure washed to remove dirt and grime.

Compliance Date: OCTOBER 04, 2023
Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please text/call me if you have any questions at (561)801-9162.

Respectfully,

Nicole Tamayo
Code Enforcement Officer
Palm Springs Police Department
230 Cypress Lane
Palm Springs, FL 33461
Cell: 561-801-9162
Office: 561-584-8300, ext. 8521
ntamayo@vpsfl.org
www.vpsfl.org

Courtesy Code Violation Notice

Case# _____

Date: 5-23-23 Time: 1114 Hrs

Location: 316 Alameda Dr

The Village of Palm Springs is committed to improving our community. Well maintained property enhances the quality of life in neighborhoods and reduces crime.

Please address the listed code violations:

No Parking on Grass

Please Use Driveway

Compliance Date: 5-23-23

Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions. → 561-584-8300

Tom Geltzman EXT 8522

Name I.D. # 105

Palm Springs Police Department
(561) 584-8300, ext. 8520

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

MARCH 07, 2023

AZEMA ELIVAT JOSEPH
JEAN JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

Dear Property Owner,

You have been issued a SECOND courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **316 ALEMEDA DRIVE in Palm Springs, FL**
PCN: 70-43-44-18-08-036-0190

This property is in violation of local ordinances:
SECTION 34-914
PARKING; Parking inoperable vehicle **(flat tires and/or damage on vehicle, considered inoperable)** at residential properties are not allowed; all vehicles must be operable with current registration.

Compliance Date: MARCH 15, 2023

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please call me if you have any questions at (561) 584-8300 ext. 8521.

Respectfully,

Nicole Tamayo
Palm Springs Police Department
Code Enforcement Officer
(T) 561-584-8300 ext. 8521
ntamayo@vpsfl.org

Courtesy Code Violation Notice

Case# _____

Date: 11-23-22 Time: 1:40 pm

Location: 316 Alameda Dr.

The Village of Palm Springs is committed to improving our community. Well maintained property enhances the quality of life in neighborhoods and reduces crime.

Please address the listed code violations:

Reports of Chickens At This Address.

Chickens Are Not Allowed In Palm Springs.
- Please Remove -

Compliance Date: 11-28-22

Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions. → 561-584-8300

Tom Gottmann Ext 8522

Name I.D. # 105

Palm Springs Police Department
(561) 584-8300, ext. 8520

CFN 20180009349
OR BK 29574 PG 1800
RECORDED 01/08/2018 09:41:17
Palm Beach County, Florida
AMT
Sharon R. Bock
CLERK & COMPTROLLER
Pgs 1800-1801; (2Pgs)

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2017- 2199

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

Jean Joseph
Azema Elivat Joseph
316 Alemeda Drive
Palm Springs, FL 33461 1502
Respondent(s).

#2007

ORDER FINDING VIOLATION

Re: Violation of Section(s) 30-143 Public Nuisance; trash, debris, wild overgrowth, 34-225 Broken Fence; no pool 34-914 parking on grass, parking inoperable vehicles – of the Village of Palm Springs Code of Ordinances.

Address: **316 Alemeda Drive**
Legal Description: VILLAGE OF PALM SPRINGS PL 4 LT 19 BLK 36
PCN: 70-43-44-18-08-036-0190

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 20th day of JULY, 2017, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent, JEAN JOSEPH AND AZEMA ELIVAT JOSEPH, owner or occupant of the above described property or responsible party for the violation(s), was/was not present at the hearing, however, there was a finding of proper notice.

2. The Village of Palm Springs Code Inspector/Officer testified to and/or produced photographs of the violation(s).

CONCLUSIONS OF LAW

Respondent *is/~~is not~~* in violation of Section(s) 30-143 Public Nuisance; trash, debris, wild overgrowth, 34-225 Broken Fence; no pool 34-914 parking on grass, parking inoperable vehicles, of the Village of Palm Springs Code of Ordinances as charged.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

Respondent is not in compliance with the code violation section(s) 30-143 Public Nuisance; trash, debris, wild overgrowth, 34-225 Broken Fence; no pool 34-914 parking on grass, parking inoperable vehicles, must bring the property into compliance by JULY 31, 2017. If Respondent fails to comply within the time given, a fine of **$100 per day, per violation** will be assessed and will accrue until the respondent contacts the Code Inspector/Officer and a re-inspection determines that the violations have been brought into compliance.

- ☐ Citation fine of **$450.00**
- ☑ Re-inspection Fee of **$30.00**
- ☑ Administrative costs of **$173.42**

Respondent must pay all Citation Fines and Administration Costs by JULY 31, 2017.
All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Tom Gehrman at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 304-4826 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 20th day of JULY, 2017.

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
316 Alemeda Drive
Palm Springs, FL 33461

STATE OF FLORIDA
COUNTY OF PALM BEACH
VILLAGE OF PALM SPRINGS

I hereby certify that this is a true and correct copy of Order Finding Violation and the original is on file in the Clerk's Office.

_____
Jane R. Worth, CMC
Deputy Village Clerk

VILLAGE OF PALM SPRINGS SEAL 1957 FLORIDA

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2015-1677

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
Jean & Azema Joseph
316 Alemeda Drive
Palm Springs, 33461
Respondent(s).

CFN 20150231435
OR BK 27621 PG 0439
RECORDED 06/22/2015 16:17:33
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0439 - 440; (2pgs)

ORDER FINDING VIOLATION

Re: Violation of 30-143 (Trash & debris), 34-225(Broken fence) & 46-3 (Graffiti) of the Village of Palm Springs Code of Ordinances

Address: 316 Alemeda Drive
Palm Springs, 33461
Legal Description: VILLAGE OF PALM SPRINGS PL 4 LT 19 BLK 36
PCN: 70-43-44-18-08-036-0190

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 14th day of April, 2015, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent, Jean & Azema Joseph, as owner or occupant of the above described property or responsible party for the violation(s), was/was not present at the hearing, however, there was a finding of proper notice.

2. The Village of Palm Springs Code Inspector/Officer presented competent substantial evidence, including testimony and/or photographs that establish that the Respondent is in violation of the above cited section of the Code of Ordinances.

CONCLUSIONS OF LAW

Respondent is/is not in violation of section(s) 30-143, 34-225 & 46-3 of the Village of Palm Springs Code of Ordinances as charged.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Although Respondent is in compliance with the code violation(s), Respondent has failed to pay and is ordered to pay the following amounts within _____ days of this order:
- ☐ Citation fine of $_____
- ☐ Re-inspection fee of $_____
- ☐ Administrative costs of $_____

☑ Respondent is not in compliance with the code violation section(s) 30-143, 34-225 & 46-3. Respondent must bring all violations into compliance by **April 24, 2015.** If Respondent fails to comply within the time given, a fine of **$100.00** per day, per violation will continue to accrue until the

- Respondent contacts the Code Inspector/Officer and a re-inspection determines that the violations have been brought into compliance.
  - ☐ Citation fine of $175.00
  - ☐ Re-inspection fee of $30.00
  - ☐ Administrative costs of $167.23

-Respondent must pay all Citation Fines and Administration Costs by **April 24, 2015.**

☐ Respondent has failed to pay and is ordered to pay the following amounts within _____ days of this order.

Citation fine of $_____
Re-inspection fee of $_____
Administrative costs of $_____

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Thomas Gehrman at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 304-4826 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 14th day of April, 2015.

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
316 Alemeda Drive
Palm Springs, 33461

2

STATE OF FLORIDA
COUNTY OF PALM BEACH, FLORIDA

CERTIFICATE OF TRUE COPY

The undersigned is the Asst. Deputy Village Clerk of the Village of Palm Springs, Florida, and hereby certifies this document is a true and correct copy of Order Finding Violation. The original of which was presented at the Clerk's office for verification and copying.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Village of Palm Springs, Florida this 10th day of June, 2015.

By: _____
MAYLEE DE JESUS, CMC
ASST. DEPUTY VILLAGE CLERK

VILLAGE OF PALM SPRINGS SEAL 1957 FLORIDA

Property Detail

Location Address : 316 ALEMEDA DR
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-08-036-0190
Subdivision : PALM SPRINGS VILLAGE PL 4 IN PB 25 PGS 78 & 79
Official Records Book/Page : 20925 / 1266
Sale Date : SEP-2006
Legal Description : VILLAGE OF PALM SPRINGS PL 4 LT 19 BLK 36

Owner Information

Owner(s)	Mailing Address
JOSEPH JEAN & JOSEPH AZEMA ELIVAT	316 ALEMEDA DR LAKE WORTH BEACH FL 33461 1502

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2006	$10	20925 / 01266	QUIT CLAIM	JOSEPH JEAN &
JUL-2004	$199,500	17386 / 00765	WARRANTY DEED	JOSEPH JEAN
SEP-1992	$90,000	07423 / 00642	WARRANTY DEED	
JAN-1979	$51,000	03062 / 01534		
JAN-1972	$30,100	02094 / 01476	WARRANTY DEED	

Exemption Information

Applicant/Owner(s)	Year	Detail
JOSEPH JEAN &	2024	ADDITIONAL HOMESTEAD
JOSEPH JEAN &	2024	HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 1845
Acres : 0.1938
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	$153,412	$122,313	$117,412	$129,379	$120,755
Land Value	$170,607	$168,244	$114,066	$110,000	$101,000
Total Market Value	$324,019	$290,557	$231,478	$239,379	$221,755

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	$114,808	$111,464	$108,217	$106,723	$104,324
Exemption Amount	$50,000	$50,000	$50,000	$50,000	$50,000
Taxable Value	$64,808	$61,464	$58,217	$56,723	$54,324

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	$1,431	$1,394	$1,370	$1,353	$1,320
NON AD VALOREM	$511	$483	$427	$422	$424
TOTAL TAX	$1,942	$1,876	$1,797	$1,775	$1,744

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcpao.gov

Return | New Search | Print Page | View Assessment Data

Account Information

Property Control Number:
70-43-44-18-08-036-0190

Mailing Address:
316 ALEMEDA DR

Lake Worth Beach, Fl 33461-1502

Owner of Record:
JOSEPH JEAN &

Property Type:
Real Property

Property Address:
316 ALEMEDA

PALM SPRINGS, FL 33461

Second Owner:
JOSEPH AZEMA ELIVAT

Status: Active

Legal Description:
VILLAGE OF PALM SPRINGS PL 4 LT 19 BLK 36

Last updated: 2/14/2024 08:56:58 AM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to view delinquent tax payment options.

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

Add Tax Bills to the cart then select cart icon ( ) above to checkout.

Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

CODE CASE: 2024-15

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

JEAN JOSEPH
AZEMA ELIVAT JOSEPH
316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

MAILING ADDRESS:
(SAME AS ABOVE)
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of following Village of Palm Springs Code of Ordinances:

SECTION 10-8: Exterior Property Area. Driveway Maintenance/Repair Required.
SECTION 66-112: General Maintenance Requirements. Broken Sidewalk Repair Required, Responsibility of the Property Owner to Pressure Wash Sidewalk Use Areas.
SECTION 34-221: Responsibility of the Owner; Practices Enumerated. Owner is Responsible for Maintaining All Landscape in Good Condition.

Address:	316 ALEMEDA DRIVE
Legal Description:	PALM SPRINGS VILLAGE PL 4 LT 19 BLK 36
PCN:	70-43-44-18-08-036-0190

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of February 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent _____ was / _____ was not present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:

☐ **SECTION 10-8: Exterior Property Area. Driveway Maintenance/Repair Required.**

☐ **SECTION 66-112: General Maintenance Requirements. Broken Sidewalk Repair Required, Responsibility of the Property Owner to Pressure Wash Sidewalk Use Areas.**

☐ **SECTION 34-221: Responsibility of the Owner; Practices Enumerated. Owner is Responsible for Maintaining All Landscape in Good Condition.**

Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:

☐ **SECTION 10-8: Exterior Property Area. Driveway Maintenance/Repair Required.**

☐ **SECTION 66-112: General Maintenance Requirements. Broken Sidewalk Repair Required, Responsibility of the Property Owner to Pressure Wash Sidewalk Use Areas.**

☐ **SECTION 34-221: Responsibility of the Owner, Practices Enumerated. Owner is Responsible for Maintaining All Landscape in Good Condition.**

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **February 29, 2024:**

- ☐ Administrative costs of $216.91
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **April 01, 2024.** If Respondent fails to comply within the time given, a fine of **$100.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **February 29, 2024.**

- ☐ Administrative costs of $216.91
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nicole Tamayo at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgement for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561)584-8300 ext. 8521 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of February 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____

Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:

316 ALEMEDA DRIVE
LAKE WORTH BEACH, FL 33461 1502

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-16

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460
Respondent(s).

70-43-44-19-18-000-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **February 5th, 2024**, the Respondent(s), **Debra J Hartig** owner(s) of the property at **3578 Coconut RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 30-143: Trash/Debris/Vegetative Waste/Materials
SECTION 34-1381: Open Storage
SECTION 34-225: Fence Maintenance
SECTION 10-8: Driveways/Weeds
SECTION 34-883: Hedges
SECTION 30-141: Overgrowth
SECTION 30-142: Landscape Maintenance
SECTION 10-9: Exterior Property Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missing "8" House ID Number on the Mailbox

These violations must be corrected on or before February 13th, 2024, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, at 10:00 A.M., on THURSDAY February 15th, 2024. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.
IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

If you are found in violation of the Village Code, the Special Magistrate has the legal authority to levy fines of up to **$500.00** per day, per violation, for each and every day that each violation continues, and to levy all administrative costs required to obtain compliance. **ALL FINES AND COSTS BECOME LIENS ON YOUR PROPERTY**.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)584-8200 EXT 8430. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours prior to the hearing.

Code Enforcement Officer 561-584-8300 ext. 8525

CE/ CEB Case No. _____

Date Issued: February 5th, 2024

Joey Sanders
Printed Name of Officer

CODE ENFORCEMENT BOARD
VILLAGE OF PALM SPRINGS, FLORIDA

VILLAGE OF PALM SPRINGS, FLORIDA,

Petitioner

Case No. 2024-16

RETURN OF SERVICE

DEBRA J HARTIG
511 LUCERNE AVE APT. #501
LAKE WORTH BEACH, FL 33460 3818

Respondent

_____/

On the **5th Day of February 2024 at 6:47PM**, I served the attached NOV/NOH on the within named Respondent, **Debra J Hartig** at **3578 Coconut RD**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

____	INDIVIDUAL SERVICE:	By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.
____	SUBSTITUTE SERVICE:	By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: ___ and informing such person of their contents pursuant to F.S. 48.031.
XX	POSTED BY:	Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders ID #211
Code Enforcement Officer

3578
PALM SPRINGS POLICE DEPARTMENT
02.05.2024 18:47

DSCN3157.JPG

DSCN3158.JPG

DSCN3159.JPG

DSCN3160.JPG

DSCN3161.JPG

DSCN3162.JPG

DSCN3163.JPG

DSCN3164.JPG

DSCN3165.JPG

DSCN3166.JPG

DSCN3167.JPG

DSCN3168.JPG

DSCN3169.JPG

DSCN3170.JPG

DSCN3171.JPG

DSCN3172.JPG

DSCN3076.JPG

DSCN3077.JPG

DSCN3079.JPG

DSCN3080.JPG

DSCN3082.JPG

DSCN3083.JPG

DSCN3084.JPG

DSCN3085.JPG

DSCN3086.JPG

DSCN3087.JPG

DSCN3088.JPG

DSCN2707.JPG

DSCN2708.JPG

DSCN2709.JPG

DSCN2710.JPG

DSCN2711.JPG

DSCN2712.JPG

DSCN2713.JPG

DSCN2714.JPG

DSCN2342.JPG

DSCN2343.JPG

DSCN2344.JPG

DSCN2345.JPG

DSCN2346.JPG

DSCN2347.JPG

DSCN2348.JPG

DSCN2349.JPG

DSCN2176.JPG

DSCN2175.JPG

DSCN2174.JPG

DSCN2173.JPG

DSCN2172.JPG

DSCN2171.JPG

DSCN2170.JPG

DSCN2007.JPG

DSCN2006.JPG

DSCN2005.JPG

DSCN2003.JPG

DSCN2001.JPG

DSCN1286.JPG

DSCN1287.JPG

DSCN1288.JPG

DSCN1289.JPG

DSCN1290.JPG

DSCN1291.JPG

DSCN0562.JPG

DSCN0561.JPG

DSCN0560.JPG

DSCN0566.JPG

DSCN0565.JPG

DSCN0564.JPG

DSCN0563.JPG

DSCN0043.JPG

DSCN0042.JPG

DSCN0041.JPG

DSCN0040.JPG

DSCN0039.JPG

DSCN9686.JPG

DSCN9685.JPG

DSCN9684.JPG

DSCN9683.JPG

DSCN9682.JPG

DSCN9681.JPG

DSCN9680.JPG

DSCN9679.JPG

DSCN9678.JPG

DSCN9677.JPG

DSCN7582.JPG

DSCN7583.JPG

DSCN7584.JPG

DSCN7585.JPG

DSCN7586.JPG

DSCN7587.JPG

DSCN7588.JPG

DSCN7589.JPG

DSCN7590.JPG

DSCN7591.JPG

DSCN7592.JPG

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

February 5th, 2024

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3578 Coconut RD in Palm Springs, FL.**
PCN: 70-43-44-19-18-000-0010

VIOLATION/HEARING CASE 2024-16

SECTION 30-143: Trash/Debris/Vegetative Waste/Materials
SECTION 34-1381: Open Storage
SECTION 34-225: Fence Maintenance
SECTION 10-8: Driveways/Weeds
SECTION 34-883: Hedges
SECTION 30-141: Overgrowth
SECTION 30-142: Landscape Maintenance
SECTION 10-9: Exterior Property Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missing "8" House ID Number on the Mailbox

The options available include coming into voluntary compliance on or before **February 13th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday February 15th, 2024 at 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

Please be advised that if you present your case at the hearing and the Magistrate rules against you, there may be court costs assessed in addition to the citation amount. Court costs for a Code Enforcement case typically run from $200.00 to $300.00.

Please contact me if you have any questions and/or need further assistance.

Respectfully,

Joey Sanders
Code Enforcement Officer ID #211
Palm Springs Police Department
230 Cypress Lane Palm Springs, FL 33461
Phone: 561-584-8300 Ext. 8525
Email: jsanders@vpsfl.org

7019 1640 0000 7353 8352

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $ _____
- ☐ Return Receipt (electronic) $ _____
- ☐ Certified Mail Restricted Delivery $ _____
- ☐ Adult Signature Required $ _____
- ☐ Adult Signature Restricted Delivery $ _____

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To Debra J Hartig
Street and Apt. No., or PO Box No. 511 Lucerne Ave Apt. 4501
City, State, ZIP+4® Lake Worth Beach, FL 33460

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461

NEOPOST FIRST-CLASS MAIL
02/06/2024
US POSTAGE $000.63⁰

ZIP 33461
041M11460879

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460

PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461

CERTIFIED MAIL®

7019 1640 0000 7353 8352

NEOPOST FIRST-CLASS MAIL
02/06/2024
US POSTAGE $008.53⁰

ZIP 33461
041M11460879

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460

Sec. 10-8. - Exterior property areas.

(a) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which the occupant occupies or controls in a clean, neat, and sanitary condition.

(b) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of subsection 10-10(g).

(c) *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches, as set forth in chapter 30. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.

(d) *Accessory structures.* All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair.

(1) *Water clarity in swimming pools.* Water clarity shall be maintained. When standing at the pool's edge at the deep end, the deepest portion of the swimming pool floor shall be visible.

(Ord. No. 2006-47, § 2, 11-9-2006)

Sec. 10-9. - Exterior of structure or building.

(a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(b) *Exterior painting.* All wood and metal surfaces including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

(c) *Street numbers.* One address sign shall be required for each principal building or use on premises showing only the numerical address designation on the premises upon which they are maintained or multi-unit buildings which utilize a roadside marquee/signboard, the full building address shall be posted on such marquee/signboard. The address shall be posted in a color contrasting that of the marquee/signboard or building a minimum of four inches for residential and six inches for commercial structure, and of sufficient size to be plainly visible and legible from the roadway. When the building utilizes multiple addresses, such as multiple occupant mercantile buildings, the address range shall be posted as indicated above. Signs shall be plainly visible from the street or right-of-way providing access to the lot and shall be installed and maintained pursuant to the county building security code. This requirement shall apply to all new and existing structures.

(d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.

(f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

(g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.

(h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(j) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch, balcony, railings and all other appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(k) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

(l) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(m) *Window and doorframes.* Every window, door and frame shall be kept in sound condition, good repair and weather tight.

(1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.

(2) *Openable window.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(n) *Doors.* All exterior doors and hardware shall be maintained in good condition Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

(o) Holiday lights and decorations, erected during the appropriate holiday season, shall comply with all applicable building and electrical codes. Holiday lights and decorations may be erected no earlier than 30 days prior to the subject holiday, with the exception of the Christmas/Hanukkah holidays. Christmas/Hanukkah lights and decorations may be erected no earlier than October 15.

All Christmas/Hanukkah lights and decorations must be removed within 30 days following the holiday. All other holiday lights and decorations shall be removed within 14 days following the holiday.

(p) Protection from windborne debris is encouraged for all structures certified for occupancy in the village. Storm shutters, or hurricane protection devices, shall be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the building department.

(q) It is prohibited to maintain any device (including but not limited to wood, aluminum, or approved hurricane shutters) used for securing property, which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated. In addition, it is prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:

(1) A hurricane occurs during the ten-day period, at which point the ten-day period begins anew the day after hurricane conditions have subsided; or

(2) Hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or

(3) The structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (1) and (2), above, shall still apply during periods when a person is in residence.

(4) Clerestory windows exempted under this section, shall be removed ten days after the official conclusion of the hurricane season.

(r) The owner of an occupied structure shall promptly repair any broken door or window so that a temporary boarded up condition is limited. Any such repair, other than in the case of a natural disaster, shall be made within ten (10) consecutive days. Any means of securing property including crime prevention devices shall be subject to review by the building official for safety and compliance with the Florida Building Code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Real property may be secured via boarding up windows, doors, or other openings upon the requirement of the building official provided a permit is issued by the village prior to securing a property.

(Ord. No. 2006-47, § 2, 11-9-2006; Ord. No. 2007-07, § 2, 9-13-2007)

Sec. 30-141. - Excessive growth of weeds and vegetation.

(a) The growth of weeds over 12 inches in height, or that which is conducive to harboring vermin, reptiles or other wild animal life, upon any lot, piece or parcel of land within the limits of the village, is hereby declared to be a nuisance and a violation of this article.

(b) All lands in the village shall be kept free from debris, overgrowth, vegetation, including trees, or any other matter which by reason of height, proximity to neighboring structures, physical condition, disease such as, but not limited to, lethal yellowing of palms, or any other peculiar characteristics, might, in time of hurricane winds prevalent in the region, cause damage to life or property within the immediate area surrounding the region or which constitutes a hazard to health, safety or proper fire control. The existence of any debris, overgrowth, vegetation or other matter as shall create such a hazard is declared to be a nuisance.

(Code 1994, § 26-86)

Sec. 30-142. - Maintenance of abutting parkways.

All tenants or occupants of any real property abutting upon any street in the village, or if no tenant or occupant, then the owner thereof, shall be required to keep that part of the street between the property lines and the curblines of the street of which the property abuts in a clean and sanitary condition at all times by keeping the grass mowed and all trees and shrubbery trimmed.

(Code 1994, § 26-87)

Sec. 30-143. - Removal of rubbish, stagnant water and weeds required.

(a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.

(b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.

(c) *Removal by village.* Upon the failure, neglect or refusal of any owner or agent notified pursuant to subsection (b) of this section to remove and eliminate the conditions described in subsection (a) of this section within the time limit stated in the notice, the village manager is authorized, upon approval by the village council, to contract and pay for such maintenance and bill the property owner or his agent. The charges for such services shall be a lien against the property on which the nuisance is located.

(Code 1994, § 26-86)

State Law reference— Nuisance abatement, F.S. § 60.05.

Sec. 34-225. - Fences, walls and other structures.

Fences, walls, and other structures included within buffer areas or landscaped areas shall be installed according to requirements of applicable building codes and other codes, if any, and shall be maintained in a proper manner so as to remain in compliance with such codes or shall be replaced.

(Code 1994, § 30-150)

Sec. 34-883. - Fences, walls and hedges.

The following regulations shall apply to fences, walls and hedges:

(1) Fences and walls enclosing any use shall comply with the permit procedures established in the village building code as set forth in chapter 10, article II.

(2) Where two streets intersect, a 30-foot visibility triangle area shall be formed, where there shall be a clear space with no obstructions to vision. Fences, walls and hedges shall be restricted to a height of three feet above the average grade of the street as measured at the centerline of the street.

(3) Walls, fences or similar structures erected in any land development district shall not contain any substances, such as broken glass, spikes, nails, electric shock, barbed wire or similar materials, designed to inflict pain or injury to any person or animal.

(4) On properties other than those zoned for commercial or industrial development, on the front property line and on that portion of the side property line to the front building setback line, a fence, wall or hedge shall have a maximum vertical height of four feet as measured from the average grade of the centerline of the street abutting the front yard.

(5) On residentially zoned properties on the rear property line and that portion of the side property line from the rear property line to the front of the front building setback line, a fence, wall or hedge shall have a maximum vertical height of six feet as measured from the finished grade of the lot.

(6) On properties zoned for commercial or industrial development, all fences, walls or hedges shall have a maximum vertical height of eight feet as measured from the finished grade of the lot.

(7) Any fence or wall adjacent to a right-of-way shall be screened on the street side with hedge plants a minimum of three gallons in size, two feet on center and 36 inches high at time of planting, supplemented by trees spaced not more than 20 feet apart. On nonresidential

properties, chain link fencing is prohibited in the front or side yards adjacent to a public street unless approved pursuant to subsection 34-162(h).

(8) The finished side of all fences shall face the street or adjoining property.

(9) Notwithstanding the foregoing, on residentially zoned properties, a manicured hedge abutting a collector or arterial roadway may have a maximum vertical height of ten feet, outside of any visibility triangle and where not in conflict with overhead utilities.

(Code 1994, § 30-603; Ord. No. 2013-02, § 3, 2-14-2013; Ord. No. 2015-12, § 9, 4-9-2015; Ord. No. 2015-42, § 2, 12-10-2015)

Sec. 34-1381. - Nuisances generally; scope.

(a) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air or water pollution, smoke or dust, uncontrolled or uncontained solid, liquid, or airborne waste or debris, or which involves unusual accumulation of stored materials not immediately and directly required for the normal operation of the permitted use present on the property.

(b) No materials may be stored in an outside area visible from any adjacent or nearby street or property in any residential district. No inoperative wheeled vehicle may be stored for more than five days on any parcel in a residential district, except when stored in a completely enclosed structure.

(Code 1994, § 30-956)

CASE PRESENTATION
CASE No. CASE 2024-16

1. Good morning. My name is **Joey Sanders** and I'm a code enforcement officer for the Village of Palm Springs and I've been sworn in.

2. **Case #2024-16** is concerning the property located at **3578 Coconut RD** within the Village of Palm Springs.

3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is **Debra J Hartig.**

4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-143: Trash/Debris/Vegetative Waste/Materials
SECTION 34-1381: Open Storage
SECTION 34-225: Fence Maintenance
SECTION 10-8: Driveways/Weeds
SECTION 34-883: Hedges
SECTION 30-141: Overgrowth
SECTION 30-142: Landscape Maintenance
SECTION 10-9: Exterior Property Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missing "8" House ID Number on the Mailbox
Photos are included in the file.

5. On 08/20/2023, I inspected the property and observed multiple code violations to include wild overgrowth throughout the property and a large amount of misc. items stored inside the carport. I issued/posted a code courtesy violation notice on the front door of the property and mailed Hartig a letter. All of the other above noted code violations were also discovered throughout the duration of this case. It should be noted that I made contact with Hartig on at least 3 separate occasions via telephone and we discussed the violations together. I mailed Hartig a total of 3 follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 01/07/2024 with a compliance date of 01/17/2024. My last documented communication with Hartig was a phone conversation on 02/08/2024. On 02/09/2024, Hartig stopped in Village Hall on my day off and told CEO Thomas that the property will be in compliance by 02/13/2024.

6. On **February 5th, 2024,** Notice of Violation/ Notice of Hearing **2024-16** was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

7. I request that the respondent be ordered to come into compliance by correcting all the property violations by **March 1st, 2024**. If not in compliance by **March 1st, 2024,** a **$100.00 PER DAY PER VIOLATION** fine shall commence.

8. The Village has also incurred costs in the amount of **$296.91** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **March 1st, 2024**.

9. Subject to any questions you might have, this concludes the Village's testimony.

Case Administrative / Court Costs

February 15, 2024, 3578 Coconut RD		Case 2024-16		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.00	35.00	105.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	6.00	20.00	120.00
6	Additional certified copies for hearing	1.00	8.53	8.53
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.63	0.63
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
	Total Costs for Case 2024-16			296.91

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

February 5th, 2024

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3578 Coconut RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0010

This property is in violation of the following Village of Palm Springs ordinances:
SECTION 30-143 & 34-1381
Trash/Debris/Materials/Open Storage: Remove all trash, debris, materials, vegetative waste and misc. items stored throughout the property.

SECTION 10-8 & 34-225
Fence/Driveways:
-Repair, replace or remove broken fence (left side).
-Driveway needs to be pressure washed.

SECTION 10-8, 30-141, 30-142 & 34-883
Weeds/Overgrowth/Landscape Maintenance/Hedges:
-Remove all weeds attached to the exterior wall (right side).
-Mow all overgrown grass located throughout the property.
-Lower the height and trim all overgrown bushes/hedges/trees/vegetation located throughout the property.

SECTION 10-9
Exterior Property Maintenance/Fascia/Mailbox/Ceiling/Street Numbers:
-Remove all green discoloration off the exterior wall (left side).
-Repair ceiling (carport).
-Repair damaged fascia (front).
-Post missing "8" house ID number on the mailbox. Must be visible and a minimum of 4" height.

Compliance Date: February 13th, 2024

Failure to comply may result in a citation fine, court costs or a potential lien on the property.

Please contact me if you have any questions and/or need further assistance.

Respectfully,

Joey Sanders
Code Enforcement Officer ID #211
Palm Springs Police Department
Phone:561-584-8300 Ext: 8525
Email: jsanders@vpsfl.org

Professionalism · **R**espect · **I**ntegrity · **D**uty · **Excellence**

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

January 7th, 2024

Debra J Hartig
511 Lucerne Ave Apt. #501
Lake Worth Beach, FL 33460

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3578 Coconut RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0010

This property is in violation of the following Village of Palm Springs ordinances:
SECTION 30-141, 30-142, 10-8 & 34-883
Overgrowth/Landscape Maintenance/Weeds/Hedges:
-Trim all overgrown bushes/trees/vegetation located throughout the property. This includes lowering the height and trimming the vegetation obstructing the doors and windows.
-Remove all weeds attached to the exterior walls located throughout the property.

SECTION 10-9
Exterior Property/Street Numbers: Replace missing "8" house ID number located on the mailbox. All numbers must be properly labeled and clearly visible from the roadway.

SECTION 10-8
Driveway Maintenance: Driveway needs to be pressure washed and all of the weeds need to be removed.

SECTION 30-143 & 34-1381
Trash/Debris/Open Storage: Remove all trash, debris, vegetative waste and misc. items stored along the fence line (left side rear) and inside the carport.

Compliance Date: January 17th, 2024

Failure to comply may result in a citation fine, court costs or a potential lien on the property.

Please contact me if you have any questions and/or need further assistance.

Respectfully,

Joey Sanders
Code Enforcement Officer ID #211
Palm Springs Police Department
Phone:561-584-8300 Ext: 8525
Email: jsanders@vpsfl.org

Professionalism · **R**espect · **I**ntegrity · **D**uty · **E**xcellence

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

October 22nd, 2023

Debra J Hartig
6388 Belvedere RD
West Palm Beach, FL 33413

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3578 Coconut RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0010

This property is in violation of the following Village of Palm Springs ordinances:
SECTION 10-9
Exterior Property/Holiday Lights:
-Remove all blue holiday lights (rear).
-Remove white towel (front door).

SECTION 10-8, 30-141 & 30-142
Weeds/Overgrowth/Landscape Maintenance:
-Trim all overgrown trees/bushes/vegetation (front, rear and right side).
-Remove all weeds attached to the exterior walls (hanging below the roof line).

SECTION 30-143 & 34-1381
Trash/Debris/Open Storage:
-Remove all vegetative waste (left side/rear).
-Remove all misc. items (carport and along the front of the property).
-Remove large silver broken trampoline frame (front lawn).

Compliance Date: November 6th, 2023

Failure to comply may result in a citation fine, court costs or a potential lien on the property.

Please contact me if you have any questions and/or need further assistance.

Respectfully,

Joey Sanders
Code Enforcement Officer ID #211
Palm Springs Police Department
Phone:561-584-8300 Ext: 8525
Email: jsanders@vpsfl.org

PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · www.vpsfl.org

August 20th, 2023

Debra J Hartig
6388 Belvedere RD
West Palm Beach, FL 33413

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3578 Coconut RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0010

This property is in violation of the following Village of Palm Springs ordinances:
SECTION 30-141. 30-142 & 10-8
Overgrowth/Landscape Maintenance/Weeds:
-Mow all overgrown grass located throughout the property.
-Remove all weeds attached to the exterior walls and along the fence lines.
-Trim all overgrown trees, bushes, shrubbery and vegetation located throughout the property.

SECTION 10-9
Exterior Property/Street Numbers:
-Repair and paint fascia/trim located in the front of the property.
-Post "3578" house ID numbers on the front of the property. Must be clearly visible from the roadway and 4" height.

SECTION 30-143 & 34-1381
Trash/Debris/Open Storage:
-Remove all trash, debris and misc. items stored inside the carport.
-Remove orange construction sign and broken blue/grey trampoline located in the front and left side of the property.

SECTION 14-32
Residential Rental Permit: No residential rental permit on file with the Village of Palm Springs. Contact the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

Compliance Date: August 31st, 2023

Failure to comply may result in a citation fine, court costs or a potential lien on the property.

Please contact me if you have any questions and/or need further assistance.

Respectfully,

Joey Sanders
Code Enforcement Officer ID #211
Palm Springs Police Department
Phone:561-584-8300 Ext: 8525
Email: jsanders@vpsfl.org

Professionalism · **R**espect · **I**ntegrity · **D**uty · **E**xcellence

Courtesy Code Violation Notice

Case# _____

Date: 08/20/2023 Time: _____

Location: 3578 Coconut RD

The Village of Palm Springs is committed to improving our community. Well maintained property enhances the quality of life in neighborhoods and reduces crime.

Please address the listed code violations:

30-141/30-142/10-8 - Overgrowth/Landscape Maintenance/Weeds

10-9 - Exterior Property/Street Numbers

30-143/34-1381 - Trash/Debris/Open Storage

14-32 - Residential Rental Permit

~~A Reference Attached Letter~~ *

Compliance Date: 08/31/2023

Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions.

Code Officer J. Sanders #211

Name I.D. #

Palm Springs Police Department
(561) 584-8300, ext. 8520
EXT. #8525

THE VILLAGE OF PALM SPRINGS FLORIDA

Property Detail

Location Address : 3578 COCONUT RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-18-000-0010
Subdivision : SUNSHINE ACRES IN
Official Records Book/Page : 11297 / 1430
Sale Date : AUG-1999
Legal Description : SUNSHINE ACRES LOT 1

Owner Information

Owner(s)	Mailing Address
HARTIG DEBRA J	511 LUCERNE AVE APT 501 LAKE WORTH BEACH FL 33460 3860

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
AUG-1999	$100	11297 / 01430	WARRANTY DEED	HARTIG DEBRA J
JUL-1981	$31,100	03567 / 01594	QUIT CLAIM	
JAN-1978	$34,000	02895 / 01198		
JAN-1975	$32,000	02391 / 00921	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 1
***Total Square Feet :** 1396
Acres : 0.2074
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	$106,761	$85,865	$82,559	$91,131	$83,872
Land Value	$172,028	$170,145	$99,244	$66,000	$60,600
Total Market Value	$278,789	$256,010	$181,803	$157,131	$144,472

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	$174,328	$158,480	$144,073	$130,975	$119,068
Exemption Amount	$0	$0	$0	$0	$0
Taxable Value	$174,328	$158,480	$144,073	$130,975	$119,068

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	$4,090	$3,809	$3,225	$2,903	$2,683
NON AD VALOREM	$511	$483	$427	$422	$424
TOTAL TAX	$4,600	$4,292	$3,652	$3,325	$3,107

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcpao.gov

ANNE M. GANNON
CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County • Serving you.

$0.00 CHECK OUT

Return | New Search | Print Page | View Assessment Data

Account Information

Property Control Number:
70-43-44-19-18-000-0010

Mailing Address:
6388 BELVEDERE RD
West Palm Beach, Fl 33413-1004

Owner of Record:
HARTIG DEBRA J

Property Type:
Real Property

Property Address:
3578 COCONUT
PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
SUNSHINE ACRES LOT 1

Last updated: 2/12/2024 09:11:16 AM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to view delinquent tax payment options.

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

Add Tax Bills to the cart then select cart icon ( ) above to checkout.

Total Payable: $0.00

Recently Paid Bills

Payment Info - Select to Expand Payment History for PIN

Return | New Search | Print Page | View Assessment Data

Account Information

Property Control Number:
70-43-44-19-18-000-0010

Mailing Address:
6388 BELVEDERE RD

West Palm Beach, Fl 33413-1004

Owner of Record:
HARTIG DEBRA J

Property Type:
Real Property

Property Address:
3578 COCONUT

PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
SUNSHINE ACRES LOT 1

Last updated: 2/12/2024 09:11:16 AM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to view delinquent tax payment options.

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

Add Tax Bills to the cart then select cart icon ( ) above to checkout.

Total Payable: $0.00

Recently Paid Bills

Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

CODE CASE: 2024-16

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

Debra J Hartig
3578 Coconut Road
Palm Springs, FL 33461

Mailing Address:
511 Lucerne Avenue Apt. #501
Lake Worth Beach FL 33460 3818

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of the following Village of Palm Springs Code of Ordinances:

SECTION 30-143: Trash/Debris/Vegetative Waste/Materia1s
SECTION 34-1381: Open Storage
SECTION 34-225: Fence Maintenance
SECTION 10-8: Driveways/Weeds SECTION 34-883: Hedges
SECTION 30-141: Overgrowth
SECTION 30-142: Landscape Maintenance
SECTION 10-9: Exterior Property Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missing "8" House ID Number on the Mailbox

Address: 3578 Coconut Road
Legal Description: SUNSHINE ACRES LOT 1
PCN: 70-43-44-19-18-000-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of February 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent _____ was / _____ was not present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☐ Respondent is in violation of the following Village of Palm Springs Code of Ordinances:

☐ **SECTION 30-143: Trash/DebrisNegetative Waste/Materials**

☐ **SECTION 34-1381: Open Storage**
☐ **SECTION 34-225: Fence Maintenance**
☐ **SECTION 10-8: Driveways/Weeds**
☐ **SECTION 34-883: Hedges**
☐ **SECTION 30-141: Overgrowth**
☐ **SECTION 30-142: Landscape Maintenance**
☐ **SECTION 10-9: Exterior Propertv Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missino "8" House ID Number on the Mailbox**

3. Respondent was in violation of the following Village of Palm Springs Code of Ordnances:
☐ **SECTION 30-143: Trash/DebrisNegetative Waste/Materials**
☐ **SECTION 34-1381: Open Storage**
☐ **SECTION 34-225: Fence Maintenance**
☐ **SECTION 10-8: Driveways/Weeds**
☐ **SECTION 34-883: Hedges**
☐ **SECTION 30-141: Overgrowth**
☐ **SECTION 30-142: Landscape Maintenance**
☐ **SECTION 10-9: Exterior Propertv Maintenance/Remove Green Discoloration off the Exterior Wall/Repair Carport Ceiling/Repair Damaged Fascia/Post Missino "8" House ID Number on the Mailbox**

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

2. Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before March 1st 2024:
☐ Administrative costs of $296.91
☐ Citation fine of $ N/A
☐ Re-inspection fee of $ N/A

☐ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before March 1st 2024. If Respondent fails to comply within the time given, a fine of $100.00 per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by March 1st 2024.
☐ Administrative costs of $296.91
☐ Citation fine of $ N/A
☐ Re-inspection fee of $ N/A

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Joev Sanders at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date

and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgement for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs CodeInspector/Officer at (561)584-8300 Ext. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of February 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
3578 Coconut Road
Palm Springs, FL 33461 3510

Village of Palm Springs
Code Enforcement Magistrate Hearing

Case No. 2022-50
Village of Palm Springs, Florida

Petitioner,

vs.
10th AVENUE PARTNERSHIP LTD
2625 10TH AVENUE N
2665 10TH AVENUE N
PALM SPRINGS, FL 33461

PCN: 70-43-44-20-40-002-0000
PCN: 70-43-44-20-40-003-0000

Respondent(s).

FINE REDUCTION OR ABATEMENT ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on February 15, 2024, and the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

1. The above Respondent is the owner or occupant of 2625 & 2665 10th Avenue N
The property described as: (Legal Description) TENTH AVENUE REPLAT TR 2 & TENTH AVENUE REPLAT TR 3

2. On DECEMBER 15, 2022, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Sections 46-3 (graffiti), 34-916 (parking commercial vehicles) and 10-9 (building structure) of the Village of Palm Springs Code of Ordinances. The Respondent was given until JANUARY18, 2023, within which to comply with the code, Sections 46-3 and 34-916 complied by the compliance date, Section 10-9 failing to comply which a fine of **$75.00 per day** was assessed against respondent. Administrative costs in the amount of $181.14 + 30.00(inspection) were also levied against the Respondent and Paid.

3. On JULY 27, 2023, the Respondent corrected the violation.

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent, the fine of **$14,175.00** is found to be excessive; and

_____ Respondent is ordered to pay a fine of **$2,835.00** and costs in the amount **$0.00** on or before **FEBRUARY 26, 2024**; and in the event that said fine is not paid, the fine and costs shall revert to the accrued amount, prior to abatement.

DONE AND ORDERED this 15th day of February 2024.

_____
By: Special Magistrate

Copies Furnished to the Parties by U.S. Mail

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022 – 50

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
10TH AVENUE PARTNERSHIP LTD
401 S DIXIE HWY STE 300
WEST PALM BEACH FL 33401 5834
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s):
SECTION 46-3: Graffiti.
SECTION 34-916: Parking – Commercial Vehicles.
SECTION 10-9: Exterior of structure or building.

Address:	2625 & 2665 10th Avenue N
Legal Description:	TENTH AVENUE REPLAT TR 2
	TENTH AVENUE REPLAT TR 3
PCN:	70-43-44-20-40-002-0000
	70-43-44-20-40-003-0000

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th day of DECEMBER 2022**, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was _____ / was not ☒ present at the hearing. There was a finding of proper notice.
2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☒ Respondent is in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

☐ Respondent was in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **January 18, 2023.**
- ☐ Administrative costs of $181.14
- ☐ Citation fine of N/A

☐ Re-inspection fee of $30 $75.00

☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **January 18, 2023.** If Respondent fails to comply within the time given, a fine of **$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **January 18, 2023.**

☒ Administrative costs of $181.14
☐ Citation fine of N/A
☒ Re-inspection fee of $30

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Elige Jacobs at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 Ext. 8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of December 2022.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
401 S DIXIE HWY STE 300
WEST PALM BEACH FL 33401 5834

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CASE 2022- 50

XX AFFIDAVIT OF COMPLIANCE
AFFIDAVIT OF NON-COMPLIANCE
(Check One)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

10TH AVENUE PARTNERSHIP LTD
401 S DIXIE HWY STE 300
WEST PALM BEACH, FL 33401 5834

Respondent

The property at **2625-2665 10TH AVE N IN Palm Springs** in the Code Enforcement Notice of Violation dated NOVEMBER 23, 2022, in the above-mentioned case, has been re-inspected and, I Tom Gehrman state that said property is **NOW in compliance SECTION 10-9, Exterior of Structure or Building**, of the Ordinance Codes of the Village of Palm Springs on the **TWENTYSEVENTH (27TH) day of JULY 2023.**

ADMINISTRATIVE COSTS & INSPECTION FEE NO receipt of payment

Tom Gehrman
Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 27th day of JULY, 2023 by TOM GEHRMAN, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

Witness my hand and seal the day and year first written above.

NANCIANN M CUENOT
Notary Public - State of Florida
Commission # GG 963551
My Comm. Expires Apr 25, 2024
Bonded through National Notary Assn.

Nanciann M Cuenot
Notary Public - State of Florida
My Commission Expires: April 25, 2024

CEB Forms 03-01

APPLICATION PROFILE

GENERAL APPLICATION

Application ref	202101638	Fee Effective Dt	12/08/2021
Department	PLANNING,ZONING, & BLDG		
Location	2601 10TH AVENUE NORTH		
Parcel	70434420400020000		
Cross streets			
Add'l loc desc			
Municipality	PALM SPRINGS		
Subdivision		Lot	
Existing use			
memo			
Current Zoning			
Flood zone			
Applicant	GENERAL CONTRACTOR		
Proj/Activity	DEMOLITION		
Class of work	DEMOLITION		
Description	TOTAL DEMOLITION		
Proposed use			
memo			
Proposed zoning			
Flood zone			
Non-conforming	N		
Applic received	12/08/21		
Estimated cost	379,000		
Estim start/end			
Actual start/end	07/27/23		
Impervious Surf	0.00		
Semi-Pervious			
Assigned to			
Status	COMPLETE		
Status code desc	CLOSED	Multiple submissions	N
Next action		Government owned	N
memo			
Ordinance ref			
Reason for app			
Parent app		Point in time fee effective date	
		Fee expiration date	

PROGRESS

Prerequisites Approved	2 of	2
Restrictions/Hazards Cleared	0 of	0
Plan Reviews	3 of	3
Department/Board Reviews	0 of	0
Permits Issued/Completed	1 of	3
Inspections	2 of	2
Permit Fees Paid	2 of	2
Miscellaneous Charges Paid	0 of	0
Work Orders Paid	0 of	0

APPLICATION PROFILE

Application ref: 202101638 (continued)

INSPECTIONS

Type	Requested	Scheduled	Insptr	Performed	Results	Bal Due
NOTICE OF DEMO FINAL	07/25/23	07/26/23	CVS	07/25/23	PASS	.00
			HYB	07/27/23	PASS	.00
				TOTAL:		.00

** END OF REPORT - Generated by Shamaigha A McDonald **

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022 – 50

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
10TH AVENUE PARTNERSHIP LTD
401 S DIXIE HWY STE 300
WEST PALM BEACH FL 33401 5834
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s):
SECTION 46-3: Graffiti.
SECTION 34-916: Parking – Commercial Vehicles.
SECTION 10-9: Exterior of structure or building.

Address:	2625 & 2665 10th Avenue N
Legal Description:	TENTH AVENUE REPLAT TR 2
	TENTH AVENUE REPLAT TR 3
PCN:	70-43-44-20-40-002-0000
	70-43-44-20-40-003-0000

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th day of DECEMBER 2022**, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was _____ / was not X present at the hearing. There was a finding of proper notice.
2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☒ Respondent is in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

☐ Respondent was in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **January 18, 2023.**
- ☐ Administrative costs of $181.14
- ☐ Citation fine of N/A

☐ Re-inspection fee of $30 $75.00

☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **January 18, 2023.** If Respondent fails to comply within the time given, a fine of **$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **January 18, 2023.**

☒ Administrative costs of $181.14
☐ Citation fine of N/A
☒ Re-inspection fee of $30

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Elige Jacobs at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 Ext. 8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of December 2022.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
401 S DIXIE HWY STE 300
WEST PALM BEACH FL 33401 5834

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CASE 2022- 50

XX AFFIDAVIT OF COMPLIANCE
AFFIDAVIT OF NON-COMPLIANCE
(Check One)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

10TH AVENUE PARTNERSHIP LTD
401 S DIXIE HWY STE 300
WEST PALM BEACH, FL 33401 5834

Respondent

The property at **2625-2665 10TH AVE N IN Palm Springs** in the Code Enforcement Notice of Violation dated NOVEMBER 23, 2022, in the above-mentioned case, has been re-inspected and, I Tom Gehrman state that said property is **NOW in compliance SECTION 46-3 Graffiti, SECTION 34-916 Parking, Commercial Vehicles** of the Ordinance Codes of the Village of Palm Springs on the **EIGHTEENTH (18TH) day of JANUARY 2023.**

ADMINISTRATIVE COSTS & INSPECTION FEE NO receipt of payment

Tom Gehrman
Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 27th day of JULY, 2023 by TOM GEHRMAN, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

Witness my hand and seal the day and year first written above.

NANCIANN M CUENOT
Notary Public - State of Florida
Commission # GG 963551
My Comm. Expires Apr 25, 2024
Bonded through National Notary Assn.

Nanciann M Cuenot
Notary Public - State of Florida
My Commission Expires: April 25, 2024

CEB Forms 03-01

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022 – 50

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
10TH AVENUE PARTNERSHIP LTD
401 S DIXIE HWY STE 300
WEST PALM BEACH FL 33401 5834
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s):
SECTION 46-3: Graffiti.
SECTION 34-916: Parking – Commercial Vehicles.
SECTION 10-9: Exterior of structure or building.

Address:	2625 & 2665 10th Avenue N
Legal Description:	TENTH AVENUE REPLAT TR 2 TENTH AVENUE REPLAT TR 3
PCN:	70-43-44-20-40-002-0000 70-43-44-20-40-003-0000

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th day of DECEMBER 2022**, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was _____ / was not X present at the hearing. There was a finding of proper notice.
2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☒ Respondent is in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

☐ Respondent was in violation of Section(s) **SECTION 46-3: Graffiti. SECTION 34-916: Parking – Commercial Vehicles. SECTION 10-9: Exterior of structure or building** of the Code of Ordinances of the Village of Palm Springs.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **January 18, 2023.**
- ☐ Administrative costs of $181.14
- ☐ Citation fine of N/A

☐ Re-inspection fee of $30 $75

☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **January 18, 2023.** If Respondent fails to comply within the time given, a fine of **$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **January 18, 2023.**

☒ Administrative costs of $181.14
☐ Citation fine of N/A
☒ Re-inspection fee of $30

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Elige Jacobs at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 Ext. 8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of December 2022.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
401 S DIXIE HWY STE 308
WEST PALM BEACH FL 33401 5834

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR REDUCTION OF FINE

Code Enforcement Officer: GEHRMAN **Date:** FEBRUARY 14, 2023

Case No. 2022 - 50

Respondent(s): 10th AVENUE PARTNERSHIP LTD

Violation Address (Subject Property): 2625 & 2665 10TH AVENUE N

BACKGROUND

On **DECEMBER 15, 2022** the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section(s): **46-3 graffiti, 34-916 parking commercial vehicles, 10-9 building structure in disrepair.** The Respondent was given until January 18, 2023 to comply. Section 46-3 graffiti and 34-916 were brought into compliance by the January 18, 2023 compliance date. Section 10-9 was not in compliance with a fine commencing on JANUARY 19, 2023 and continuing to accrue at the rate of $75.00 per day, for every day not in compliance. The fine accumulated for 189 days for a total fine of $14,175.00 as of the compliance date of July 27, 2023. The Administrative costs and fees have been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.09(b), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of $2.835.00 within ten (10) days of the date of the Magistrate's Final Order on the Request or on or before FEBRUARY 26, 2023**.** If the reduced fine is not paid with the time specified, the original fine in the amount of $14,175.00 shall be reinstated.

B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for a Reduction of Fine.

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations. The basis for Staff's recommendation is set forth as follows: The building on this vacant property was 4 stories and very large. It was a hazard and an eyesore to the neighborhood and Palm Springs. The property owner was working with the village to develop the property, delays resulted in the building deteriorating. The building was to be demolished. Unfortunately delays occurred in the demo, permits expired then had to be renewed. Ultimately the building has now been demolished and the property is to be developed. Compliance is now complete the building demolition is done with all the required permits and a passed final inspection. **Section 10-9 is now in Compliance**. Village Code Enforcement recommends reducing the fine to $2,835.00 of the original amount. The property owner has exciting plans for the development of this property and the Village is really looking forward to an improved rejuvenated property.

Dated: February 15, 2024

By: TOM GEHRMAN
Code Enforcement Officer

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR REDUCTION OF FINE

Code Enforcement Officer: Sanders **Date: February 15th, 2024**

Case No.: 2023-2612

Respondent(s): MIGUEL & ISRRAEL TIJERO

Violation Address: 3734 GULFSTREAM RD

BACKGROUND

On **February 16th, 2023** the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section(s): **30-143 Public Nuisance: Trash & Debris**. The Respondent was given a violation and fine commencing on **March 15th, 2023** and continuing to accrue at the rate of **$100.00 per day** for every day not in compliance. The fine accumulated for **280 days** for a total fine of **$28,000.00,** as of the compliance date of **March 15th, 2023**. The **$311.14** administrative costs have been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.09(b), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of **$2,800.00** within ten (10) days of the date of the Magistrate's Final Order on the Request or on or before **March 1st, 2024**. If the reduced fine is not paid within the time specified, the original fine in the amount of **$28,000.00** shall be reinstated.

B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for a Reduction of Fine.

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based it's recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: On or around July 2023, I inherited this case from a former code enforcement officer and first made contact with property representative Karen Anise on July 17th, 2023. Anise was very cooperative and motivated to work with me in order to bring the property into compliance. It was learned that Anise purchased the property with the intention of remodeling, but the property could not be salvaged and had to be demolished. In the interim of facing unexpected expenses due to no fault of her own, Anise was involved in an accident and was unable to work for 3 months as she recovered from her injuries. On December 20th, 2023, I verified that the property was in compliance and completed an affidavit of compliance. Based on the totality of the circumstances, the Village recommends a fine reduction to 10% of the original fine amount which would be $2,800.00.

Dated: February 15th, 2024

By: Joey Sanders
Code Enforcement Officer

Village of Palm Springs
Code Enforcement Magistrate Hearing

Case No.: 2023-2612

Village of Palm Springs, Florida
Petitioner,
vs.

MIGUEL & ISRRAEL TIJERO **PCN: 70-43-44-19-11-004-0011**
3734 GULFSTREAM ROAD
PALM SPRINGS, FL 33461 3587
Respondent.

FINE REDUCTION OR ABATEMENT ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on February 15th, 2024, and the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

1. The above Respondent is the owner or occupant of 3734 GULFSTREAM RD. The property described as: (Legal Description) LAKEWOOD GARDENS PLAT 1 S 100 FT OF W 104 FT OF TR 1 BLK 4

2. On February 16th, 2023, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Sections 30-143 Public Nuisance: Trash and Debris of the Village of Palm Springs Code of Ordinances. The Respondent was given until March 15th, 2023, within which to comply with the code, failing which a fine of $100.00 per dav was assessed against respondent. Administrative costs in the amount of $311.14 were also levied against the Respondent.

3. On December 20th the Respondent corrected the violation.

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent, the fine of $28.000.00 is found to be excessive; and

_____ Respondent is ordered to pay a fine of **$2,800.00** and costs in the amount $0.00 on or before March 1st, 2024, and in the event that said fine is not paid, the fine and costs shall revert to the accrued amount, prior to abatement of **$28,000.00.**

DONE AND ORDERED this 15th day of February 2024.

_____

By: Special Magistrate

Copies Furnished to the Parties by U.S. Mail

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2021-38

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

FAMI INVEST LLC
515 N FLAGLER DRIVE SUITE P300
WEST PALM BEACH FL 33401 4326

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s) FBC Section 105.4: Permits Expired. FBC 110.3: Inspections required

Address:	3734 GULFSTREAM ROAD
Legal Description:	LAKEWOOD GARDENS PLAT 1 S 100 FT OF W 104 FT OF TR 1 BLK 4
PCN:	70-43-44-19-11-004-0011

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 16TH day of SEPTEMBER, 2021, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was _____ / was not X present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☒ Respondent is in violation of Section(s) FBC Section 105.4: Permits Expired. FBC 110.3: Inspections required; of the Code of Ordinances of the Village of Palm Springs.

☐ Respondent was in violation of Section(s) FBC Section 105.4: Permits Expired. FBC 110.3: Inspections required; of the Code of Ordinances of the Village of Palm Springs but is currently in compliance.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **OCTOBER 21, 2021.**

- ☐ Administrative costs of $173.49
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **OCTOBER 21, 2021.** If Respondent fails to comply within the time given, a fine of **$100.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **OCTOBER 21, 2021.**

☒ Administrative costs of $173.49
☒ Citation fine of $ N/A
☒ Re-inspection fee of $ N/A

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer JOSE INOA at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 304-4829 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of September, 2021.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
515 N FLAGLER DRIVE SUITE P300
WEST PALM BEACH, FL 33401 4326

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR REDUCTION OF FINE

Code Enforcement Officer: Sanders **Date: February 15th, 2024**

Case No.: 2021-38

Original Respondent(s): FAMI INVEST LLC

Current Respondent(s): MIGUEL & ISRRAEL TIJERO

Violation Address: 3734 GULFSTREAM RD

BACKGROUND

On **September 21st, 2021** the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section(s): **FBC 105.4: Permits Expired and FBC 1103: Inspections Required**. The original Respondent was given a violation and fine commencing on **October 21st, 2021** and continuing to accrue at the rate of **$100.00 per day, per violation** for every day not in compliance. The fine accumulated for **180 days** for a total fine of **$36,000.00**, as of the compliance date of **October 21st, 2021**. The **$173.49** administrative costs have not been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.09(b), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the current Respondent's Request for a Reduction of Fine, and that the current Respondent pay the reduced fine in the amount of **$3,600.00** within ten (10) days of the date of the Magistrate's Final Order on the Request or on or before **March 1st, 2024**. If the reduced fine is not paid within the time specified, the original fine in the amount of **$36,000.00** shall be reinstated.

B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **deny** the current Respondent's Request for a Reduction of Fine.

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based it's recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: I inherited this case from a former code enforcement officer and first made contact with property representative Karen Anise on July 17th, 2023 in reference to Case #2023-2612. Anise conducted a title search on the property and discovered the existence of this case. A Palm Beach County Property Appraiser record search revealed that Anise's husband Isrrael Tijero and his relative Miguel Tijero purchased the property in February 2022. Additionally, the original Village of Palm Springs Order Finding Violation showed that the property was owned by FAMI INVEST LLC at the time of the violations. Anise advised that the original respondent did not disclose details of the code case during the sale of the property. Therefore, Anise had no knowledge of the case which is a mitigating factor that is being considered in this case. As of April 18th, 2022, the property is in compliance and an affidavit of compliance was completed. Based on the totality of the circumstances, the Village recommends a fine reduction to 10% of the original fine amount which would be $3,600.00.

Dated: February 15th, 2024

By: Joey Sanders
Code Enforcement Officer

Village of Palm Springs
Code Enforcement Magistrate Hearing

Case No.: 2021-38A

Village of Palm Springs, Florida
Petitioner, vs.

FAMI INVEST LLC
515 NORTH FLAGLER DRIVE, SUITE P300
WEST PALM BEACH, FL 33401
(Original) Respondent

PCN: 70-43-44-19-11-004-0011

MIGUEL & ISRRAEL TIJERO
3734 GULFSTREAM ROAD
PALM SPRINGS, FL 33461
Respondent.

FINE REDUCTION OR ABATEMENT ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on February 15th, 2024, and the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

1. The above current Respondent is the owner or occupant of 3734 GULFSTREAM RD. The property described as: (Legal Description) LAKEWOOD GARDENS PLAT 1 S 100 FT OF W 1 04 FT OF TR 1 BLK 4

2. On September 21st, 2021, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the original Respondent in violation of **Sections FBC 105.4: Permits Expired and FBC 110.3: Inspection's Required** of the Village of Palm Springs Code of Ordinances. The original Respondent was given until October 21st, 2021, within which to comply with the code, failing which a fine of $100.00 per day was assessed against original respondent. Administrative costs in the amount of $173.49 were also levied against the original Respondent.

3. On April 18th 2022, the current Respondent corrected the violation.

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent, the fine of $36,000.00 is found to be excessive; and

_____ Respondent is ordered to pay a fine of $3,600.00 and costs in the amount $173.49 on or before March 1st, 2024; and in the event that said fine is not paid, the fine and costs shall revert to the accrued amount, prior to abatement of $36.000.00

DONE AND ORDERED this 15th day of February. 2024.

By:_____
Special Magistrate

Copies Furnished to the Parties by_____

SIGNED FINAL

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

Case No 2021-38B

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
KENNETH B. EMBLER TR
KENNETH B. EMBLER
1859 EMILIO LANE
PALM SPRINGS, FL 33406 6516
Respondent(s).

VOLUNTARY STIPULATION AND AGREED ORDER

STATE OF FLORIDA, COUNTY OF PALM BEACH

Respondent, KENNETH B. EMBLER, hereby voluntarily enters into this Stipulation with the Village of Palm Springs, Florida ("Village"), and in consideration of the settlement of this entire matter, the parties having been duly sworn, do stipulate as follows:

1. The above Respondent(s) are the owners or occupants of

THE PROPERTY LEGALLY DESCRIBED AS: ALBERT LAKES GARDEN (UNREC) LOT 24 WITH PCN: 70-43-44-07-15-000-0240, and STREET ADDRESS of 1859 EMILIO LANE, Palm Springs, Florida 33406.

2. On or about **JUNE 28, 2021** Respondent(s) property was cited with violation(s) of the Village Code**: Sections 30-143 Public Nuisance; reports of vermin living in the house, vegetation debris visible and building shows deterioration allowing a nesting place for vermin and insects,**
Section 10-9 Exterior of the Building NOT maintained in good condition, building allowed to deteriorate.

3. On **AUGUST 19, 2021,** this matter was brought before the Code Enforcement Special Magistrate for the Village of Palm Springs pursuant to the parties' dispute over compliance. The Special Magistrate determined that violations existed and entered an Order Setting Compliance date in which the Respondent(s) received until **SEPTEMBER 16, 2021** to bring the subject property into compliance or be assessed a fine amount of **$100.00** per each day thereafter the violations exist. The property remains in violation and the fines have now accrued to **$72,100.00** as of September 7, 2023.

4. The Village and Respondent(s) agree as follows: The Village agrees to RELEASE THE LIEN and the fine amount to $7,210.00 and the Respondent agrees to pay the $7,210.00 reduced fine. The Respondent also agrees to comply with Village Codes for Required Property Improvement:

Mr. Embler will raze/demolish the home at 1859 Emilio Lane including post demolition, the lot will be graded, seeded, and maintained by Mr. Embler complying with Section 10-9 Exterior Structure or Building and Section 30-143 public nuisance presence of vegetation, debris and vermin.

The Respondent(s) agrees to comply on or before 90 days after the order is signed, if a failure to comply the liens will not be released and the accrued and running fines will be reinstated in full.

The Respondent agrees to comply with said section(s) by obtaining a permit where required and comply with all applicable ordinances, laws and regulations. Once the Structure is:
1 Demolished
2 the vacant lot properly graded and seeded/sodded (i.e., rendered a proper vacant lot under the code .)
3 The Respondent pays the required amount.

Once the Respondent has fully and timely complied with this Stipulation and Agreed Order, the Village shall execute a release of lien on Emilio Lane and Canal Road Properties. The Respondent shall be responsible for recording the release of lien in the public records. Once recorded by the respondent a certified copy is to be provided to the Village of Palm Springs.

5. **The filing fee for this Stipulation and Agreed Order is $95.00 and Administrative Cost is $180.67, which is due at the time of signing.**

6. In addition, the Respondent voluntarily agrees that if he or she fails to comply with the above set forth herein, **the fine shall return to the original amount of $72,100.00 with daily fines added and shall remain a lien against the property**.

7. The Respondent acknowledges and agrees that this Stipulation is being voluntarily entered into with the intent and for the purpose of being legally bound to its provisions, and that each of the individual agreements set forth in this Stipulation are understood by the Respondent, and represent a full settlement of all of the matters contained herein.

8. Upon complete execution of this Stipulation, it shall be presented to the Special Magistrate for approval and entry of an Agreed Order. The parties' compliance with the prospective provisions of this Stipulation (as applicable), shall be contingent upon its approval by the Special Magistrate. If this Stipulation is not approved by the Special Magistrate, this Stipulation is null and void and the Village may thereafter continue to pursue the fines and/or lien in accordance with its Code and Chapter 162, Fla. Stat. and the Respondent shall have the right to schedule a lien reduction hearing before the Special Magistrate

9. This Stipulation sets forth the entire agreement between the parties, and there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Stipulation may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto and approved by the Special Magistrate.

IN WITNESS WHEREOF, the parties have signed and executed this Stipulation, freely and voluntarily and with full authority to do so, on the date acknowledged below, and with the full intent of being legally bound thereto, and do further state that for the matters covered above, this Stipulation to be the truth, the whole truth and nothing but the truth, so help them.

Kenneth B. Embler/Respondent

STATE OF GA

COUNTY OF Union

The foregoing instrument was acknowledged before me this 15 day of September, 2023, by Kenneth B. Embler, as Respondent.

(SEAL)
Notary Public
My Commission Expires: Aug. 19 2025

JUDY PAYNE NOTARY PUBLIC Exp. Aug. 19 2025 UNION COUNTY, GA

Kenneth B. Embler is ___ Personally Known to me OR ✓ Produced Identification.

Type of Identification Produced: Florida Drivers License

VILLAGE OF PALM SPRINGS, FLORIDA

By: Tom Achuma
Code Enforcement Officer

Case No. 2021-38B

AGREED ORDER

THIS MATTER having come before the Code Enforcement Special Magistrate on Sept 21, 2023, and the Special Magistrate having been presented with the Stipulation regarding the testimony, facts, and other evidence presented by the parties therein; and the parties agreeing that each has entered into the Stipulation freely and voluntarily, with the intent to be bound as a matter of fact and law, and having been fully apprised of the circumstances, does find and order as follows:

1. The Stipulation is adopted in full herein as a part of this Order; and

2. IT IS HEREBY ORDERED, that the Village and Respondent(s) shall comply with the Stipulation as if it were set forth below in full.

DONE AND ORDERED this 21st day of Sept, 2023

_____
Special Magistrate
Copies furnished by Regular U.S. mail to the Respondent at:
_____
_____
_____

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR EXTENSION OF TIME

Code Enforcement Officer: Gehrman **Date:** February 15, 2024

Case No.: 2021 – 38B

Respondent(s): Kenneth B Embler TR

Violation Address (Subject Property): 1859 Emilio Lane

BACKGROUND

On **September 21, 2023,** the Village of Palm Springs Code Enforcement Special Magistrate signed voluntary stipulation and agreed order finding the Respondents in agreement with the Village of Palm Springs to correct violations on the property and make payment of an agreed amount of fees owed to the Village. The Fees have been paid. The Respondent was given 90 days from the September 21, 2023 signing of this agreement to be in compliance. The 90 days the Respondent was given put the due date as **December 21, 2023,** to come into compliance. All fees owed agreed to in the Order have been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.06(2), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for an Extension of time.

B. ☐ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for an Extension of time. This recommendation is based on the following fact:

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based it recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: The respondent has been taking actions to correct the violations and come into compliance. Contractors and the Property Owners' representative have been in contact has been in contact with code enforcement and has applied for permits and working through the necessary approvals to obtain the required building permit to gain compliance. Due to delays in obtaining issued permits the property owner is asking for an extension of the compliance date. Delays are not unusual when applying for permits. Due to the good faith actions Village Code Enforcement agrees that a 90 day extension to **MARCH 21, 2024** is acceptable.

Dated: February 15, 2024

By: Tom Gehrman,
Code Enforcement Officer

Village of Palm Springs
Code Enforcement Magistrate Hearing

CODE CASE: 2021-38B

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
Kenneth B. Embler TR
Kenneth B. Embler
1859 Emilio Lane
Palm Springs, FL 33406 6516

Respondent(s). **PCN: 70-43-44-07-15-000-0240**

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on JANUARY 18, 2024, by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

1. The above Respondent is the owner or occupant of THE PROPERTY DESCRIBED AS: 1859 EMILIO LANE; Legal Description; ALBERT LAKES GARDEN (UNREC) LOT 24

2. On **SEPTEMBER 21, 2023**, the Village of Palm Springs Code Enforcement Special Magistrate signed voluntary stipulation and agreed order finding the Respondents in agreement with the Village of Palm Springs to correct violations on the property and make payment of an agreed amount of fees owed to the Village. The Fees have been paid. The Respondent was given 90 days from the September 21, 2023, signing of this agreement to be in compliance.

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), Respondent shall/shall not be given an extension of 90 days, or **March 21, 2024**, to comply on this matter.

B. If the Respondent has not brought the alleged violations into compliance on or before the extended compliance date of **MARCH 21, 2024**, the imposition of fines and costs shall revert to the Original Compliance Date of JANUARY 18, 2024.

DONE AND ORDERED this **15TH** day of **FEBRUARY.**

By: Special Magistrate

Copies Furnished to the Parties by U. S. MAIL
KENNETH B. EMBLER
1859 EMILIO LANE
West Palm Beach, Fl 33406 6516

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2023-18

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
2964 SECOND AVE. NORTH, LLC
5570 PRINCESS MARGARET DR.
BELIZE CITY, BELIZE BZ
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of **SECTION 10-31 FBC 105.1 WORK WITHOUT PERMITS & 110.1 INSPECTIONS – ASPHALT PARKING LOT**.

Address:	2964 2ND AVENUE NORTH
Legal Description:	MODEL LAND CO SUB N 133 FT OF W 68.15 FT OF E 165 FT OF TR 104
PCN:	70-43-44-20-01-104-0100

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of MAY, 2023 and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was _____ / was not ✓ present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

☑ Respondent is in violation of Section(s) 10-31 FBC 105.1 Work without permits, & 110.1 Inspections asphalt & stripe parking lot of the Code of Ordinances of the Village of Palm Springs.

☐ Respondent was in violation of Section(s) 10-31 FBC 105.1 Work without permits, & 110.1 Inspections asphalt & stripe parking lot of the Code of Ordinances of the Village of Palm Springs but is currently in compliance.

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **July 20, 2023**

- ☐ Administrative costs of $189.55
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

☑ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **JULY 12, 2023** If Respondent fails to comply within the time given, a fine of **$100.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **JULY 20, 2023**

20th PD

☑ Administrative costs of $189.55
☐ Citation fine of $ N/A
☐ Re-inspection fee of $ N/A

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nanciann Cuenot at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 18th day of May 2021.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
2964 2nd Avenue North
Lake Worth Beach, Fl 33461

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON 3rd REQUEST FOR EXTENSION OF TIME

Code Enforcement Officer: Cuenot **Date:** February 15, 2024

Case No.: 2023-18

Respondent(s): 2964 SECOND AVE. NORTH, LLC

Violation Address (Subject Property): 2964 2ND AVE N

BACKGROUND

On **May 18, 2023,** the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section 10-31 (FBC 105.1) Work without permits - resurface and stripe parking lot and 10-31 (FBC 110.1) No Inspections The Respondent was given 60 days to come into compliance. Administration fees have been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.06(2), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for an Extension of time.

B. ☐ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for an Extension of time. This recommendation is based on the following fact:

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based it recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: In order to apply and receive a permit for the parking lot paving, the respondent has had to hire a Planner to draw and submit Site Plans to Planning Zoning and Building. The extensive plans are going through review process with the Planning, Zoning & Building Board and also required Right-of Way approval from Palm Beach County. This can be a lengthy process and additional time is necessary to comply with the parking lot permit and inspections. This request is for a third extension of time for compliance. The Property Owner is working with Village Code Enforcement who agree that an extension to **August 9, 2024,** is necessary.

Dated: February 15, 2024

By: Nanciann Cuenot,
Code Enforcement Officer

Village of Palm Springs
Code Enforcement Magistrate Hearing

CODE CASE: 2023-18

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
2964 SECOND AVE. NORTH, LLC
2964 2nd Avenue North
Palm Springs, FL 33461

MAILING ADDRESS:
2964 SECOND AVE. NORTH, LLC
5570 PRINCESS MARGARET DR.
BELIZE CITY, BZ
Respondent(s).

PCN: 70-43-44-20-01-104-0100

ORDER GRANTING /DENYING 3rd EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on February 15, 2024, by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

1. The above Respondent is the owner or occupant of THE PROPERTY DESCRIBED AS: MODEL LAND CO SUB N 133 FT OF W 68.15 FT OF E 165 FT OF TR 104

2. On MAY 18, 2023, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section 10-31 (FBC 105.1) Work without permits and 10-31 (FBC 110.1) No Inspections Parking lot resurfaced and striped of the Village of Palm Springs Code of Ordinances. The Respondent was given until July 20, 2023, within which to comply with the code, failing a fine of $100.00 per day, per violation was assessed to be against the respondent.

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), Respondent shall/shall not be given an extension of 120 days, or **August 9, 2024**, to comply on this matter.

B. If the Respondent has not brought the alleged violations into compliance on or before the extended compliance date of **August 9, 2024**, the imposition of fines and costs shall revert to the Original Compliance Date of July 20, 2023.

DONE AND ORDERED this 15TH day of FEBRUARY 2024.

By: Special Magistrate

Copies Furnished to the Parties by U. S. MAIL
2964 Second Avenue North, LLC
2964 2nd Avenue North
Palm Springs, FL 33461

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

CODE CASE: 2024-05

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

YILENA NARANJO
JOSE L. NARANJO
441 KIRK ROAD
LAKE WORTH BEACH, FL 33461 6513

MAILING ADDRESS:
(SAME AS ABOVE)
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of following Village of Palm Springs Code of Ordinances:

SECTION 34-914: Residential Parking Violations; Parking on grass, Parking blocking sidewalk use area.
SECTION 30-142: Maintenance of the swale and right-of-way area required. Broken sidewalk repair required.
SECTION 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections.

Address:	441 KIRK ROAD
Legal Description:	PALM SPRINGS VILLAGE PL 4 IN PB 25 PGS 78 & 79
PCN:	70-43-44-18-08-023-0170

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of January 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1. The Respondent was ✓ / was not_____ present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:

- ☐ **SECTION 34-914: Residential Parking Violations; Parking on grass, Parking blocking sidewalk use area.**
- ☑ **SECTION 30-142: Maintenance of the swale and right-of-way area required. Broken sidewalk repair required.**
- ☑ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections.**

Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:

- ☑ **SECTION 34-914: Residential Parking Violations; Parking on grass, Parking blocking sidewalk use area.**
- ☐ **SECTION 30-142: Maintenance of the swale and right-of-way area required. Broken sidewalk repair required.**
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections.**

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **February 01, 2024:**

- ☐ Administrative costs of $196.91
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

☑ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **February 29, 2024.** If Respondent fails to comply within the time given, a fine of **$100.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **February 01, 2024.**

$75.00

- ☑ Administrative costs of $196.91
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nicole Tamayo at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgement for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred dollars ($500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561)584-8300 ext. 8521 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 18th day of January 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____

Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
441 KIRK ROAD
LAKE WORTH BEACH, FL 33461 6513

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR EXTENSION OF TIME

Code Enforcement Officer: NICOLE TAMAYO **Date:** FEBRUARY 15, 2024

Case No.: 2024-05

Respondent(s): YILENA NARANJO & JOSE L. NARANJO

Violation Address (Subject Property): 441 KIRK ROAD

BACKGROUND

On **January 18, 2024,** the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section 34-914: Residential Parking Violations; Parking on grass, Parking blocking sidewalk use area, Section 30-142: Maintenance of the swale and right-of-way area required, Broken sidewalk repair required, and Section 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections. The Respondent(s) was given until **February 29, 2024** to come into compliance.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.06(2), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for an Extension of time.

B. ☐ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for an Extension of time. This recommendation is based on the following fact:

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s)**,** and the actions taken by the Respondent(s) to correct the violation(s). The basis for the Staff's recommendation is set forth as follows: The Respondent(s) has been actively working on bringing all violations into full compliance with the Village of Palm Springs Code of Ordinances however, is requesting an extension of 90 days to come into full compliance with Section 30-142: Broken Sidewalk Repair required, and with Section 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections. Section 34-914: Residential Parking Violations has been brought into compliance by the Respondent(s). In consideration of the lengthy permit turnover, in fairness to all parties, the Village of Palm Springs Code Enforcement Division agrees that an extension to **MAY 29, 2024** is acceptable and reasonable.

Dated: FEBRUARY 15, 2024

By: Nicole Tamayo,
Code Enforcement Officer

VILLAGE OF PALM SPRINGS
Code Enforcement Magistrate Hearing

CASE NO. 2024-05

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
YILENA NARANJO
JOSE L. NARANJO
441 KIRK ROAD
LAKE WORTH BEACH, FL 33461 6513

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

PCN: 70-43-44-18-08-023-0170

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **JANUARY 18, 2024,** by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

1. The above Respondent is the owner of THE PROPERTY DESCRIBED AS: 441 KIRK ROAD; Legal Description: PALM SPRINGS VILLAGE PL 4 IN PB 25 PGS 78 & 79; PCN: 70-43-44-18-08-023-0170

2. On **JANUARY 18, 2024**, the Village of Palm Springs Code Enforcement Special Magistrate entered an Order finding the Respondents in violation of Section 30-142: Maintenance of the swale and right-of-way area required, Broken sidewalk repair required, and Section 10-31 (FBC 105.1 & FBC 110.1): Pavers installed without required permits and inspections, of the Village of Palm Springs Code of Ordinances.

3. The Respondent(s) was given until February 29, 2024, within which to comply with the code, failing which a fine of $75.00 per day, per violation was assessed against the Respondent(s).

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), Respondent shall/shall not be given an extension of 90 days, or **MAY 29, 2024,** to comply on this matter.

B. If the Respondent has not brought the alleged violations into compliance on or before the extended compliance date of **MAY 29, 2024**, the imposition of fines and costs shall revert to the Original Compliance Date of **February 29, 2024**.

DONE AND ORDERED this 15th day of February 2024.

_____
By: Special Magistrate

Copies Furnished to the Parties by U. S. MAIL
Yilena Naranjo & Jose L. Naranjo
441 Kirk Road
Palm Springs, FL 33461

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

CODE CASE: 2024-07

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

YENNY VIDAL & ADISBEL VALDES
241 TAM O SHANTER DRIVE
PALM SPRINGS FL 33461-1906

MAILING ADDRESS:
(SAME AS ABOVE)
Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of following Village of Palm Springs Code of Ordinances:

SECTION 34-890: Home Occupations
SECTION 70-99: Evidence of Engaging in Business
SECTION 10-9: Exterior of Structure or Building — House numbers
SETION FBC (Florida Building code) 105.1 No Permits & FBC 110.1 No Inspections

Address:	241 TAM O SHANTER DRIVE
Legal Description:	VILLAGE OF PALM SPRINGS PL 5 LT 20 BLK 6
PCN:	70-43-44-18-09-006-0200

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of Januarv 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

1 . The Respondent ✓ was / _____ was not present at the hearing. There was a finding of proper notice.

2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

Respondent is in violation of the following Village of Palm Springs Code of Ordinances:

SECTION 34-890: Home Occupations.
SECTION 70-99: Evidence of Enqaqinq in Business.
SECTION 10-9: Exterior of Structure or Buildinq — House numbers.
SECTION FBC 105.1 No Permits & FBC 110.1 No Inspections for the followinq:

Installation of Pavers in backyard & side yard
Installation of white vinyl fencing
Installation of hurricane impact windows
Backyard porch enclosed without permit or inspections

Respondent was in violation of the following Village of Palm Springs Code of Ordinances but is currently in compliance:

- ☐ **SECTION 34-890: Home Occupations.**
- ☐ **SECTION 70-99: Evidence of Engaging in Business.**
- ☐ **SECTION 10-9: Exterior of Structure or Building — House numbers.**
- ☐ **SECTION FBC 105.1 No Permits & FBC 110.1 No Inspections for the following:**
  - **Installation of Pavers in backyard & side yard**
  - **Installation of white vinyl fencing**
  - **Installation of hurricane impact windows**
  - **Backyard porch enclosed without permit or inspections**

ORDER

It is the Order of the Code Enforcement Special Magistrate that:

☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before February 01 2024:

- ☐ Administrative costs of ~~$196.91~~ 216.
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

$75.00

☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **February 29t 2024.** If Respondent fails to comply within the time given, a fine of ~~$100.00~~ per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent is ordered to pay the following amounts on or before **February 01 , 2024.**

- ☐ Administrative costs of $216.91
- ☐ Citation fine of $ N/A
- ☐ Re-inspection fee of $ N/A

All payments shall be made to The Village of Palm Springs at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded ip the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Deanna Thomas at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all

administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgement for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to fivehundred dollars ($500.00) per day may be imposed beginning on the date the violation begins. Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561)584-8300 ext. 8521 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 18th day of January 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:_____
Special Magistrate

A copy of this order has been furnished to the respondent at the following statutory address:
241 TAM O SHANTER DRIVE
PALM SPRINGS FL 33461-1906

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE ON REQUEST FOR EXTENSION OF TIME

Code Enforcement Officer: NICOLE TAMAYO **Date:** FEBRUARY 15, 2024

Case No.: 2024-07

Respondent(s): YENNY VIDAL & ADISBEL VALDES

Violation Address (Subject Property): 241 TAM O' SHANTER DRIVE

BACKGROUND

On **January 18, 2024,** the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section 34-890: Home Occupation, Section 70-99: Evidence of Engaging in Business, Section 10-9: Exterior of Structure or Building, House Numbers, and Section 10-31 (FBC 105.1 & FBC 110.1): No Permits and Inspections for Pavers in backyard and side yard, white vinyl fencing, and backyard porch enclosure. The Respondent(s) was given until **February 29, 2024** to come into compliance.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.06(2), for the Special Magistrate's consideration:

A. X That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for an Extension of time.

B. ☐ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for an Extension of time. This recommendation is based on the following fact:

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s)**,** and the actions taken by the Respondent(s) to correct the violation(s). The basis for the Staff's recommendation is set forth as follows: The Respondent(s) has brought into compliance Section 70-99: Evidence of engaging in business, and Section 10-9: Exterior of structure or building, house numbers however is requesting an extension of 90 days to come into full compliance with Section 34-890: Home Occupation, and Section 10-31 (FBC 105.1 & FBC 110.1): No permits and inspections for Pavers in backyard and side yard, White vinyl fencing, and Backyard porch enclosure. In consideration of the lengthy permit process, in fairness to all parties, the Village of Palm Springs Code Enforcement Division agrees that an extension to **MAY 29, 2024** is acceptable and reasonable.

Dated: FEBRUARY 15, 2024

By: Nicole Tamayo,
Code Enforcement Officer

VILLAGE OF PALM SPRINGS
Code Enforcement Magistrate Hearing

CASE NO. 2024-07

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.
YENNY VIDAL
ADISBEL VALDES
241 TAM O' SHANTER DRIVE
LAKE WORTH BEACH, FL 33461 1906

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

PCN: 70-43-44-18-09-006-0200

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **JANUARY 18, 2024,** by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

1. The above Respondent is the owner of THE PROPERTY DESCRIBED AS: 241 TAM O' SHANTER DRIVE; Legal Description: VILLAGE OF PALM SPRINGS PL 5 LT 20 BLK 6; PCN: 70-43-44-18-09-006-0200

2. On **JANUARY 18, 2024**, the Village of Palm Springs Code Enforcement Special Magistrate entered an Order finding the Respondents in violation of Section 34-890: Home Occupation, and Section 10-31 (FBC 105.1 & FBC 110.1): No Permits and Inspections for Pavers in backyard and side yard, white vinyl fencing, and backyard porch enclosure, of the Village of Palm Springs Code of Ordinances.

3. The Respondent(s) was given until February 29, 2024, within which to comply with the code, failing which a fine of $75.00 per day, per violation was assessed against the Respondent(s).

IT IS HEREBY ORDERED, that:

A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), Respondent shall/shall not be given an extension of 90 days, or **MAY 29, 2024,** to comply on this matter.

B. If the Respondent has not brought the alleged violations into compliance on or before the extended compliance date of **MAY 29, 2024**, the imposition of fines and costs shall revert to the Original Compliance Date of **February 29, 2024**,

DONE AND ORDERED this 15th day of February 2024.

_____
By: Special Magistrate

Copies Furnished to the Parties by ___U. S. MAIL_____
Yenny Vidal & Adisbel Valdes
241 Tam O'Shanter Drive
Palm Springs, FL 33461