



AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
JUNE 20, 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 2024-34 - 2826 Apalachee Road - Gloria Gama
CE Officer Tom Gehrman
Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1): New fence, new doors, no required permits.
Section 10-31 (FBC 110.1): No required inspections.
Section 14-32: No required permits for rented units.
Section 34-883: Fence placement hedge height not in compliance with ordinance.
Citation Fine: N/A
Admin Cost: TBD
Recommendation: \$100.00 per day, per violation
Compliance Date: July 17, 2024

2. Case 2024-39 - 3959 Lake Worth Road - Bella Raza Inc.
CE Officer Nanciann Cuenot
Violation of Village Code of Ordinances
Section 34-898: Mobile food dispensing vehicles and mobile vendors.
Citation Fine: N/A
Admin Cost: \$191.91

Recommendation: \$50.00 per day
Compliance Date: July 1, 2024

2. Case 2024-35 - 964 South Congress Avenue - Palm Springs Villages LLC
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 70-94: Application required - Local business tax receipt.

Citation Fine: N/A
Admin Cost: TBD
Recommendation: Tax + 25% Penalty
Compliance Date: July 17, 2024

4. CIT Case 2024-2789 - 1780 South Congress Avenue - Congress Properties of Palm Springs Inc.

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 30-142: Maintenance of abutting parkways - Sidewalks.

Section 30-143: Removal of rubbish, trash & debris. **Section 10-8:** Exterior property maintenance.

Citation Fine: \$175.00 + \$30.00 = \$205.00
Admin Cost: TBD
Recommendation: \$100.00 per day, per violation
Compliance Date: July 18, 2024

5. Case No. 2024-36 - 349 Cypress Lane - Andrew G. Richards
CE Officer Nicole Tamayo

Violation of Village Code of Ordinances

Section 30-143: Removal of rubbish, stagnant water and weeds required. Dirty pool water maintenance required.

Section 10-9: Exterior of structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.

Section 66-112: General maintenance requirements. Sidewalk needs to be pressure washed.

Section 10-8: Exterior property areas. Driveway needs to be pressure washed. Accessory structures in disrepair, shed and pool enclosure require maintenance and repairs.

Citation Fine: N/A
Admin Cost: \$162.08
Recommendation: \$100.00 per day, per violation
Compliance Date: July 18, 2024

6. Case No. 2024-37 - 3551 Hunt Road - Dennis McCormick

CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Rear sliding door installed without a permit and inspection.

Section 34-225: Fence maintenance-Repair, replace or remove broken chain-link fence.

Section 10-8: Weeds-Remove all weeds along the fence line.

Section 30-141: Overgrowth-Trim all overgrown trees/vegetation.

Section 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line.

Section 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding.

Citation Fine: N/A

Admin Cost: \$317.08

Recommendation: \$100.00 per day, per violation

Compliance Date: July 1, 2024

7. Case No. 2024-38 - 3756 Davis Road - Ines M. Somero EST

CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 30-143: Trash/Debris//Rubbish/Materials

Section 34-1381: Open Storage-Remove all misc. Items stored throughout the property.

Section 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass.

Section 30-141: Overgrowth-Trim all overgrown trees/vegetation

Section 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line.

Section 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox.

Citation Fine: N/A

Admin Cost: \$237.08

Recommendation: \$100.00 per day, per violation

Compliance Date: July 1, 2024

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

8. CIT Case 2024-27 - 500 Lori Drive - Condo Assn. of Lakeside Village Inc.
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Violations: 711 Lori Drive Unit 301 Building 23.

Section 10-9: Exterior structure not maintained with open balcony.

Section 10-31 (FBC 105.1): Permits missing or expired.

Section 10-31 (FBC 110.1): Required inspections not completed.

Section 10-31 (FBC 116.1): Unsafe structure (open balcony).

Initial Violation: April 7, 2024

Order Finding Violation: April 18, 2024

Compliance Deadline: May 15, 2024

Compliance Date: Not in Compliance

Fine Amount: \$100.00 per day, per violation

Citation Fine: N/A

Admin Cost: \$291.08 Paid

Recommendation: Extension OK.

Compliance Date: September 19, 2024

9. CIT Case 2024-28 - 500 Lori Drive - Condo Assn. Of Lakeside Village Inc.
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Violations: 225 Bonnie Boulevard, Building. 24.

Section 10-9: Exterior structure not maintained (open balconies).

Section 10-31 (FBC 105.1): Required permits missing or expired.

Section 10-31 (FBC 110.1): Required inspections not completed.

Section 10-31 (FBC 116.1): Unsafe structure (open balconies).

Initial Violation: April 7, 2024

Order Finding Violation: April 18, 2024

Compliance Deadline: May 15, 2024

Compliance Date: Not in Compliance

Fine Amount: \$100.00 per day, per violation

Citation Fine: N/A

Admin Cost: \$311.08 Paid

Recommendation: Extension Ok.

Compliance Date: September 19, 2024

Next Magistrate Hearing is Thursday, July 18, 2024, at 10:00 AM

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 CODE
ENFORCEMENT

CODE CASE: 2024-34

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,



GLORIA GAMA
2826 APALACHEE ROAD
PALM SPRINGS, FL 33406 7928

MAILING ADDRESS:

SAME

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1) - New Fence, new Doors, NO REQUIRED issued permits.

SECTION 10-31 (FBC 110.1) - NO REQUIRED Building Inspections.

SECTION 14-32 - No Required Rental Permits for rented units

SECTION 34-883 - Finished Side of all fences shall face the street or adjoining property, maximum 4-foot Hedge Height 4 feet in the front of the residence.

Address: 2826 APALACHEE ROAD
Legal Description: CONGRESS HEIGHTS, LOT 28
PCN: 70-43-44-08-04-000-0280

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 JUNE 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 105.1) - New Fence, new Doors, NO REQUIRED issued permits.
- ☐ SECTION 10-31 (FBC 110.1) - NO REQUIRED Building Inspections.
- ☐ SECTION 14-32 - No Required Rental Permits for rented units
- ☐ SECTION 34-883 - Finished Side of all fences shall face the street or adjoining property, maximum 4-foot Hedge Height 4 feet in front of the residence.

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

- ☐ SECTION 30-143 - Public Nuisance, trash, debris & overgrowth visible
- ☐ SECTION 10-9 - building exterior (main residence) not maintained needs washing and painting.

- ☐ SECTION 10-31 (FBC 105.1) - New Fence, new Doors, NO REQUIRED issued permits.
- ☐ SECTION 10-31 (FBC 110.1) - NO REQUIRED Building Inspections.
- ☐ SECTION 14-32 - No Required Rental Permits for rented units
- ☐ SECTION 34-883 - Finished side of all fences shall face the street or adjoining property, maximum 4-foot Hedge Height 4 feet in the front of the residence.

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 18, 2024**:
 - ☐ Administrative costs of **\$196.08**
 - ☐ 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 **JUNE 19, 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 **JULY 18, 2024**.
 - ☐ Administrative costs of **\$196.08**
 - ☐ 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 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 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.

If the Respondent desires to appeal the finding of violation, the appeal must be filed within thirty (30) days with the Circuit Court pursuant to Section 162.11 Florida Statute.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 Ext. 8522 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 20th day of JUNE 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:

2826 APALACHEE ROAD
PALM SPRINGS, FL 33406

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-39

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 **JUNE 10, 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 34-898 - Mobile food dispensing vehicles and mobile vendors.

These violations must be corrected on or before **June 14, 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 JUNE 20, 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.

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: JUNE 10, 2024



PALM SPRINGS POLICE DEPARTMENT

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

JUNE 10, 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 34-898 - Mobile food dispensing vehicles and mobile vendors.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, THURSDAY, JUNE 20, 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, CEP
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584-8300 ext. 8524
ncuenot@vpsfl.org

Professionalism • Respect • Integrity

9589 0710 5270 1045 6826 47

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	\$
Sent To	BELLA RAZA INC
Street and Apt. No., or PO Box No.	3959 LAKE WORTH RD
City, State, ZIP+4®	LAKE WORTH, FL 33461
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

3959



PALM SPRINGS POLICE DEPARTMENT
200 Cypress Lane • Palm Springs, Florida 33461 • Phone: (888) 668-8124 • www.cspd.org

JUNE 18, 2024

BELLA RAZA INC.
209 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 at **209 Lake Worth Rd in Palm Springs, FL**.

PLN#: 78-43-44-19-20-00A-0120

This property is in violation of local ordinances.

SECTION 24-204 - Mobile food dispensing vehicles and mobile vendors.

This violation includes serving, sale, voluntary compliance, OR, arguing your case at the Special Magistrate hearing. **THURSDAY, JUNE 20, 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 \$700.00.

Please call me if you have any questions at 562-894-2300 Ext. 5124.

Respectfully,

James M. Christ

James M. Christ, CTP
Palm Springs Public Safety
Code Enforcement Officer
(714) 661-7844 Ext. 5124
jchrist@pspd.org

Professionalism • Integrity • Dignity • Excellence

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-20

VILLAGE OF PALM SPRINGS, FLORIDA
Palmspring

BELLA RAZA INC.
209 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Respondent:

PLN: 78-43-44-19-20-00A-0120

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has read and understands the contents of the foregoing, and that he is the owner of the property at **209 LAKE WORTH RD, Palm Springs, FL 33461**, and that he is the owner of the vehicle at **209 LAKE WORTH RD, Palm Springs, FL 33461**.

SECTION 14-204 - Mobile food dispensing vehicles and mobile vendors.

This violation is noted on the citation on **June 18, 2024** being this matter may be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 200 Cypress Lane, Palm Springs, FL 33461, at **10:00 AM on THURSDAY, JUNE 20, 2024**. If the violation is corrected prior to the hearing, the owner may avoid the hearing. If the violation is not corrected prior to the hearing, the owner may be assessed court costs in addition to the citation amount. The owner may also be assessed court costs in addition to the citation amount. The owner may also be assessed court costs in addition to the citation amount.

YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to appear prior to the hearing and the matter will be resolved by the Special Magistrate. You may choose to appear at the hearing and the matter will be resolved by the Special Magistrate.

IMPORTANT: It is the responsibility of the Respondent to appear at the hearing on or before the date and time specified in the citation. Failure to appear at the hearing may result in the Special Magistrate assessing court costs in addition to the citation amount. The owner may also be assessed court costs in addition to the citation amount.

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 such violation continues, and to levy all enforcement costs incurred by other departments. All fines and costs become liens on your property.

You have the right to appear at the hearing, at your own expense, to represent you before the Special Magistrate in person. If you are unable to appear at the hearing, you may hire an attorney to represent you. The Special Magistrate will hear the case and make a decision. The Special Magistrate will hear the case and make a decision. The Special Magistrate will hear the case and make a decision.

Any interested third party wishing to appear at the hearing should contact the Special Magistrate at least 10 days prior to the hearing. The Special Magistrate will hear the case and make a decision. The Special Magistrate will hear the case and make a decision. The Special Magistrate will hear the case and make a decision.

James M. Christ

James M. Christ, CTP
Palm Springs Public Safety
Code Enforcement Officer
(714) 661-7844 Ext. 5124
jchrist@pspd.org

Date: June 18, 2024

Signature: JAMES M. CHRIST

Special Magistrate of the Village

HOURS

Mon - Fri

11:00 AM - 7:30 PM

Sat - Sun

9:00 AM - 7:00 PM

6/10/2024 10:05

CHARGE HERE
CARGA AQUÍ

IN PIN
CLICK CONNECT



PALM SPRINGS POLICE DEPARTME
230 CYPRESS LANE
PALM SPRINGS, FL 33461
N-Cuenot

RRR

CERTIFIED MAIL



9589 0710 5270 1045 6826 47

NEOPOST

FIRST-CLASS MAIL

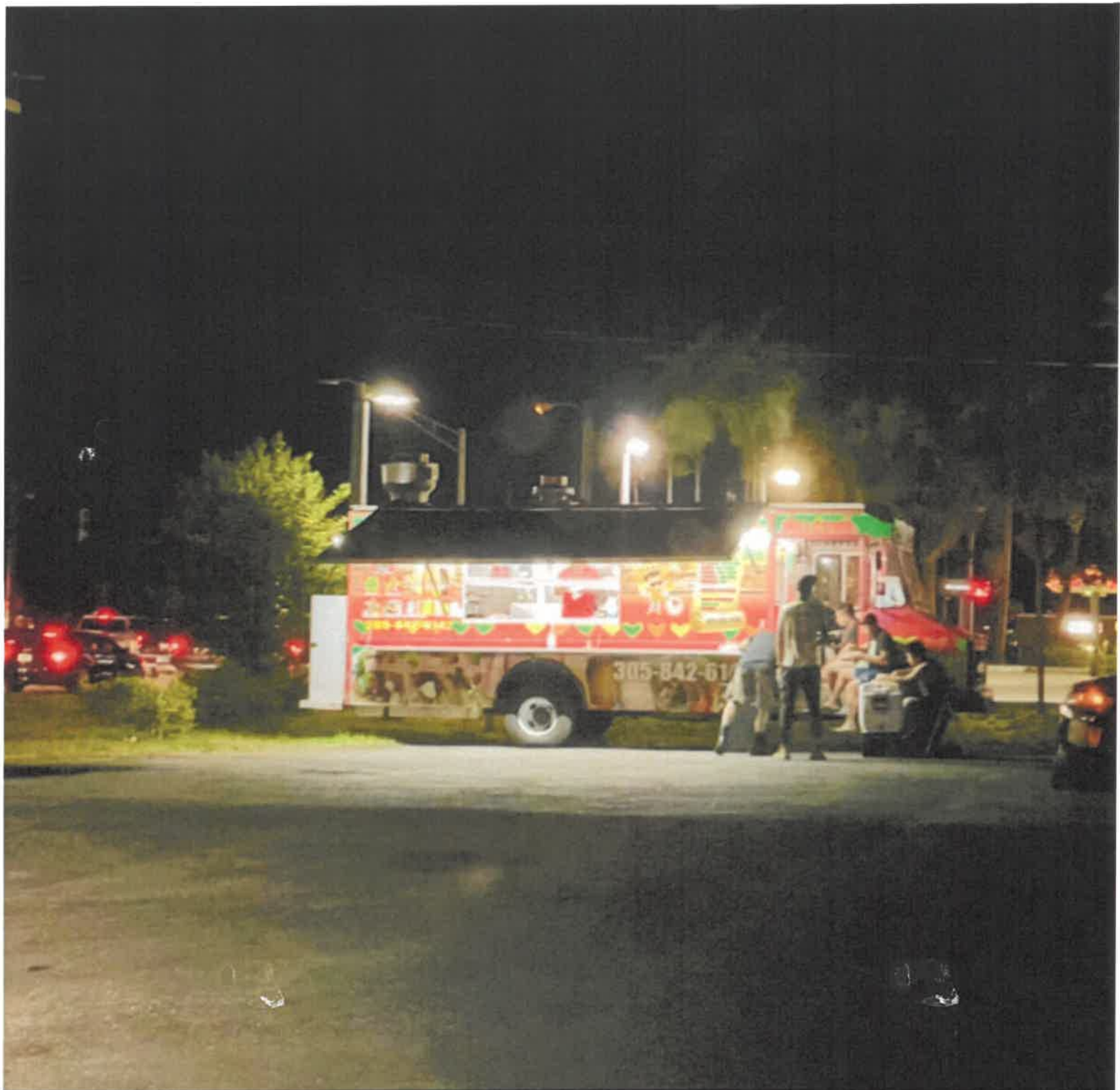
06/10/2024

US POSTAGE \$008.69⁰



ZIP 33461
041M11460879

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



Add a Caption

Friday • Jun 7, 2024 • 9:49 PM

[Adjust](#)

IMG_0771



Add a Caption

Thursday • May 30, 2024 • 9:54 PM [Adjust](#)

✓ IMG_0611

Apple iPhone 13 Pro Max

HEIF

Telephoto Camera — 77 mm f2.8

12 MP • 3024 × 4032 • 656 KB

ISO1600 179mm 0ev f2.8 1/30s

Add a location...



3959 Lake Worth Rd (north West corner of Lake Worth Rd and Edwards Ave

Request Type: Report a Code Violation Request Location: 3959 Lake Worth Rd
(North West corner of
Request ID Number: 7724 Lake Worth Rd and
Date Submitted: 5/8/2024 Edwards Ave)
Date Closed: (open) Palm Springs, FL 33461
Date Printed: 5/14/2024 8 03:28 AM

Submitter Information: Johnnie Tieche
305 Winged Foot Road
Palm Springs, FL 33461

Priority: Normal
Assigned To: Cuenot, Nanciann

Phone: 5616017946
Email:
tiechej@bellsouth.net

Date/Person
5/10/2024 8:20:11 AM
Thomas Gehrman

Comments
Request assigned to Nanciann Cuenot.
Reason: (None given)

5/8/2024 10:15:27 PM
Johnnie Tieche

Village of Palm Springs
Your Request ID Number is 7724.

Brief Description

Food Truck
Food truck Still open 5/8/2024 at 9:40 PM
Principal business closed
No public restrooms open
Repeat, Repeat, Repeat, Repeat, Repeat

Problem Location

Street Number and Name 3959
Lake Worth Rd (North West corner of Lake Worth Rd and Edwards Ave)
Address Line 2
City Palm Springs
State FL
Zip Code 33461

Photograph No file was uploaded

Your Information

Please note: Pursuant to FL Statute 162.21 an investigation of a potential violation by way of an anonymous tip cannot be initiated. Please provide your name, address and contact information.

Name Johnnie Tieche
Street Number and Name 305
Winged Foot Road
Address Line 2
City Palm Springs
State FL
Zip Code 33461

Phone Number 5616017946

Fax Number

Email Address:

Must be a valid email address tiechej@bellsouth.net

Preferred Contact Method email

New request received

Village of Palm Springs Code Enforcement <do_not_reply@civicplus.com>

Mon 5/6/2024 9:38 PM

To:Thomas Gehrman <tgehrman@vpsfl.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Category Code Enforcement has received a new request.

Here is what we have on file:

Report a Code Violation

#7712

 [View Request](#)

Category: Code Enforcement
Priority: 3
Assigned To: Gehrman Thomas
Submitted: 5/6/2024 9:38 PM
Source: Website 99.98.10.132

SUBMITTER

Johnnie Tieche
305 Winged Foot Road
Palm Springs, FL 33461

CONTACT

tiechej@bellsouth.net
5616017946

3959 Lake Worth Rd (North West corner of
Lake Worth Rd and Edwards Ave)
Palm Springs, FL 33461

REQUEST DETAILS

Description

Food Truck
Food truck Still open 5/6/2024 at 9:20 PM
Principal business closed
No public restrooms open
Repeat, Repeat, Repeat, Repeat, Repeat

Your Information

Please note: Pursuant to FL Statute 162.21 an investigation of a potential violation by way of an anonymous tip cannot be initiated. Please provide your name, address and contact information.

Name

Johnnie Tieche

Fax Number

Email Address:

Must be a valid email address



Add a Caption

3959 Lake Worth Rd

Food Truck open past 9:00 pm

Monday • Apr 22, 2024 • 10:13 PM [Adjust](#)

 IMG_0452

Apple iPhone 13 Pro Max

HEIF

Wide Camera — 26 mm $f1.5$

12 MP • 4032 × 3024 • 1.4 MB

ISO640

26mm

-0ev

$f1.5$

 1/11s

New request received

Village of Palm Springs Code Enforcement <do_not_reply@civicplus.com>

Tue 4/23/2024 11:11 AM

To:Thomas Gehrman <tgehrman@vpsfl.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Category Code Enforcement has received a new request.

Here is what we have on file:

Report a Code Violation

		SUBMITTER
Category:	Code Enforcement	Johnnie Tieche
Priority:	3	305 Winged Foot Road
Assigned To:	Gehrman Thomas	Palm Springs, FL 33461
Submitted:	4/23/2024 11:11 AM	CONTACT
Source:	Website 99.98.10.132	tiechej@bellsouth.net
		5616017946

#7648

 [View Request](#)

4-26-24 Emailed Property Owner - CCV

3959 Lake Worth Rd (North West corner of Lake Worth Rd and Edwards Ave)
Palm Springs , FL 33461

View any uploaded files by proceeding to the link below and looking up your request by RequestID

<http://www.vpsfl.org/admin/requesttracker.aspx>

OR

View any uploaded files by [signing in](#) and proceeding to the link below

<http://www.vpsfl.org/admin/FormHistory.aspx?SID=5678>

REQUEST DETAILS

Description
Food Truck
Food truck open 4/22/2024 at 10:13 PM
Principal business closed
No public restrooms open
Repeat, Repeat, Repeat, Repeat, Repeat

Your Information
Please note: Pursuant to FL Statute 162.21 an investigation of a potential violation by way of an anonymous tip cannot be initiated. Please provide your name, address and contact information.

Name
Johnnie Tieche
Fax Number
Email Address:
Must be a valid email address

New request received

Village of Palm Springs Code Enforcement <do_not_reply@civicplus.com>

Wed 8/30/2023 10:51 PM

To: Thomas Gehrman <tgehrman@vpsfl.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Category Code Enforcement has received a new request.

Here is what we have on file:

Report a Code Violation

#6608

 [View Request](#)

Category: Code Enforcement
Priority: 3
Assigned To: Gehrman Thomas
Submitted: 8/30/2023 10:51 PM
Source: Website 99.98.10.132

SUBMITTER

Johnnie Tieche
305 Winged Foot Road
Palm Springs, FL 33461

CONTACT

tiechej@bellsouth.net
5616017946

??? North West corner of Lake Worth Rd
and Edwards Ave
Palm Springs, FL 33461

REQUEST DETAILS

Description

Food truck open 8/30/2023 at 9:30 PM
Principal business closed
No public restrooms open

Your Information

Name
Johnnie Tieche
Fax Number
Email Address
tiechej@bellsouth.net
Preferred Contact Method
email

Sec. 34-898. Mobile food dispensing vehicles and mobile vendors.

- (a) No person, natural or corporate, shall conduct any business from within the public rights-of-way within the municipal limits of the village. Specifically prohibited under this section is the sale of food of any kind, goods, wares or merchandise from a vehicle whether motorized or not, regardless of the number of wheels affixed thereto, or on foot.
- (b) There is a general prohibition of mobile vending within private or public property, except as expressly provided herein for mobile food dispensing vehicles, and except as allowed through a special event permit pursuant to section 34-896.
- (c) Mobile food dispensing vehicles shall be permitted on all ongoing construction sites within the village on a temporary basis, irrespective of the zoning category, during normal hours of construction specified in section 34-891.
- (d) Mobile food dispensing vehicles shall be prohibited in the village, other than in the commercial general (CG) land development (zoning) district, and subject to the following requirements:
 - (1) Written permission shall be obtained from the property owner stating that the mobile food dispensing vehicle may operate on the premises.
 - (2) Limitation of one mobile food dispensing vehicle per property.
 - (3) Hours of operation for mobile food dispensing vehicles shall not be earlier or later than those of the principal business, however, in no event shall a mobile food dispensing be allowed to remain on the property after 9:00 p.m. or before 7:00 a.m.
 - (4) Mobile food dispensing vehicle shall be removed from the premises when not in operation. Location shall be picked up of any litter and all refuse shall be removed from the property. No fluids shall be discharged from the vehicle.
 - (5) Public restroom shall be available on the property for customers of mobile food dispensing vehicle.
 - (6) On-site parking shall be maintained for the principal use of the property, as well as for customers of the mobile food dispensing vehicle.
 - (7) No mobile vending shall be located within 500 feet of the grounds of any nursery, elementary, middle or high school between one hour prior to the start of the school day and one hour after dismissal at the end of the school day.
 - (8) No mobile vending shall occur in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property or an obstruction to adequate access to fire/medic, police or sanitation vehicles.
 - (9) Mobile food dispensing vehicle shall be parked on paved or non-dusting surface.
 - (10) No outside display of products.
 - (11) No use of tables, seats, umbrellas or similar furnishings for customers, with exception of garbage receptable.
 - (12) All mobile vendors must provide for their own trash and garbage removal such that no trash or garbage remains on the premises upon which the sale or vending transaction is conducted. Vendors are prohibited from utilizing village-owned receptacles for disposal of trash or garbage.
 - (13) No advertising, except the posting of prices and products and name of the vendor on the vehicle. No freestanding advertising, nor waving of flags or motioning to vehicles on the street. No use of public address system or amplified music.

{ Ord. No. 2020-09, § 3, 7-9-2020 }



PALM SPRINGS POLICE DEPARTMENT

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

April 30, 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 34-898 Mobile food dispensing vehicles and mobile vendors.

Section 34-898(3)

Hours of operation for mobile food dispensing vehicles shall not be earlier than or later than those of the principal business, however, in no event shall a mobile food dispensing be allowed to remain on the property after 9:00 p.m. or before 7:00 a.m.

The photo attached shows the food truck at your property while the business was closed and at 10:13 PM.

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

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

Respectfully,

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

*4-30-24 Food Truck Vendor came into Village + Will comply gave him
copy of Ordinance.*

Professionalism · Respect · Integrity · Duty · Excellence



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

NEOPOST

FIRST-CLASS MAIL

04/30/2024

US POSTAGE \$000.64⁰



ZIP 33461
041M11460879

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



Case Administrative / Court Costs

June 20, 2024, 3959 Lake Worth Road Bella Raza Inc		Case 2024-39		
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	3.00	5.00	15.00
5	Additional photos re-inspections - 5 for 20.00	0.00	20.00	0.00
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 2024-39				191.91

CASE PRESENTATION
CASE No. 2024-39

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 CASE CONCERNS THE PROPERTY AT 3959 LAKE WORTH RD IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR THE CURRENT OWNER OF THE PROPERTY IS BELLA RAZA INC.
5. Numerous complaints dating August 30, 2023 through June 7, 2024 of a mobile food vendor operating on this property have been received through the Village Code Enforcement online portal, Request Tracker. Dated and time stamped photos and reports are included in the file. Code Officer Henry Stout worked after 9:00 PM taking photos of the violation on June 7, 2024. This Mobile food dispensing vehicle and mobile vendor is in violation of hours of operation remaining open past 9:00 PM and remaining open later than the hours of the principal business not able to provide a public restroom on the property for customers. On April 26, 2024, I emailed the property owner a courtesy notice for the violation. On April 30, 2024, the food truck vendor came into Village Hall and met with me and Officer Tamayo who is Spanish speaking explaining the ordinance regulations a giving him a copy. A courtesy notice was also mailed to the property owner. The food vendor continues to remain on the property past 9:00 PM.
6. Violations still exist, on June 10, 2024, I wrote NOTICE OF VIOLATION/NOTICE OF HEARING 2024-39 for the violations. The Notice was mailed both Certified and Regular to the Respondents address on record and posted at the property and Village Hall.
7. I REQUEST THAT THE RESPONDENT BE ORDERED COME INTO COMPLIANCE and fulfill ORDINANCE requirements by July 1, 2024. I request that you find that they were in violation and if at any time in the future are found again in violation, it be defined a Repeat Violation enforced in accordance with chapter 2, code enforcement procedures, by the issuance of a code enforcement citation to the owner of the real property. If a violation exists, and a citation is issued, the fine shall be \$50.00 for the first violation and up to \$500.00 for any future repeat violations.
8. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF \$191.91 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN JULY 1, 2024.
9. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.

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

Account Information

Property Control Number: 70-43-44-19-20-066-0150	Property Type: Real Property	Status: Active
Mailing Address: 3959 LAKE WORTH RD Lake Worth Beach, FL 33461-4061	Property Address: 3959 LAKE WORTH PALM SPRINGS, FL 33461	Legal Description: SUB 19-44-43 N 143 FT OF S 165 FT OF E 155.34 FT OF TRACT 66
Owner of Record: BELLA RAZA INC	Second Owner:	

Last updated: 6/18/2024 01:35:48 PM

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

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	\$8,597.38 Net Tax: Interest: Penalty: Fees: Discount: \$8,955.60 \$0.00 \$0.00 \$0.00 -\$358.22	11/14/23	-\$8,597.38	Paid
3/31/23	\$8,117.75 Net Tax: Interest: Penalty: Fees: Discount: \$8,456.00 \$0.00 \$0.00 \$0.00 -\$338.25	11/16/22	-\$8,117.75	Paid
3/31/22	\$7,444.96 Net Tax: Interest: Penalty: Fees: Discount: \$7,755.17 \$0.00 \$0.00 \$0.00 -\$310.21	11/3/21	-\$7,444.96	Paid

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/21	☐ \$7,534.31 Net Tax: \$7,848.24 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$313.93	11/13/20		-\$7,534.31 ● Paid
Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/20	☐ \$7,265.65 Net Tax: \$7,568.38 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$302.73	12/2/19		-\$7,265.65 ● Paid


 Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2024-39

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,



v.
BELLA RAZA INC
3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461 4061

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s) **Section 34-898 Mobile food dispensing vehicles and mobile vendors exceeding hours of operation 7:00 am - 9:00 pm, remaining open later than principal business, not providing public restroom to customers.** of the Code of Ordinances of the Village of Palm Springs.

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 20th day of JUNE 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 Section(s) **Section 34-898 Mobile food dispensing vehicles and mobile vendors exceeding hours of operation 7:00 am - 9:00 pm, remaining open later than principal business, not providing public restroom to customers.** of the Code of Ordinances of the Village of Palm Springs.
- ☐ Respondent was in violation of Section(s) **Section 34-898 Mobile food dispensing vehicles and mobile vendors exceeding hours of operation 7:00 am - 9:00 pm, remaining open later than principal business, not providing public restroom to customers.** 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 1, 2024.**
- ☐ Administrative costs of **\$191.91**
 - ☐ 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 **JULY 1, 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 has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **JULY 1, 2024.**
- ☐ Administrative costs of **\$191.91**
 - ☐ 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 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 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.

If the Respondent desires to appeal the finding of violation, the appeal must be filed within thirty (30) days, with the Circuit Court pursuant to Section 162.11 Florida Statute.

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 20th day of JUNE 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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-36

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505
Respondent(s).

PCN 70-43-44-18-08-017-0030

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he/she has just and reasonable grounds to believe, and does believe that on JUNE 07, 2024, the Respondent(s), ANDREW G. RICHARDS owner(s) of the property at 349 CYPRESS LANE, PALM SPRINGS, FL, 33461 is in violation of local ordinances.

SECTION 30-143: Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.

SECTION 10-9: Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.

SECTION 66-112: General Maintenance Requirements. Sidewalk needs to be pressure washed.

SECTION 10-8: Exterior Property Areas. Driveway needs to be pressure washed. Accessory structures in disrepair. Shed and Pool Enclosure require maintenance and repairs.

These violations must be corrected on or before **JUNE 17, 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 JUNE 20, 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.



Code Enforcement Officer 561-584-8300 ext. 8521

NICOLE TAMAYO
Printed Name of Officer

Date Issued: JUNE 07, 2024

**CODE ENFORCEMENT BOARD
VILLAGE OF PALM SPRINGS, FLORIDA**

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-36

RETURN OF SERVICE

**ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505**

Respondent

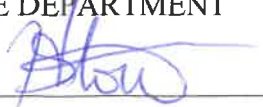
On the **10th Day of JUNE 2024 at 02:12 PM**, I served the attached NOTICE OF HEARING on the within named Respondent(s), **ANDREW G. RICHARDS at 349 CYPRESS LANE**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, 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
POLICE DEPARTMENT**

By: _____ 



Add a Caption

Monday • Jun 10, 2024 •
2:12 PM



349 CYPRESS LANE (1) 04.16.24 - 1130AM.jpg



349 CYPRESS LANE (2) 04.16.24 - 1130AM.jpg

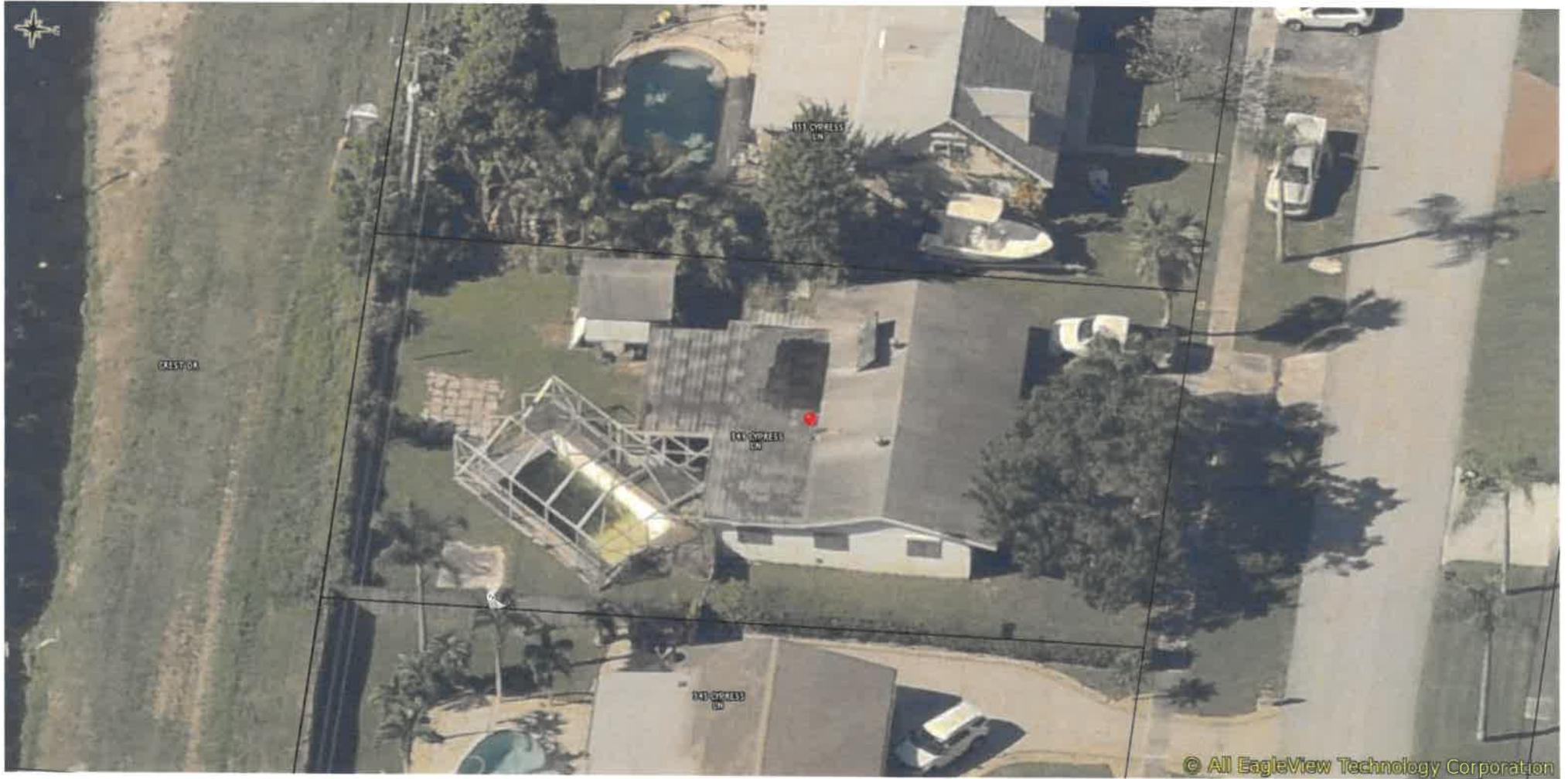


349 CYPRESS LANE (3) 04.16.24 - 1130AM.jpg



349 CYPRESS LANE (4) 04.16.24 - 1130AM.jpg

349 CYPRESS LANE



01/01/2024

349 CYPRESS LANE





PALM SPRINGS POLICE DEPARTMENT

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

JUNE 07, 2024

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

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 **349 CYPRESS LANE in Palm Springs, FL.**
PCN: 70-43-44-18-08-017-0030

VIOLATION/HEARING CASE 2024-36

SECTION 30-143: Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.

SECTION 10-9: Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.

SECTION 66-112: General Maintenance Requirements. Sidewalk needs to be pressure washed.

SECTION 10-8: Exterior Property Areas. Driveway needs to be pressure washed. Accessory structures in disrepair, Shed and Pool Enclosure require maintenance and repairs.

The options available include coming into voluntary compliance on or before **JUNE 17, 2024, OR** arguing your case at the Special Magistrate hearing, **THURSDAY JUNE 20, 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 7676

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

\$

Sent To

ANDREW G. RICHARDS
 Street and Apt. No., or PO Box No.
349 CYPRESS LANE
 City, State, ZIP+4®
LAKE WORTH BEACH, FL 33461 1505

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

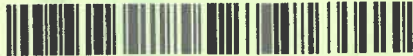
Postmark
Here

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:

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL,
33461 1505



9590 9402 8293 3094 2171 34

2. Article Number (Transfer from service label)

7019 1640 0000 7353 7676

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

6/2/24

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

☐ Registered Mail
☐ Mail Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt



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

NEOPOST

FIRST-CLASS MAIL

06/07/2024

US POSTAGE \$000.64⁰



ZIP 33461
041M11460879

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505



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

CERTIFIED MAIL®



7019 1640 0000 7353 7676

NEOPOST

FIRST-CLASS MAIL

06/07/2024

US POSTAGE \$008.69⁰



ZIP 33461
041M11460879

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

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. 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. 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. 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)

CASE PRESENTATION
CASE No. CASE 2024 - 36

1. Good morning, my name is NICOLE TAMAYO, 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. 2024-36. This case concerns the property at 349 CYPRESS LANE in the Village of Palm Springs.
4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector records the current owner of the property is ANDREW G. RICHARDS.
5. Pursuant to observation there are Violations of local ordinances
SECTION 30-143: Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.
SECTION 10-9: Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.
SECTION 66-112: General Maintenance Requirements. Sidewalk needs to be pressure washed.
SECTION 10-8: Exterior Property Areas: Driveway needs to be pressure washed. Accessory structures in disrepair, Shed and Pool Enclosure require maintenance and repairs.
6. Code Enforcement was initially brought to this address due to reports of a dirty pool. Aerial views from the Palm Beach County Property Appraiser's website also depicted this violation within the current year. While at the property Code was able to observe the screening of the pool enclosure in a damaged state. Other violations were also documented. Since April of 2024, Code Enforcement has mailed courtesy code violation notices to the Property Owner, Mr. Andrew G. Richards, yielding no response.
7. On JUNE 07, 2024, Notice of Violation/ Notice of Hearing 2024-36 was issued for the Violations. The notice was mailed certified and regular to the respondents address of record and posted at the property and at Village Hall. The Green Card from the Certified Mail has been signed and returned. The Property Owners father did reach out to Code after the NOV/NOH was issued and did inform Code that the Owner of the Property, his son, will be out of the country for 3 months. The father of the Property Owner has made efforts to correct some of the violations.
8. The Village has also incurred costs in the amount of \$162.08 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than JUNE 27, 2024.
9. Subject to any questions you might have, this concludes the Village Testimony.



Case Administrative / Court Costs

JUNE 20, 2024, 349 CYPRESS LANE		Case No. 2024-36		
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	1.00	20.00	20.00
6	Additional certified copies for hearing	1.00	8.69	8.69
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	0.64	0.64
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. 2024-36				162.08



PALM SPRINGS POLICE DEPARTMENT

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

APRIL 22, 2024

RECORD NO. 24-00348

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

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 **349 CYPRESS LANE in Palm Springs, FL**
PCN: 70-43-44-18-08-017-0030

This property is in violation of local ordinances.

SECTION 30-143

REMOVAL OF RUBBISH, STAGNANT WATER AND WEEDS REQUIRED.

Pool homes with cloudy, dirty opaque water. All pools are required to be maintained with clean and clear water. Pool must be cleaned and maintained.

SECTION 10-9

EXTERIOR OF STRUCTURE

- Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. Trim needs to be repainted.
- 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 buildings after a designated hurricane watch or warning has terminated. Shutters need to be removed/opened completely.

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.

SECTION 10-8

EXTERIOR PROPERTY AREAS

- Driveways use areas must be kept in a proper state of repair. Driveway needs to be pressure washed.
- All accessory structures shall be maintained structurally sound and in good repair. Shed and Pool Screen Enclosure are in a state of disrepair and require maintenance.

Compliance Date: APRIL 30, 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.

Respectfully,

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

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

MAY 14, 2024

RECORD NO. 24-00348

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

**Last and Final Notice before
Hearing Notice!**

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 349 CYPRESS LANE in Palm Springs, FL
PCN: 70-43-44-18-08-017-0030

This property is in violation of local ordinances.

SECTION 30-143

REMOVAL OF RUBBISH, STAGNANT WATER AND WEEDS REQUIRED.

Pool homes with cloudy, dirty opaque water. All pools are required to be maintained with clean and clear water. Pool must be cleaned and maintained.

SECTION 10-9

EXTERIOR OF STRUCTURE

-Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. Trim needs to be repainted.
-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 buildings after a designated hurricane watch or warning has terminated. Shutters need to be removed/opened completely.

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.

SECTION 10-8

EXTERIOR PROPERTY AREAS

-Driveways use areas must be kept in a proper state of repair. Driveway needs to be pressure washed.
-All accessory structures shall be maintained structurally sound and in good repair. Shed and Pool Screen Enclosure are in a state of disrepair and require maintenance.

Compliance Date: MAY 28, 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.

Respectfully,

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

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Property Detail

Location Address : 349 CYPRESS LN
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-08-017-0030
Subdivision : PALM SPRINGS VILLAGE PL 4 IN PB 25 PGS 78 & 79
Official Records Book/Page : 24278 / 808
Sale Date : DEC-2010
Legal Description : VILLAGE OF PALM SPRINGS PL 4 LT 3 BLK 17

Owner Information**Owner(s)**

RICHARDS ANDREW G

Mailing Address

349 CYPRESS LN
 LAKE WORTH BEACH FL 33461 1505

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
DEC-2010	\$10	24278 / 00808	QUIT CLAIM	RICHARDS ANDREW G
JUN-1994	\$100	08310 / 01831	QUIT CLAIM	
FEB-1989	\$94,900	05970 / 01153	WARRANTY DEED	
JAN-1970	\$29,500	01836 / 00000		

Exemption Information

Applicant/Owner(s)	Year	Detail
RICHARDS ANDREW G	2024	HOMESTEAD
RICHARDS ANDREW G	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 2144
Acres : 0.2267
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	\$169,167	\$135,872	\$127,341	\$139,741	\$129,173
Land Value	\$173,706	\$172,822	\$117,539	\$110,000	\$101,000
Total Market Value	\$342,873	\$308,694	\$244,880	\$249,741	\$230,173

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	\$120,566	\$117,054	\$113,645	\$112,076	\$109,556
Exemption Amount	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Taxable Value	\$70,566	\$67,054	\$63,645	\$62,076	\$59,556

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	\$1,544	\$1,506	\$1,482	\$1,464	\$1,430
NON AD VALOREM	\$511	\$483	\$427	\$422	\$424
TOTAL TAX	\$2,054	\$1,988	\$1,909	\$1,886	\$1,854

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



Account Information

Property Control Number:
70-43-44-18-08-017-0030

Mailing Address:
349 CYPRESS LN

Lake Worth Beach, FL 33461-1505

Owner of Record:
RICHARDS ANDREW G

Property Type:
Real Property

Property Address:
349 CYPRESS
PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
VILLAGE OF PALM SPRINGS PL 4 LT 3
BLK 17

Last updated: 6/17/2024 08:17:53 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: 2024-36

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

ANDREW G. RICHARDS
349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

ORDER FINDING VIOLATION

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

- SECTION 30-143:** Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.
- SECTION 10-9:** Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.
- SECTION 66-112:** General Maintenance Requirements. Sidewalk needs to be pressure washed.
- SECTION 10-8:** Exterior Property Areas. Driveway needs to be pressure washed. Accessory structures in disrepair, Shed and Pool Enclosure require maintenance and repairs.

Address: 349 CYPRESS LANE
Legal Description: VILLAGE OF PALM SPRINGS PL 4 LT 3 BLK 17
PCN: 70-43-44-18-08-017-0030

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 June 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: Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.**
- ☐ **SECTION 10-9: Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.**

- ☐ **SECTION 66-112: General Maintenance Requirements. Sidewalk needs to be pressure washed.**
- ☐ **SECTION 10-8: Exterior Property Areas. Driveway needs to be pressure washed. Accessory structures in disrepair, Shed and Pool Enclosure require maintenance and repairs.**
- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
 - ☐ **SECTION 30-143: Removal of Rubbish, Stagnant Water and Weeds Required. Dirty pool water maintenance required.**
 - ☐ **SECTION 10-9: Exterior of Structure. Paint maintenance required, trim needs to be repainted. Shutters need to be removed.**
 - ☐ **SECTION 66-112: General Maintenance Requirements. Sidewalk needs to be pressure washed.**
 - ☐ **SECTION 10-8: Exterior Property Areas. Driveway needs to be pressure washed. Accessory structures in disrepair, Shed and Pool Enclosure require maintenance and repairs.**

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 **JUNE 27, 2024:**
 - ☐ Administrative costs of **\$162.08**
 - ☐ 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 18, 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 **JUNE 27, 2024.**
 - ☐ Administrative costs of **\$162.08**
 - ☐ 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.

If the Respondent desires to appeal the finding of violation, the appeal must be filed within thirty (30) days with the Circuit Court pursuant to Section 162.11 Florida Statute.

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 20th day of JUNE 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:

349 CYPRESS LANE
LAKE WORTH BEACH, FL 33461 1505

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-37

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Dennis McCormick
3551 Hunt RD
Palm Springs, FL 33461

Respondent(s).

70-43-44-19-18-000-0060

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 **June 9th, 2024**, the Respondent(s), **Dennis McCormick** owner(s) of the property at **3551 Hunt RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-31 (FBC 105.1 & 110.1): Rear sliding doors installed without a permit and inspection

SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence

SECTION 10-8: Weeds-Remove all weeds along the fence line

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding

These violations must be corrected on or before **June 18th, 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 June 20th, 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

Joey Sanders
Printed Name of Officer

Date Issued: June 9th, 2024

**CODE ENFORCEMENT BOARD
VILLAGE OF PALM SPRINGS, FLORIDA**

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-37

RETURN OF SERVICE

**DENNIS MCCORMICK
3551 HUNT RD
PALM SPRINGS, FL 33461 3527**
_____ /

Respondent

On the **10th Day of June 2024 at 2:36PM**, I served the attached NOV/NOH on the within named Respondent, **Dennis McCormick** at **3551 Hunt 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: _____





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PALM SPRINGS POLICE DEPARTMENT

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

June 9th, 2024

Dennis McCormick
3551 Hunt RD
Palm Springs, 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 **3551 Hunt RD in Palm Springs, FL.**

PCN: 70-43-44-19-18-000-0060

VIOLATION/HEARING CASE 2024-37

SECTION 10-31 (FBC 105.1 & 110.1): Rear sliding doors installed without a permit and inspection

SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence

SECTION 10-8: Weeds-Remove all weeds along the fence line

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

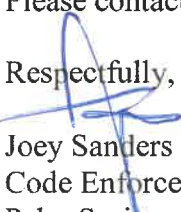
SECTION 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding

The options available include coming into voluntary compliance on or before **June 18th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday June 20th, 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

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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

\$

Sent To

Dennis McCormick

Street and Apt. No. or PO Box No.

3551 Hunt RD

City, State, ZIP+4®

Palm Springs, FL 33461

Postmark
Here

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions



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



9589 0710 5270 1045 6828 14

NEOPOST

FIRST-CLASS MAIL

06/09/2024

US POSTAGE \$008.69⁰



ZIP 33461
041M11460879

Dennis McCormick
3551 Hunt RD
Palm Springs, FL 33461



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

NEOPOST

FIRST-CLASS MAIL

06/09/2024

US POSTAGE \$000.64⁰



ZIP 33461
041M11460879

Dennis McCormick
3551 Hunt RD
Palm Springs, FL 33461

Sec. 10-31. Chapter one amendments.

These amendments to the Florida Building Code 7th Edition (2020) are hereby adopted and incorporated in this article as the minimum construction standards for the village.

Chapter 1 Scope and Administration

PART 1—SCOPE AND APPLICATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Florida Building Code, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the Florida Building Code, Residential.
2. Code Requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Florida Building Code, Residential Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting. Further, no employee shall be liable in tort for damage from such conditions, in accordance with Section 768.28 Florida Statutes, as may be amended or replaced.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the Florida Building Code, Fuel Gas shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These

owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.10.1 Flood hazard areas. The Building Official shall coordinate with the floodplain administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Building Official shall respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the Building Official.

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.

105.1.1 Annual facility permit. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical or plumbing or interior nonstructural office system(s), the Building Official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The Building Official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit

shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual Facility permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Building Official shall have access to such records at all times or such records shall be filed with the Building Official as designated. The Building Official is authorized to revoke such permit if code violations are found to exist.

105.1.3 Food permit. In accordance with 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the local floodplain management ordinance. Permits shall not be required for the following:

Building:

1. Building permits are not required for replacement or repair work having a value of less than \$1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.
2. Cabinets and countertops with no reconfiguration for one- and two- Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Traditional swings and other standard playground equipment accessory to detached one- and two-family dwellings, as determined by the Building Official, but they may be subject to Zoning permits.
5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.
6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- Permits;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local resolution or ordinance.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the Building Official as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the Building Official that shall be in addition to the required permit fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The Building Official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The Building Official is authorized to establish and publish a refund policy through local ordinance, which is located in the Village of Palm Springs Municipal Code Ch. 10, section 10-56.

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.

110.1.1 Manufacturers and fabricators. When deemed necessary by the Building Official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The Building Official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications, and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the Building Official. The Building Official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

The Building Official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction;
2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction. Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance. Such inspectors shall be a registered architect, or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes may perform the inspections, under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the Building Official and including a code compliance opinion of the resident inspector. At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the Building Official, stating that the work was done in compliance with this code and in accordance with the permitted drawing. Final inspection shall be made by the Building Official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

110.1.3 Affidavit for inspection. With specific prior approval of, and in a format acceptable to the Building Official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in the display of the installation and/or construction and job location identifiers. The affidavit and accompanying photographs shall be provided to the inspector onsite, at the next scheduled

inspection. If the photographs are found to be insufficient by the Building Official to demonstrate compliance with this code and/or the permitted document, or clearly display location identifiers, or are missing, the inspector shall require the contractor to obtain the services of a registered Florida professional engineer to inspect and certify the installation and/or construction.

110.1.3.1 Exception: Affidavits may not be accepted for inspection of elements of construction which require inspection by the local jurisdiction under the requirements of Title 44, Code of Federal Regulations, Parts 59 and 60, and the local flood damage prevention ordinance.

110.2 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures, and sites for which an application has been filed.

110.3 Required inspections. The Building Official upon notification from the permit holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The Building Official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building:

1. **Foundation inspection.** To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:

- Stem-wall
- Monolithic slab-on-grade
- Piling/pile caps
- Footers/grade beams

- 1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

A foundation/Form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

- 1.2. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the Authority having Jurisdiction.

2. **Framing inspection.** To be made after the roof, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved and shall at a minimum include the following building components:

- Window/door framing
- Window U-factor/SHGC as indicated on approved calculations
- Vertical cells/columns
- Lintel/tie beams
- Framing/trusses/bracing/connectors (including truss layout and engineered drawings)

-
- Draft stopping/fire blocking
 - Curtain wall framing
 - Energy insulation (Insulation R-factor as indicated on approved calculations)
 - Accessibility.
 - Verify rough opening dimensions are within tolerances.
 - Window/door buck attachment.
- 2.1. Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation.
- 2.2. Lath and gypsum board inspection for fire-resistance-rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
3. *Sheathing inspection.* To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
- Roof sheathing
 - Wall sheathing
 - Continuous air barrier
 - Exterior Siding/Cladding
 - Sheathing fasteners
 - Roof/wall dry-in
- NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material. Exception: ring shank nails shall be bent over and a new fastener installed.
4. *Exterior wall coverings.* Shall at a minimum include the following building components in progress inspections:
- Exterior wall coverings and veneers
 - Soffit coverings
5. *Roofing inspection.* Shall at a minimum be made in at least two inspections and include the following building components:
- Dry-in
 - Insulation
 - Roof coverings (including In Progress as necessary)
 - Insulation on roof deck (according to submitted energy calculation)
 - Flashing
 - Sheathing
- 5.1. Re-Roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the Building Official.

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6. *Final inspection.* To be made after the building, including all sub-trade inspections, is completed and ready for occupancy.
 - 6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
 7. *Swimming pool inspection.* First inspection to be made after excavation and installation of reinforcing steel, bonding, and main drain and prior to placing of concrete shell.
 1. Steel reinforcement inspection.
 2. Underground electric inspection.
 3. Underground piping inspection including a pressure test.
 4. Underground electric inspection under deck area (including the equipotential bonding)
 5. Underground piping inspection under deck area.
 6. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
 7. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
 8. Final pool piping.
 9. Final Electrical inspection.
 10. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17. of this code.

8. *Demolition inspections.* First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations. Final inspection to be made after all demolition work is completed.
9. *Manufactured building inspections.* The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).
10. Where impact resistant coverings or impact resistant systems are installed, the Building Official shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following:

The system indicated on the plans was installed.

The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical:

1. *Underground inspection.* To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

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2. *Rough-in inspection.* To be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.
 3. *Final inspection.* To be made after the building electrical system is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.
 4. *Existing Swimming Pools.* To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing:

1. *Underground inspection.* To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. *Rough-in inspection.* To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.
 - includes plumbing provisions of the energy code and approved calculations provisions.
3. *Final inspection.* To be made after the building plumbing system is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the Florida Building Code, Plumbing for required tests.

Mechanical:

1. *Underground inspection.* To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. *Rough-in inspection.* To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
 - includes mechanical provisions of the energy code and approved calculations provisions.
3. *Final inspection.* To be made after the building mechanical system is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas:

1. *Rough piping inspection.* To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.
 - includes gas provisions of the energy code and approved calculations provisions.
2. *Final piping inspection.* To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
3. *Final inspection.* To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Site Debris:

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during

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.

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- (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.

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- (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. 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)

CASE PRESENTATION

CASE No. CASE 2024-37

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 #2024-37 is concerning the property located at 3551 Hunt 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 Dennis McCormick.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 10-31 (FBC 105.1 & 110.1): Rear sliding doors installed without a permit and inspection
SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence
SECTION 10-8: Weeds-Remove all weeds along the fence line
SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation
SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line
SECTION 10-9: Exterior Property Maintenance/Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding
Photos are included in the file.
5. On 10/19/2023, I inspected the property and observed multiple code violations to include overgrown vegetation and a broken front window. I issued a code courtesy violation notice and posted it on the front door of the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the PO a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 03/05/2024 with a compliance date of 03/19/2024. I've had very minimal contact with the PO and our last documented communication was a phone call on 02/26/2024. The PO has cured several violations but has failed to cure the remaining outstanding code violations within a timely manner.
6. On June 9th, 2024, Notice of Violation/ Notice of Hearing 2024-37 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 July 1st, 2024. If not in compliance by July 1st, 2024, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.
8. The Village has also incurred costs in the amount of \$317.08 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than July 1st, 2024.
9. Subject to any questions you might have, this concludes the Village's testimony.



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

June 20, 2024, 3551 Hunt RD

Case 2024-37

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	7.00	20.00	140.00
6	Additional certified copies for hearing	1.00	8.69	8.69
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	0.64	0.64
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
Total Costs for Case 2024-37				317.08



PALM SPRINGS POLICE DEPARTMENT

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

March 5th, 2024

Dennis McCormick
3551 Hunt RD
Palm Springs, FL 33461

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 **3551 Hunt RD Palm Springs, FL 33461**

PCN: 70-43-44-19-18-000-0060

This property is in violation of the following Village of Palm Springs ordinances:

SECTION 10-8, 30-141 and 30-142

Weeds/Overgrowth/Landscape Maintenance: Remove all weeds and trim all overgrown vegetation along the fence line (rear).

SECTION 10-8 & 34-225

Fence Maintenance: Repair, replace or remove broken chain-link fence (rear).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Windows/Holiday Lights:

- Repair broken window with duct tape (front).
- Remove holiday lights (rear).
- Remove all black/green discoloration off of the exterior walls, carport, fascia and concrete slabs. Property may need to be painted.
- Post "3551" house ID numbers on the front of the property. Must be clearly visible and a minimum of 4" height.

SECTION 105.1 & 110.1

Work w/o Permits: Work performed in the rear of the property without a permit and inspection. Contact the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

Compliance Date: March 19th, 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 • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE DEPARTMENT

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

December 6th, 2023

Dennis McCormick
3551 Hunt RD
Palm Springs, FL 33461

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 **3551 Hunt RD Palm Springs, FL 33461**

PCN: 70-43-44-19-18-000-0060

This property is in violation of the following Village of Palm Springs ordinances:

SECTION 10-8 & 10-9

Exterior Property Maintenance/Windows/Street Numbers/Driveways:

- Repair broken window (front)
- Remove all metal shutters covering the windows (right side).
- Remove all black discoloration off the exterior wall/carport/fascia/trim (front and right side) and the concrete slab (right side).
- Post "3551" house ID numbers on the front of the property. Must be visible and a minimum of 4" height.

SECTION 30-141 & 30-142

Overgrowth/Landscape Maintenance: Trim all overgrown trees/bushes/vegetation (left side).

Compliance Date: December 16th, 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

Courtesy Code Violation Notice

30-141/30-142 - Overgrown trees/vegetation (left side).
Trim all overgrown trees/vegetation (left side).

Case#

Date: 10/19/2023 Time: _____

Location: 3551 HORT 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:

10-8/30-9 Exterior Property/Windows/Street Numbers/Shutters

- Repair broken window (Front).

- Remove all metal shutters/wood boards.

- Remove all black discoloration off the exterior wall (Front and right side). Also Fascia/trim (Front needs to be cleaned and/or painted).

- Post house # numbers on the front of the property (4' height).

34-1381 Open Storage - Remove all misc. items stored in the front of the property.

Compliance Date: 10/21/2023

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

EX: 8525





PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-584-8300 ext. 8520 · www.vpsfl.org

June 18, 2024

**OCAMPO FAUSTO V & MARTINEZ REYNA A
224 DAVIS RD
PALM SPRINGS, 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 224 DAVIS RD, Palm Springs, FL 33461.

PCN: 70434418090060040

This property is in violation of local ordinances.

**SECTION 34.914- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN)
MAY USE SWALE.**

Compliance Date: JUNE 20TH, 2024

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property. Please call Code Enforcement at (561) 584-8300 ext. 8520 or Code Officer listed below if you have any concerns or questions.

Respectfully,

Henry Stout
Palm Springs Police Department
Code Enforcement Officer

hstout@vpsfl.org

561-801-9217-OFFICE CELL

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2018-2257

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

VS.

DENNIS MCCORMICK
3551 HUNT ROAD
PALM SPRINGS, FL 33461 3527

Respondent(s)1

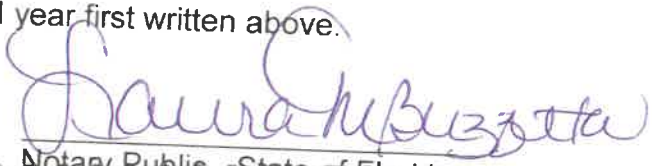
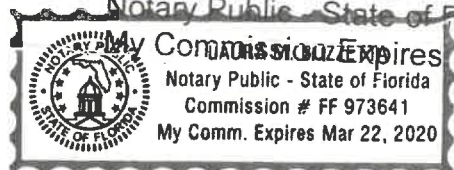
The property at **3551 HUNT ROAD** described in the Code Enforcement CITATION dated MARCH 1, 2018, in the above mentioned case, has been re-inspected and, I TOM GEHRMAN state that said property is **NOW in compliance SECTION 34-914 parking on grass, inoperable vehicles** of the Ordinance Codes of the Village of Palm Springs on the **TWENTYSEVENTH (27th) day of FEBRUARY 2018.**
Vehicles removed at writing of citation, compliance achieved; no fine and no hearing.


Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 14th day of MAY, 2019 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.


Notary Public - State of Florida
My Commission Expires 3/22/2020


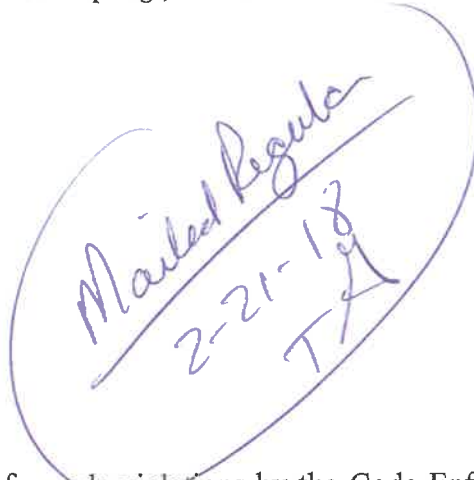


PALM SPRINGS POLICE DEPARTMENT

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

FEBRUARY 21, 2018

DENNIS MCCORMICK
YANIRA D. MCCORMICK
3551 HUNT ROAD
LAKE WORTH, FL 33461 3527



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 **3551 HUNT ROAD in Palm Springs, FL**
PCN: 70-43-44-19-18-000-0060

This property is in violation of local ordinances;

SECTION 34-914 PARKING

All vehicles must be operable with current registration tag, it is not a storage lot for inoperable vehicles. No parking on the grass, or dirt.

Please Comply.

Compliance Date: February 28, 2018

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) 304-4826.

Respectfully,

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-304-4826
tgehrman@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

MARCH 1, 2018

DENNIS MCCORMICK
YANIRA D. MCCORMICK
3551 HUNT ROAD
LAKE WORTH, FL 33461 3527

Dear Property Owner,

A **CITATION** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property a **3551 HUNT ROAD in Palm Springs, FL**
PCN: 70-43-44-19-18-000-0060

Citation 2018-2257

Section 34-914

Parking violations; parking on grass, inoperable vehicles, no current registration tags

The options available include coming into voluntary compliance and paying the citation **OR** arguing your case at the Special Magistrate hearing, **THURSDAY APRIL 19, 2018 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 call me if you have any questions at (561) 304-4826.

Respectfully,

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-304-4826
tgehrman@vpsfl.org

CERTIFIED : 7017-1450-0000-7195-9310

Professionalism • Respect • Integrity • Duty • Excellence

**VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION**

CITATION NO. 2257

DAY OF WEEK THURSDAY	MONTH 3	DAY 1	YEAR 2018	TIME 11:30 AM
FIRST NAME DENNIS	MID INT.	LAST NAME McGORMICK		
STREET ADDRESS 3551 HUNT ROAD				
CITY PALM SPRING	STATE FL.	ZIP CODE 33461 3527		
TAG NO. YANIRA D. McGORMICK		DESCRIPTION		
VIOLATION CODE SECTION(S) & DESCRIPTION: RESIDENTIAL				
SECTION 34-914				
PARKING VIOLATION				
ON GRASS, IMPERMISSIBLE, NO				
CURRENT REGISTRATION TAG				
☐ REPEAT VIOLATION				

Tom Behrman 105
Code Enforcement Officer 561-304-4826 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: **THURSDAY**

April 19, 2018 at **10:00 AM**
Hearing Date Time

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

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-304-4826 or 561-304-4825 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 3-11-18, 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.

Respondent Signature Not Present Printed Name

Notice
Certifies 3-1-18
7017-1450-000-7195-9310
Regular 3-1-18
Posting

Courtesy Code Violation Notice

Case# # MISSING (ADDRESS)
Date: 2-1-18 Time: 2:50 PM
Location: 3550 HUNT
3551

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

ADDRESS NUMBER REQUIRED!
Please address the listed code violations:

RESIDENTIAL -
PARKING VIOLATIONS
• PARKING ON GRASS
• INOPERABLE VEHICLES
• EXPIRED TAGS - MUST BE CURRENT

NOT A VEHICLE STORAGE
LOT
- REMOVE VEHICLES

Compliance Date: 2-10-18
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. → 304-4826

TOM GEHRMAN 105
Name I.D. #

Palm Springs Police Department
(561) 968-8243



Property Detail

Location Address : 3551 HUNT RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-18-000-0060
Subdivision : SUNSHINE ACRES IN
Official Records Book/Page : 30780 / 208
Sale Date : JUL-2019
Legal Description : SUNSHINE ACRES LOT 6

Owner Information

Owner(s)	Mailing Address
MCCORMICK DENNIS	3551 HUNT RD LAKE WORTH BEACH FL 33461 3527

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2019	\$100	30780 / 00208	QUIT CLAIM	MCCORMICK DENNIS
MAR-2002	\$113,500	13575 / 00199	WARRANTY DEED	MCCORMICK DENNIS &
AUG-1987	\$100	05419 / 01605	QUIT CLAIM	

Exemption Information

Applicant/Owner(s)	Year	Detail
MCCORMICK DENNIS	2024	HOMESTEAD
MCCORMICK DENNIS	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 1448
Acres : 0.2071
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	\$101,669	\$81,139	\$78,252	\$85,143	\$79,681
Land Value	\$172,000	\$170,101	\$99,136	\$66,000	\$60,600
Total Market Value	\$273,669	\$251,240	\$177,388	\$151,143	\$140,281

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	\$79,937	\$77,609	\$75,349	\$74,309	\$72,638
Exemption Amount	\$50,000	\$50,000	\$50,000	\$49,309	\$47,638
Taxable Value	\$29,937	\$27,609	\$25,349	\$25,000	\$25,000

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	\$748	\$716	\$694	\$690	\$687
NON AD VALOREM	\$511	\$483	\$427	\$422	\$424
TOTAL TAX	\$1,258	\$1,198	\$1,120	\$1,111	\$1,111

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:

70-43-44-19-18-000-0060

Mailing Address:

3551 HUNT RD

Lake Worth Beach, FL 33461-3527

Owner of Record:

MCCORMICK DENNIS

Property Type:

Real Property

Property Address:

3551 HUNT

PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:

SUNSHINE ACRES LOT 6

Last updated: 6/18/2024 09:48:27 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: 2024-37

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

DENNIS MCCORMICK
3551 HUNT RD
PALM SPRINGS, FL 33461 3527

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1 & 110.1): Rear sliding doors installed without a permit and inspection

SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence

SECTION 10-8: Weeds-Remove all weeds along the fence line

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding

Address: 3551 HUNT ROAD
Legal Description: SUNSHINE ACRES IN
PCN: 70-43-44-19-18-000-0060

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 June 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 105.1 & 110.1): Rear sliding doors installed without a permit and inspection**
- ☐ **SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence**
- ☐ **SECTION 10-8: Weeds-Remove all weeds along the fence line**
- ☐ **SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation**

- ☐ SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line
- ☐ SECTION 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding

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

- ☐ SECTION 10-31 (FBC 105.1 & 110.1): Rear sliding doors installed without a permit and inspection
- ☐ SECTION 34-225: Fence Maintenance-Repair, replace or remove broken chain-link fence
- ☐ SECTION 10-8: Weeds-Remove all weeds along the fence line
- ☐ SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation
- ☐ SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line
- ☐ SECTION 10-9: Exterior Property Maintenance-Repair broken window, remove all holiday lights, remove all shutters covering the door, paint the rear of the property and repair all sections of rotted siding

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 1st, 2024:
 - ☐ Administrative costs of \$317.08
 - ☐ 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 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 July 1st, 2024.
 - ☐ Administrative costs of \$317.08
 - ☐ 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 Joey 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.

If the Respondent desires to appeal the finding of violation, the appeal must be filed within thirty (30) days with the Circuit Court pursuant to Section 162.11 Florida Statute.

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

DONE AND ORDERED this 20th day of June 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:

3551 HUNT ROAD
PALM SPRINGS, FL 33461 3527

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-38

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Ines M Somero EST
3756 Davis RD
Palm Springs, FL 33461

Respondent(s).

70-43-44-19-20-058-0060

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 **June 9th, 2024**, the Respondent(s), **Ines M Somero EST** owner(s) of the property at **3756 Davis RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 30-143: Trash/Debris/Rubbish/Materials

SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property

SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox

These violations must be corrected on or before **June 18th, 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 June 20th, 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 Inspection. 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: _____ June 9th, 2024 _____

Joey Sanders
Printed Name of Officer

**CODE ENFORCEMENT BOARD
VILLAGE OF PALM SPRINGS, FLORIDA**

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-38

RETURN OF SERVICE

**INES M SOMERO EST
3756 DAVIS RD
PALM SPRINGS, FL 33461 3606**
_____ /

Respondent

On the **10th Day of June 2024 at 2:24PM**, I served the attached NOV/NOH on the within named Respondent, **Ines M Somero EST** at **3756 Davis 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: _____



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DSCN0980.JPG



DSCN0979.JPG



DSCN0978.JPG



DSCN0977.JPG



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PALM SPRINGS POLICE DEPARTMENT

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

June 9th, 2024

Ines M Somero EST
3756 Davis RD
Palm Springs, 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 **3756 Davis RD in Palm Springs, FL.**

PCN: 70-43-44-19-20-058-0060

VIOLATION/HEARING CASE 2024-38

SECTION 30-143: Trash/Debris/Rubbish/Materials

SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property

SECTION 34-914: Vehicles/Parking- Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox

The options available include coming into voluntary compliance on or before **June 18th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday June 20th, 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

9589 0710 5270 1045 6828 21

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OFFICIAL USE

Certified Mail Fee

\$

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- | | | |
|--|----|--|
| ☐ 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

JNES M. SOMERO EST.

Street and Apt. No., or PO Box No.

3756 DAVIS RD.

City, State, ZIP+4®

Palm Springs, FL 33461

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions



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

CERTIFIED MAIL



9589 0710 5270 1045 6828 21

NEOPOST

FIRST-CLASS MAIL

06/09/2024

US POSTAGE \$008.69⁰



ZIP 33461
041M11460879

Ines M Somero EST
3756 Davis RD
Palm Springs, FL 33461



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

NEOPOST

FIRST-CLASS MAIL

06/09/2024

US POSTAGE \$000.64⁰



ZIP 33461
041M11460879

Ines M Somero EST
3756 Davis RD
Palm Springs, FL 33461

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(s)—Nuisance abatement, F.S. § 60.05.

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)

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.

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- (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.

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- (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. 34-914. Parking in single-family residential land use districts; use of portable storage containers and roll-off dumpsters in all zoning districts.

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
- (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster") within any zoning district in the village, is subject to the following regulations:
- (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.

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- (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.
- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
- (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:
- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
- Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
- (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.
- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.

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- (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
 - (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
 - (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

(Ord. No. 2005-25, § 2(30-629), 10-13-2005; Ord. No. 2006-15, § 1, 5-11-2006; Ord. No. 2007-08, § 7, 4-26-2007; Ord. No. 2011-12, § 1, 6-9-2011; Ord. No. 2016-21, § 10, 1-12-2017)

CASE PRESENTATION

CASE No. CASE 2024-38

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 #2024-38 is concerning the property located at 3756 Davis 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 Ines M Somero EST.

4. Pursuant to observation there are violations of the following local ordinances:

SECTION 30-143: Trash/Debris/Rubbish/Materials

SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property

SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance/Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox

Photos are included in the file.

5. On 09/24/2023, I inspected the property and observed multiple code violations to include shutters covering the windows and a large collection of open storage stored in front of the property. I issued a code courtesy violation notice and posted it on the front door of the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the PO a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 03/20/2024 with a compliance date of 04/03/2024.

It should be noted that I've conducted multiple site visits with resident Mike but there has been very minimal progress. My last documented communication with resident Mike was a site visit on 05/06/2024.

6. On June 9th, 2024, Notice of Violation/ Notice of Hearing 2024-38 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 July 1st, 2024. If not in compliance by July 1st, 2024, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.

8. The Village has also incurred costs in the amount of \$237.08 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than July 1st, 2024.

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



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

June 20, 2024, 3756 Davis RD

Case 2024-38

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	3.00	20.00	60.00
6	Additional certified copies for hearing	1.00	8.69	8.69
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	0.64	0.64
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 2024-38				237.08



PALM SPRINGS POLICE DEPARTMENT

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

March 20th, 2024

Ines M Somero EST
3756 Davis RD
Palm Springs, FL 33461

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 **3756 Davis RD Palm Springs, FL 33461**
PCN: 70-43-44-19-20-058-0060

This property is in violation of the following Village of Palm Springs ordinances:

SECTION 10-9

Exterior Property Maintenance/Shutters/Overhang Extensions/Street Numbers/Fascia:

- Remove all wood boards/shutters covering the windows (left side).
- Remove all black/green discoloration off the exterior walls, fascia, overhang extensions and mailbox. The property may need to be painted.
- Post "3756" house ID numbers on the mailbox. Must be clearly visible and a minimum of 4" height.
- Repair and/or replace all damaged/broken overhang extensions and fascia/trim.

SECTION 10-8, 30-141 & 30-142

Weeds/Overgrowth/Landscape Maintenance:

- Trim all overgrown trees/bushes/vegetation located throughout the property.
- Remove all weeds attached to the exterior walls/hanging from the fascia located throughout the property.

SECTION 34-914

Vehicles/Parking:

- Remove all inoperative and/or unregistered vehicles off the property.
- Remove all vehicles parked on the grass. All vehicles must be parked on an impervious surface.

SECTION 30-143 & 34-1381

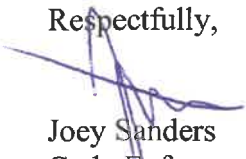
Trash/Debris/Materials/Open Storage: Remove all trash, debris, materials and misc. items stored throughout the property.

Compliance Date: April 3rd 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 • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE DEPARTMENT

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

September 24th, 2023

Ines M Somero EST
3756 Davis RD
Palm Springs, FL 33461

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 **3756 Davis RD Palm Springs, FL 33461**
PCN: 70-43-44-19-20-058-0060

This property is in violation of the following Village of Palm Springs ordinances:

Section 10-9

Exterior Property/Shutters/Overhang Extensions:

- Remove all wood boards covering the windows (left side).
- Pressure wash, paint, replace or remove metal awnings located above the windows.
- Fascia/trim needs to be painted throughout the property.

Section 30-141, 30-142 & 10-8

Overgrowth/Landscape Maintenance/Weeds:

- Trim all overgrown trees/bushes/vegetation located throughout the property.
- Remove all weeds attached to the exterior walls/hanging from the fascia located throughout the property.

Section 34-914

Vehicles/Parking:

- Remove all inoperative and/or unregistered vehicles off the property (green Ford pickup and motorcycles).
- Remove all vehicles off the grass. All vehicles must be parked on an impervious surface.

Section 30-143 & 34-1381

Trash/Debris/Appliances/Open Storage: Remove all misc. items stored throughout the property.

Compliance Date: October 8th, 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 any 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 • Respect • Integrity • Duty • Excellence

Courtesy Code Violation Notice

Case# _____
Date: 09/21/2023 Time: _____
Location: 3756 DAVIS 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:

10-9 - Exterior Property / Shutters / overhang
Extensions

10-8 / 30-141 / 30-142 - Weeds / overgrowth /
Landscape maintenance

34-934 - Vehicles / Parking

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

* Reference Attached Letter *

Compliance Date: 10/08/2023

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



Property Detail

Location Address : 3756 DAVIS RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-20-058-0060
Subdivision : SUB 19-44-43
Official Records Book/Page : /
Sale Date :
Legal Description : SUB 19-44-43 S55 FT OF N 73 FT OF W 130 FT OF TR 58

Owner Information

Owner(s)	Mailing Address
SOMERO INES M EST	3756 DAVIS RD LAKE WORTH BEACH FL 33461 3606

Sales Information

No Sales Information Available.

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 1
***Total Square Feet :** 1728
Acres : 0.1642
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2023	2022	2021	2020	2019
Improvement Value	\$92,133	\$76,530	\$74,058	\$82,331	\$77,356
Land Value	\$144,980	\$131,809	\$79,884	\$55,000	\$55,000
Total Market Value	\$237,113	\$208,339	\$153,942	\$137,331	\$132,356

Assessed and Taxable Values

Tax Year	2023	2022	2021	2020	2019
Assessed Value	\$174,085	\$158,259	\$143,872	\$130,793	\$118,903
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$174,085	\$158,259	\$143,872	\$130,793	\$118,903

Taxes

Tax Year	2023	2022	2021	2020	2019
AD VALOREM	\$3,818	\$3,495	\$3,031	\$2,762	\$2,594
NON AD VALOREM	\$511	\$483	\$427	\$422	\$424
TOTAL TAX	\$4,328	\$3,978	\$3,458	\$3,184	\$3,018

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

Account Information

Property Control Number: 70-43-44-19-20-058-0060	Property Type: Real Property	Status: Active
Mailing Address: 3756 DAVIS RD Lake Worth Beach, FL 33461-3606	Property Address: 3756 DAVIS PALM SPRINGS, FL 33461	Legal Description: SUB 19-44-43 S55 FT OF N 73 FT OF W 130 FT OF TR 58
Owner of Record: SOMERO INES M EST	Second Owner:	

Last updated: 6/18/2024 11:07:08 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

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	 \$4,198.21 Net Tax: \$4,328.06 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$129.85	12/22/23		-\$4,198.21  Paid
3/31/23	 \$3,977.94 Net Tax: \$3,977.94 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00	3/28/23		-\$3,977.94  Paid
3/31/22	 \$3,753.74 Net Tax: \$3,457.68 Interest: \$103.73 Penalty: \$0.00 Fees: \$192.33 Discount: \$0.00	3/29/23		-\$3,753.74  Paid

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CODE CASE: 2024-38

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

INES M SOMERO EST
3756 DAVIS RD
PALM SPRINGS, FL 33461 3606

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 30-143: Trash/Debris/Rubbish/Materials

SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property

SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass

SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line

SECTION 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox

Address: 3756 DAVIS ROAD
Legal Description: SUB 19-44-43 S55 FT OF N 73 FT OF W 130 FT OF TR 58
PCN: 70-43-44-19-20-058-0060

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 June 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/Debris/Rubbish/Materials
- ☐ SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property
- ☐ SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass
- ☐ SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation

- ☐ **SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line**
- ☐ **SECTION 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox**

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

- ☐ **SECTION 30-143: Trash/Debris/Rubbish/Materials**
- ☐ **SECTION 34-1381: Open Storage-Remove all misc. items stored throughout the property**
- ☐ **SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles and remove all vehicles parked on the grass**
- ☐ **SECTION 30-141: Overgrowth-Trim all overgrown trees/vegetation**
- ☐ **SECTION 30-142: Landscape Maintenance-Trim all overgrown trees encroaching over the property line**
- ☐ **SECTION 10-9: Exterior Property Maintenance-Remove all shutters covering the windows, clean/repair or remove all overhang extensions, remove all black discoloration off the exterior walls/fascia, paint the exterior/fascia and clean/post new "3756" house ID numbers on the mailbox**

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 1st, 2024:**
 - ☐ Administrative costs of **\$237.08**
 - ☐ 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 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 **July 1st, 2024.**
 - ☐ Administrative costs of **\$237.08**
 - ☐ 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 Joey 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.

If the Respondent desires to appeal the finding of violation, the appeal must be filed within thirty (30) days with the Circuit Court pursuant to Section 162.11, Florida Statute.

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

DONE AND ORDERED this 20th day of June 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:

3756 DAVIS ROAD
PALM SPRINGS, FL 33461 3606

Village of Palm Springs
Code Enforcement Magistrate Hearing



CODE CASE: 2024-27

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
CONDOMINIUM ASSN. OF LAKESIDE VILLAGE INC.
C/O TRITON PROPERTY MANAGEMENT
500 LORI DRIVE
LAKE WORTH BEACH, FL 33461 1299

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

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

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **JUNE 20, 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: LAKESIDE VILLAGE COND REC AREA
2. On **APRIL 18, 2024**, the Village of Palm Springs Code Enforcement Special Magistrate entered an Order finding the Respondents in violation of Section 10-9 Exterior structure not maintained (Balcony open); Section 10-31 (FBC 105.1) required permits missing or expired; Section 10-31 (FBC 110.1) required inspections not completed; Section 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron.
3. The Respondent was given until **MAY 15, 2024**, within which to comply with the code, failing a fine of \$75.00 per day, per violation was assessed to be 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), _____ shall/_____ shall not be given an extension to comply with the Notice of Violation issued in this matter, requiring compliance on or before **SEPTEMBER 19, 2024**.
- B. If the Respondent shall not bring the alleged violations into compliance on or before the extended compliance date of **SEPTEMBER 19, 2024**, the fine of **\$100.00** per day, per violation shall commence from the original date of compliance of **MAY 15, 2024**, and continue for each and every day of non-compliance.

DONE AND ORDERED this **20th** day of **JUNE 2024**.

By: _____
Special Magistrate

Copies Furnished to the Parties by U. S. MAIL

VILLAGE OF PALM SPRINGS, FLORIDA

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

Code Enforcement Officer: Gehrman

Date: June 20, 2024

Case No.: 2024-27

Respondent(s): Condominium Assn. of Lakeside Village Inc.

Violation Address (Subject Property): 500 Lori Drive (Lakeside Village)
Building 23 Unit 301 at 711 Lori Drive

BACKGROUND

On **April 18, 2024**, the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section 10-9 Exterior structure not maintained (Balcony open); Section 10-31 (FBC 105.1) required permits missing or expired; Section 10-31 (FBC 110.1) required inspections not completed; Section 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron. The Respondent was given until May 15, 2024. Administrative Costs 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. ☒ 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 to **SEPTEMBER 19, 2024**, from the original compliance due date of May 15, 2024.
- 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), 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 taken actions to correct most of the violations but is required to apply for permits. Code Enforcement is working with this property manager and Homeowners Assn. and agrees that an extension to **SEPTEMBER 19, 2024** is acceptable.

Dated: June 20, 2024,

By: Tom Gehrman,
Code Enforcement Officer

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CODE CASE: 2024-27

VILLAGE OF PALM SPRINGS, FLORIDA

Petitioner,

Condominium Assn. of Lakeside Village Inc.

c/o Triton Property Management

500 Lori Drive

Lake Worth Beach, FL 33461 1299

MAILING ADDRESS:

(SAME AS ABOVE)

Respondent(s).

ORDER FINDING VIOLATION

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

Violations: Lakeside Village 711 Lori Drive Building 23 (unit 301)

SECTION 10-9 Exterior structure not maintained (Balcony open)

SECTION 10-31 (FBC 105.1) required permits missing or expired.

SECTION 10-31 (FBC 110.1) required inspections not completed.

SECTION 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron

Address: 500 LORI DRIVE (711 Lori Dr, Building 23)
Legal Description: LAKESIDE VILLAGE CONDO REC AREA
PCN: 70-43-44-18-19-000-0010

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 18th day of April 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 10-9 Exterior structure not maintained (Balcony open).

☒ SECTION 10-31 (FBC 105.1) required permits missing or expired.

☒ SECTION 10-31 (FBC 110.1) required inspections not completed.

SECTION 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron

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

- ☐ SECTION 10-9 Exterior structure not maintained (Balcony open).
- ☐ SECTION 10-31 (FBC 105.1) required permits missing or expired.
- ☐ SECTION 10-31 (FBC 105.1) required permits missing or expired.
- SECTION 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron

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 **May 15, 2024**:
 - ☐ Administrative costs of **\$ 291.08**
 - ☐ 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 **May 15, 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 **May 15, 2024**.
 - ☒ Administrative costs of **\$291.08**
 - ☐ 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 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 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 April 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:

A large, stylized handwritten signature in blue ink, written over a horizontal line.

Special Magistrate

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

500 LORI DRIVE
LAKE WORTH BEACH, FL 33461 1299

Village of Palm Springs
Code Enforcement Magistrate Hearing



CODE CASE: 2024-28

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
CONDOMINIUM ASSN. OF LAKESIDE VILLAGE INC.
C/O TRITON PROPERTY MANAGEMENT
500 LORI DRIVE
LAKE WORTH BEACH, FL 33461 1299

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

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

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **JUNE 20, 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: LAKESIDE VILLAGE COND REC AREA
2. On **APRIL 18, 2024**, the Village of Palm Springs Code Enforcement Special Magistrate entered an Order finding the Respondents in violation of Section 10-9 Exterior structure not maintained (Balcony open); Section 10-31 (FBC 105.1) required permits missing or expired; Section 10-31 (FBC 110.1) required inspections not completed; Section 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron.
3. The Respondent was given until **MAY 15, 2024**, within which to comply with the code, failing a fine of \$75.00 per day, per violation was assessed to be 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), _____ shall/ _____ shall not be given an extension to comply with the Notice of Violation issued in this matter, requiring compliance on or before **SEPTEMBER 19, 2024**.
- B. If the Respondent shall not bring the alleged violations into compliance on or before the extended compliance date of **SEPTEMBER 19, 2024**, the fine of **\$100.00** per day, per violation shall commence from the original date of compliance of **MAY 15, 2024**, and continue for each and every day of non-compliance.

DONE AND ORDERED this **20th** day of **JUNE 2024**.

By: _____
Special Magistrate

Copies Furnished to the Parties by U. S. MAIL

VILLAGE OF PALM SPRINGS, FLORIDA

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

Code Enforcement Officer: Gehrman

Date: June 20, 2024

Case No.: 2024-28

Respondent(s): Condominium Assn. of Lakeside Village Inc.

Violation Address (Subject Property): 500 Lori Drive (Lakeside Village)
Building 24 Units 110, 111, 210, 211, 310,311, 410, 411 at 225 Bonnie Blvd

BACKGROUND

On **April 18, 2024**, the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section 10-9 Exterior structure not maintained (Balcony open); Section 10-31 (FBC 105.1) required permits missing or expired; Section 10-31 (FBC 110.1) required inspections not completed; Section 10-31 (FBC 116.1) Unsafe structure (open balcony) per Building Official Wayne Cameron. The Respondent was given until May 15, 2024.

RECOMMENDATION.

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

- A. ☒ 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 to **SEPTEMBER 19, 2024**, from the original compliance due date of May 15, 2024.
- 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), 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 taken actions to correct most of the violations but is required to apply for permits. Code Enforcement is working with the Property Manager and Homeowners Assn. and agrees that an extension to **SEPTEMBER 19, 2024** is acceptable.

Dated: June 20, 2024,

By: Tom Gehrman,
Code Enforcement Officer



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-28

VILLAGE OF PALM SPRINGS, FLORIDA

Petitioner,

Condominium Associate of Lakeside Village Inc.
c/o Triton Property Management
500 Lori Drive
Lake Worth Beach, FL 33461 1299

MAILING ADDRESS:

(SAME AS ABOVE)

Respondent(s).

ORDER FINDING VIOLATION

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

Violations: Lakeside Village, 225 Bonnie Blvd Building 24 units 110, 111, 210, 211, 310, 311, 410, 411

SECTION 10-9 Exterior structure not maintained (Balconies open)

SECTION 10-31 (FBC 105.1) required permits missing or expired.

SECTION 10-31 (FBC 110.1) required inspections not completed.

SECTION 10-31 (FBC 116.1) Unsafe structure (open balconies) per Building Official Wayne Cameron

Address:	500 LORI DRIVE (225 Bonnie Blvd, Building 24)
Legal Description:	LAKESIDE VILLAGE CONDO REC AREA
PCN:	70-43-44-18-19-000-0010

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 18th day of April 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 10-9 Exterior structure not maintained (Balconies open).**
- ☒ **SECTION 10-31 (FBC 105.1) required permits missing or expired.**
- ☒ **SECTION 10-31 (FBC 110.1) required inspections not completed.**

☒ SECTION 10-31 (FBC 116.1) Unsafe structure (open balconies) per Building Official Wayne Cameron

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

☐ SECTION 10-9 Exterior structure not maintained (Balconies open).

☐ SECTION 10-31 (FBC 105.1) required permits missing or expired.

☐ SECTION 10-31 (FBC 105.1) required permits missing or expired.

SECTION 10-31 (FBC 116.1) Unsafe structure (open balconies) per Building Official Wayne Cameron

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 **May 15, 2024**:

☐ Administrative costs of \$311.08

☐ 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 **May 15, 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 **May 15, 2024**.

☒ Administrative costs of \$311.08

☐ 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 **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 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.

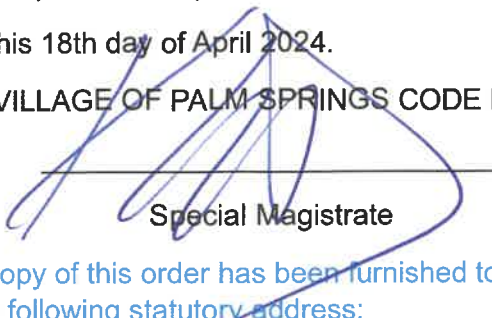
The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover 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 April 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:

500 LORI DRIVE
LAKE WORTH BEACH, FL 33461 1299