



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

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*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.*

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**AGENDA CHANGES**

**MOTION HEARINGS**

1. Case 2024-47 - 2887 Lake Worth Road - IS & RG LLC  
CE Officer Nanciann Cuenot  
Repeat Violation of Village Code of Ordinances  
**Section 46-3:** Graffiti.  
**Section 10-9:** Exterior of building - broken windows, missing fascia on the front canopy.  
**Section 34-221:** Landscape maintenance - remove dead shrub and trim bush in the parking lot.  
Citation Fine: N/A  
Admin Cost: \$171.60  
Recommendation: \$100.00 per day, per violation  
Compliance Date: September 18, 2024
2. Case 2024-49 - 1900 South Congress Avenue - Agape Worship Center of The C&MA Inc.  
CE Officer Nanciann Cueinot.  
Violation of Village Code of Ordinances  
**Section 10-31 (FBC 105.1):** Repaved parking lot with speed bumps, no required permit issued.  
**Section 10-31 (FBC 110.1):** No required inspections.  
**Section 34-224:** Replacement of vegetation.  
\*No landscaping in the rear planter box buffer between commercial and residential

zoning. Approved landscape plan required.

\*Replace vegetation in front of the building and along property lines.

**Section 34-265:** Responsibility of maintenance - Unsafe, insecure monument sign.

**Section 34-1366:** Dumpster enclosure with landscaping required.

**Section 34-883(3):** Fences - Remove barbed wire on the chainlink fence.

|                  |                                                   |
|------------------|---------------------------------------------------|
| Citation Fine:   | N/A                                               |
| Admin Cost:      | \$352.98                                          |
| Recommendation:  | \$100.00 per day, per violation                   |
| Compliance Date: | August 26, 2024 Barb-wire removal                 |
| Compliance Date: | October 10, 2024 Violations which require Permits |

3. Case No. 2024-51 - 3945 Park Lane - Maileisy Rojas Napoles

CE Officer Henry Stout

Violation of Village Code of Ordinances

**Section 10-31 (FBC 105.1):** Work without permits, building permits required for new windows and fence

**Section 10-31 (FBC 110.1):** Required inspections.

|                  |                                 |
|------------------|---------------------------------|
| Citation Fine:   | N/A                             |
| Admin Cost:      | TBD                             |
| Recommendation:  | \$150.00 per day, per violation |
| Compliance Date: | September 16, 2024              |

4. CIT Case 2024-2790 - 3959 Lake Worth Road - Bella Raza Inc.

CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

**Section 34-898:** Mobile food dispensing vehicles and mobile vendors: exceeding hours of operation

|                  |                  |
|------------------|------------------|
| Citation Fine:   | Paid             |
| Admin Cost:      | TBD              |
| Recommendation:  | \$75.00 Citation |
| Compliance Date: | August 16, 2024  |

5. Case 2024-50 - 4420 Lake Worth Road - Tacos Al Carbon Inc.

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

**Section 34-572:** Violation of Village Council Resolution No. 2014-35 - Annexation Agreement

|                  |                  |
|------------------|------------------|
| Citation Fine:   | N/A              |
| Admin Cost:      | \$457.98         |
| Recommendation:  | \$250.00 per day |
| Compliance Date: | August 23, 2024  |

6. Case 2024-46 - 3514 Lake Worth Road - Grand Lake Properties LLC  
CE Officer Nanciann Cuenot  
Violation of Village Code of Ordinances  
**Section 34-898:** Mobile food dispensing vehicles and mobile vendors - exceeding hours of operation, table, chairs, canopy.  
Citation Fine: N/A  
Admin Cost: \$206.60  
Recommendation: \$50.00 per day  
Compliance Date: August 16, 2024
7. Case No. 2024-50A - 352 Ponte Vedra Road - Jonathan Rey Napoles  
CE Officer Henry Stout  
Violation of Village Code of Ordinances  
**Section 10-31 (FBC 105.1):** Required building permits.  
**Section 10-31 (FBC 110.1):** Required inspections.  
Citation Fine: N/A  
Admin Cost: TBD  
Recommendation: \$100.00 per day, per violation  
Compliance Date: September 16, 2024

#### **PETITION FOR REDUCTION OR ABATEMENT OF FINE**

8. CIT Case 2020-2442 - 2887 Lake Worth Road - IS & RG LLC.  
CE Officer Nanciann Cuenot  
Violation of Village Code of Ordinances  
**Section 30-143:** Public; trash & debris.  
Initial Violation: May 20, 2020  
Order Finding Violation: June 18, 2020  
Compliance Deadline: September 16, 2020  
Compliance Date: August 14, 2024  
Fine Amount: \$68,450.00  
Citation Fine: Paid  
Admin Cost: Paid  
Recommendation: \$13,650.00  
Compliance Date: September 18, 2024  
Staff:
9. Case 2022-43 - 2887 Lake Worth Road - IS & RG LLC.  
CE Officer Nanciann Cuenot  
Violation of Village Code of Ordinances  
**Section 10-8:** Exterior property areas.  
Initial Violation: September 20, 2022  
Order Finding Violation: October 20, 2022

|                      |                    |
|----------------------|--------------------|
| Compliance Deadline: | November 21, 2022  |
| Compliance Date:     | August 14, 2024    |
| Fine Amount:         | \$57,400.00        |
| Citation Fine:       | N/A                |
| Admin Cost:          | Paid               |
| Recommendation:      | \$11,480.00        |
| Compliance Date:     | September 18, 2024 |
| Staff:               |                    |

10. Case No. 2023-15 - 2807 Reo Lane - Janet B. Kim & Thomas W. Kim  
CE Officer Nicole Tamayo

Violation of Village Code of Ordinances

**Section 10-10 (A):** Interior of structure must be maintained in good repair and in a sanitary condition.

**Section 10-4 (A & B):** Responsibility of the owner to make sure dwelling meets standards of the State Building Code and Housing Code.

|                          |                 |
|--------------------------|-----------------|
| Initial Violation:       | April 06, 2023  |
| Order Finding Violation: | May 18, 2023    |
| Compliance Deadline:     | June 14, 2023   |
| Compliance Date:         | TBD             |
| Fine Amount:             | \$42,600.00     |
| Citation Fine:           | N/A             |
| Admin Cost:              | Paid            |
| Recommendation:          | \$8,520.00      |
| Compliance Date:         | August 26, 2024 |
| Staff:                   |                 |

**Next Magistrate Hearing is**  
**Next Magistrate Hearing is Thursday, September 19, 2024, @ 10:00 in the Village**  
**Council Chambers**



## Village of Palm Springs

### Title VI/Nondiscrimination Policy

#### **I. Policy Statement:**

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

#### **II. Persons with Disabilities:**

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

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

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

Name: Ashley Saingilus

Address: 226 Cypress Lane, Palm Springs, FL 33461

Email: [asaingilus@vpsfl.org](mailto: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](mailto:jpiedra@vpsfl.org)

Phone: (561) 584-8200 Ext. 8421



VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT  
SPECIAL MAGISTRATE

Case #: 2024-47

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

vs.  
IS & RG LLC  
P.O. BOX 19911  
WEST PALM BEACH, FL 33416

Respondent.

PCN: 70-43-44-20-01-106-0020

### NOTICE OF REPEAT 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 July 19, 2024, the owners of the property at 2887 Lake Worth Road, Palm Springs, FL 33461 is in violation of local ordinances.

**Section 46-3 : Graffiti.**

**Section 10-9 : Exterior of Building – Broken windows, missing fascia at front canopy.**

**Section 34-221: Landscape maintenance – remove dead shrub (south side), trim bush (parking lot).**

**These violations must be corrected on or before August 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 on August 15, 2024 at 10:00 a.m. 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 Compliance.** 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

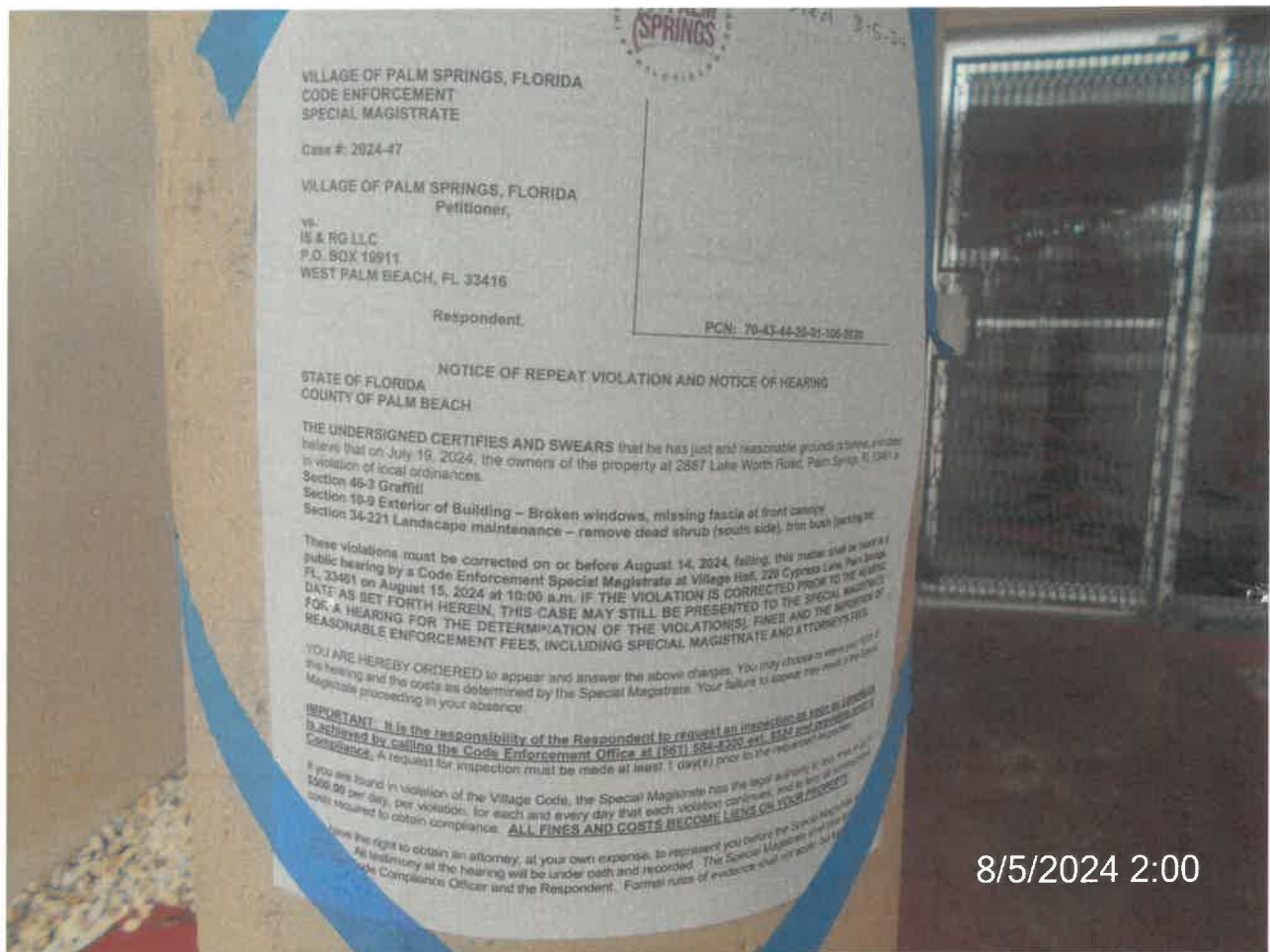
due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the 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

Nanciann Cuenot

July 19, 2024  
Date Issued



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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-47**

**RETURN OF SERVICE**

**IS & RG LLC  
P.O. BOX 19911  
WEST PALM BEACH, FL 33416**  
\_\_\_\_\_ /

**Respondent**

On the **5TH Day of AUGUST 2024 at 2:00 PM**, I served the attached NOTICE OF VIOLATION/ NOTICE OF HEARING on the within named Respondent, **IS & RG LLC, GLORIA BESHARA** at **2887 LAKE WORTH ROAD**, Palm Springs, FL 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:   
NANCIANN CUENOT





2887 Lake Worth Rd

Section  
46-3  
Graffiti



20240718\_122952041\_iOS.jpg

Section  
10-9  
Broken Window



20240718\_122949768\_iOS.jpg





7/18/2024 12:21





- TRASH + Debris -  
- Replace Dead Vegetation

1/8/2024 11:49







Re: Case 2920-2442/ 2022-43

Gloria Beshara <[gibeshara@gmail.com](mailto:gibeshara@gmail.com)>

Wed 8/7/2024 4:52 PM

To: Nanciann M. Cuenot <[ncuenot@vpsfl.org](mailto:ncuenot@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.

Ms Cuenot

I have not been able to do it right away because I am in New York attending a family emergency; by next week I will take care of everything.

Respectfully,

Gloria Beshara

On Wed, Aug 7, 2024 at 2:27 PM Nanciann M. Cuenot <[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)> wrote:

Gloria,

I am writing to you regarding the request for fine reduction for two cases: Case No.2020-2442 and Case No.2022-43.

Please be advised that the property must be in COMPLETE COMPLIANCE in order to proceed with your request for fine reduction, August 15, 2024, at 10:0 AM.

To date the REPEAT VIOLATIONS for the broken window and the graffiti are still outstanding. A Notice of Violation/ Notice of Hearing was mailed to your P.O. Box. I am attaching the Notice to this email for your information.

Respectfully,



**Nanciann Cuenot, CEP**

Code Enforcement Officer

[226 Cypress Lane | Palm Springs, Florida 33461](#)

Phone: 561.584.8300 Ext. 8524

Email: [ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)

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**From:** Gloria Beshara <[gibeshara@gmail.com](mailto:gibeshara@gmail.com)>

**Sent:** Tuesday, July 9, 2024 9:32 AM

**To:** Nanciann M. Cuenot <[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)>

**Subject:** Re: Case 2920-2442/ 2022-43

**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.

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## 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)



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### **Sec. 46-3. Graffiti.**

- (a) *Public nuisance.* All property defaced by graffiti is hereby declared to be a public nuisance and such graffiti must be removed within the time specified in the notification by the code enforcement officer.
- (b) *Removal from property.* It shall be unlawful for any person, firm, public agency or utility owning or acting as manager or agent for the owner of the property, whether privately or publicly owned, to permit the application of or fail to remove any graffiti from the property as provided by subsection (b) of this section. If the person, firm, public agency or utility owning or acting as manager or agent for the owner of such property fails to remove the graffiti, the village shall proceed with enforcement by the code enforcement board and request a hearing.

(Code 1994, § 38-4; Ord. No. 2015-20, § 2, 5-14-2015)

State law reference(s)—Graffiti, F.S. § 806.13.

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

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

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

**CASE PRESENTATION**  
**CASE No. CASE 2024- 47**

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 2887 LAKE WORTH ROAD 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 IS & RG LLC.
5. PERSUANT TO Complaints and Personal observation THERE are REPEAT VIOLATIONS at 2887 LAKE WORTH ROAD, PALM SPRINGS, FL.  
Section 10-9 Exterior structure not maintained (Broken windows, missing fascia at front canopy)  
Section 46-3 Graffiti  
Section 34-221 Landscape maintenance – remove dead bush (south property line) and trim bush in the parking lot.
6. This officer was completing an inspection on the property and noticed that there was a broken window and graffiti. These violations are repeat violations. Also in violation is the landscaping maintenance needed by removing a dead shrub on the south property line and trimming an overgrown shrub in the parking lot on the west property line. Current Photos of the property are included in the file.
5. On JULY 19, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-47 FOR THE VIOLATIONS. THE NOTICE WAS mailed Certified and Regular to the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall.
6. I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE and remain in compliance with the listed violations by SEPTEMBER 18, 2024. If not in compliance a fine of \$100 per day per violation accrues until compliance. This property must be in complete compliance in order for any or all fine reductions be granted by the Village of Palm Springs.
7. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF \$171.60 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN SEPTEMBER 18, 2024.
8. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.





### Case Administrative / Court Costs

| AUGUST 15, 2024, 2887 LAKE WORTH ROAD |                                                   |        | Case 2024-47 |        |
|---------------------------------------|---------------------------------------------------|--------|--------------|--------|
| 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 | 2.00   | 5.00         | 10.00  |
| 5                                     | Additional photos re-inspections - 5 for 20.00    | 1.00   | 20.00        | 20.00  |
| 6                                     | Additional certified copies for hearing           | 1.00   | 8.16         | 8.16   |
| 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   | 0.69         | 0.69   |
| 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 2024-47          |                                                   |        |              | 171.60 |



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-584-8300 ext. 8520 • [www.vpsfl.org](http://www.vpsfl.org)

July 19, 2024

Gloria Rodriguez Bechara  
P.O. BOX 19911  
WEST PALM BEACH, FL 33416

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 **2887 LAKE WORTH RD, Palm Springs, FL 33416, PCN: 70434420011060020.**

## **VIOLATION/HEARING 2024-47**

**The violations that must be corrected are:**

**Section 46-3 Graffiti**

**Section 10-9 Exterior of Building – Broken windows, missing fascia at front canopy**

**Section 34-221 Landscape maintenance – remove dead shrub (south side), trim bush (parking lot)**

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **August 15, 2024, at 10:00 AM** that is noted on your Notice of Violation. This is part of your right under the judicial system.

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

Please call Code Enforcement Office at 561-584-8300 ext. 8524.

Respectfully,

  
Nanciann Cuenot

Palm Springs Police Department  
Code Enforcement Officer  
561 584-8300 Ext. 8524  
561 307-7157  
[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)

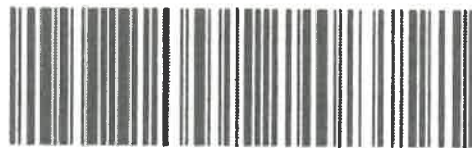


**PALM SPRINGS POLICE  
CODE ENFORCEMENT I  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot**



UNITED STATES  
POSTAL SERVICE

**CERTIFIED MAIL**



9489 0178 9820 3019 8761 11

Label 880-QDT, March 2023



quadiant

FIRST-CLASS MAIL  
IMI

**\$008.16**<sup>9</sup>

07/19/2024 ZIP 33480  
043M31255277

**US POSTAGE**

**IS & RG LLC  
P.O. BOX 19911  
WEST PALM BEACH, FL 33416**



**PALM SPRINGS POLICE DEPARTMENT  
CODE ENFORCEMENT DIVISION  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot**



quadiënt  
FIRST-CLASS MAIL  
IMI  
**\$000.69<sup>0</sup>**  
07/19/2024 ZIP 33480  
043M31255277

**US POSTAGE**

**IS & RG LLC  
P.O. Box 19911  
WEST PALM BEACH, FL 33416**



Tracking Number:

Remove X

**9489017898203019876111**

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

## Latest Update

This is a reminder to pick up your item before August 7, 2024 or your item will be returned on August 8, 2024. Please pick up the item at the WEST PALM BEACH, FL 33416 Post Office.

Get More Out of USPS Tracking:

**USPS Tracking Plus<sup>®</sup>**

### Delivery Attempt

**Reminder to pick up your item before August 7, 2024**

WEST PALM BEACH, FL 33416

July 29, 2024

### Available for Pickup

WEST PALM BCH WINDOW UNIT

3200 SUMMIT BLVD

WEST PALM BEACH FL 33416-3525

M-F 0800-2100; SAT 0900-1900

July 24, 2024, 10:28 am

[See All Tracking History](#)

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



**Property Detail**

**Location Address :** 2887 LAKE WORTH RD  
**Municipality :** PALM SPRINGS  
**Parcel Control Number :** 70-43-44-20-01-106-0020  
**Subdivision :** MODEL LAND CO  
**Official Records Book/Page :** 12260 / 1564  
**Sale Date :** JAN-2001

**Legal Description :** MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106 LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK, LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26

**Owner Information**

|                 |                                             |
|-----------------|---------------------------------------------|
| <b>Owner(s)</b> | <b>Mailing Address</b>                      |
| IS & RG LLC     | PO BOX 19911<br>WEST PALM BCH FL 33416 4911 |

**Sales Information**

| <b>Sales Date</b> | <b>Price</b> | <b>OR Book/Page</b> | <b>Sale Type</b> | <b>Owner</b> |
|-------------------|--------------|---------------------|------------------|--------------|
| JAN-2001          | \$240,000    | 12260 / 01564       | WARRANTY DEED    | IS & RG LLC  |
| AUG-1990          | \$100        | 06574 / 00121       | QUIT CLAIM       |              |
| JAN-1982          | \$100        | 03665 / 00008       | QUIT CLAIM       |              |

**Exemption Information**

No Exemption Information Available.

**Property Information**

**Number of Units :** 0  
**\*Total Square Feet :** 2419  
**Acres :** 1.5881  
**Property Use Code :** 1900—MEDICAL OFFICE- BUILDING UP TO 4 STORIES  
**Zoning :** CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

**Appraisals**

| <b>Tax Year</b>    | <b>2023</b> | <b>2022</b> | <b>2021</b> | <b>2020</b> | <b>2019</b> |
|--------------------|-------------|-------------|-------------|-------------|-------------|
| Improvement Value  | \$211,815   | \$204,895   | \$170,304   | \$177,064   | \$168,764   |
| Land Value         | \$635,036   | \$604,944   | \$518,820   | \$518,820   | \$491,323   |
| Total Market Value | \$846,851   | \$809,839   | \$689,124   | \$695,884   | \$660,087   |

**Assessed and Taxable Values**

| <b>Tax Year</b>  | <b>2023</b> | <b>2022</b> | <b>2021</b> | <b>2020</b> | <b>2019</b> |
|------------------|-------------|-------------|-------------|-------------|-------------|
| Assessed Value   | \$833,840   | \$758,036   | \$689,124   | \$695,884   | \$660,087   |
| Exemption Amount | \$0         | \$0         | \$0         | \$0         | \$0         |
| Taxable Value    | \$833,840   | \$758,036   | \$689,124   | \$695,884   | \$660,087   |

**Taxes**

| <b>Tax Year</b> | <b>2023</b> | <b>2022</b> | <b>2021</b> | <b>2020</b> | <b>2019</b> |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| AD VALOREM      | \$16,420    | \$15,517    | \$14,186    | \$14,451    | \$13,865    |
| NON AD VALOREM  | \$715       | \$691       | \$667       | \$655       | \$672       |
| TOTAL TAX       | \$17,135    | \$16,207    | \$14,853    | \$15,105    | \$14,537    |

 Account Information

**Property Control Number:**  
70-43-44-20-01-106-0020

**Mailing Address:**  
PO BOX 19911  
West Palm Bch, FL 33416-4911

**Owner of Record:**  
IS & RG LLC

**Property Type:**  
Real Property

**Property Address:**  
2887 LAKE WORTH  
LAKE WORTH, FL 33461

**Second Owner:**

**Status:** Active

**Legal Description:**  
MODEL LAND CO SUB, SLY 276.83 FT OF  
WLY 130 FT OF TR 106 LYG N OF & ADJ TO  
SR 802 R/W & PT OF ABND 5 FT ALLEY LYG  
E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN  
& BELLE VUE PARK, LTS 20 THRU 22 LYG N  
OF & ADJ TO SR 802 R/W & LTS 23 THRU 26

Last updated: 8/08/2024 08:51:21 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: \$38,228.24

**2023 | BILL TYPE: TAX CERTIFICATE | BILL NO: (05/31/2024) 2024:19135 |**  
**ROLL: ANNUAL |**  
**PAST DUE \$19,476.81**

NOT PAYABLE 

| Date   | Total Tax                            | Paid   | Amount Due If Paid By Date                                                                             | Status                                                                                       | Payment Options | <a href="#">View Info</a> |
|--------|--------------------------------------|--------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------|---------------------------|
| 4/1/24 | <input type="checkbox"/> \$19,476.81 | \$0.00 | <input type="checkbox"/> \$19,476.81                                                                   |  Past Due |                 |                           |
|        | Net Tax: \$18,543.39                 |        |  8/8/24 \$19,476.81 |                                                                                              |                 |                           |
|        | Interest: \$927.17                   |        | 8/31/24 \$19,476.81                                                                                    |                                                                                              |                 |                           |
|        | Penalty: \$0.00                      |        | 9/30/24 \$19,476.81                                                                                    |                                                                                              |                 |                           |
|        | Fees: \$6.25                         |        | 10/31/24 \$19,476.81                                                                                   |                                                                                              |                 |                           |
|        | Discount: \$0.00                     |        |                                                                                                        |                                                                                              |                 |                           |

**2022 | BILL TYPE: TAX CERTIFICATE | BILL NO: (05/31/2023) 2023:16035 |**  
**ROLL: ANNUAL |**  
**PAST DUE \$18,751.43**

NOT PAYABLE 

| Date    | Total Tax                            | Paid   | Amount Due If Paid By Date                                                                             | Status                                                                                       | Payment Options | <a href="#">View Info</a> |
|---------|--------------------------------------|--------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------|---------------------------|
| 3/31/23 | <input type="checkbox"/> \$18,751.43 | \$0.00 | <input type="checkbox"/> \$18,751.43                                                                   |  Past Due |                 |                           |
|         | Net Tax: \$17,539.35                 |        |  8/8/24 \$18,751.43 |                                                                                              |                 |                           |
|         | Interest: \$1,205.83                 |        | 8/31/24 \$18,751.43                                                                                    |                                                                                              |                 |                           |
|         | Penalty: \$0.00                      |        | 9/30/24 \$18,831.82                                                                                    |                                                                                              |                 |                           |
|         | Fees: \$6.25                         |        | 10/31/24 \$18,912.21                                                                                   |                                                                                              |                 |                           |
|         | Discount: \$0.00                     |        |                                                                                                        |                                                                                              |                 |                           |

## + Recently Paid Bills

| Due Date | Net Tax                                                                                                                                                         | Last Paid | Amount Paid   | Status                                |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------|---------------------------------------|
| 3/31/22  | <div><div></div><div>\$16,077.77</div></div> <div>Net Tax: \$14,853.00<br/>Interest: \$445.59<br/>Penalty: \$0.00<br/>Fees: \$779.18<br/>Discount: \$0.00</div> | 7/3/23    | - \$16,077.77 | <div><div></div><div>Paid</div></div> |
| 3/31/21  | <div><div></div><div>\$16,350.82</div></div> <div>Net Tax: \$15,105.48<br/>Interest: \$453.16<br/>Penalty: \$0.00<br/>Fees: \$792.18<br/>Discount: \$0.00</div> | 6/1/22    | - \$16,350.82 | <div><div></div><div>Paid</div></div> |
| 3/31/20  | <div><div></div><div>\$14,100.91</div></div> <div>Net Tax: \$14,537.01<br/>Interest: \$0.00<br/>Penalty: \$0.00<br/>Fees: \$0.00<br/>Discount: -\$436.10</div>  | 12/31/19  | - \$14,100.91 | <div><div></div><div>Paid</div></div> |

 Payment Info - [Select to Expand Payment History for PIN](#)



VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-47

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

IS & RG LLC  
2887 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461

MAILING ADDRESS:

IS & RG LLC  
P.O. BOX 19911  
WEST PALM BEACH, FL 33416  
Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 46-3 Graffiti (REPEAT)

SECTION 10-9: Exterior of Building -Broken windows, missing fascia at front canopy (REPEAT)

SECTION 34-221: Landscape maintenance – remove dead shrub south property line, trim bush parking lot west property line.

|                    |                                                                                                                                                                                                                                          |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:           | 2887 LAKE WORTH ROAD                                                                                                                                                                                                                     |
| Legal Description: | MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106 LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK, LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26 |
| PCN:               | 70-43-44-18-07-014-0200                                                                                                                                                                                                                  |

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 46-3 Graffiti (REPEAT)
- ☐ SECTION 10-9: Exterior of Building. Broken windows, missing fascia- front canopy (REPEAT)
- ☐ SECTION 34-221 Landscape maintenance – remove dead shrub south property line, trim bush parking lot west property line

- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ **SECTION 46-3 Graffiti (REPEAT)**
  - ☐ **SECTION 10-9: Exterior of Building. Broken windows, missing fascia front canopy (REPEAT)**
  - ☐ **SECTION 34-221 Landscape maintenance – remove dead shrub south property line, trim bush parking lot west property line**

**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 **September 18, 2024:**
- ☐ Administrative costs of **\$171.60**
  - ☐ 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 **September 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 **September 18, 2024.**
- ☐ Administrative costs of **\$171.60**
  - ☐ 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 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 judgment for the amount of the lien plus accrued interest. Future violations of the**

**aforementioned code section(s) may be considered a repeat violation for which a fine of up to five hundred dollars (\$500.00) per day may be imposed beginning on the date the violation begins.**

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

DONE AND ORDERED this 15th day of August 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:

2887 LAKE WORTH ROAD

LAKE WORTH BEACH, FL 33461

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
Case No. 2024-49

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

v.

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE STE A  
WEST PALM BEACH, FL 33406 6689  
Respondent.

PCN 70-43-44-08-04-000-0540

## 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 **July 16, 2024**, the Respondent, **AGAPE WORSHIP CENTER OF THE C&MA INC.**, owner of the property at **1900 S CONGRESS AVENUE PALM SPRINGS, FL, 33461** is in violation of local ordinances:

**Section 10-31 FBC 105.1 & FBC 110.1 Working without permits and inspections** - Repaved parking lot/ installed speed bumps.  
**Section 34-224 - Replacement of Vegetation** - Landscape plan shall be submitted and approved prior to replacement of landscape materials in the required planter box buffer between commercial and residential zoning east side of property. Dead vegetation in front of building and along north side property line.  
**Section 34-265 – Responsibility of Maintenance-** Unsafe, insecure monument signage. Remove and replace. Permit required.  
**Section 34-1366 Dumpsters** must be screened from view from any street or adjoining property by means of a wall and landscaping approved by the building department.  
**Section. 34-883(3).** Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence.

These violations must be corrected on or before **August 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 August 15, 2024.** IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

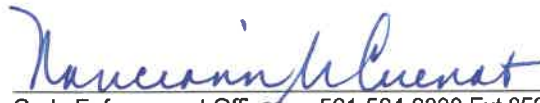
**IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 Ext. 8524 and providing proof of Permits and Inspections.** A request for inspection must be made at least 1 day(s) prior to the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

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

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

CE/ CEB Case No. 2024-49

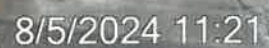
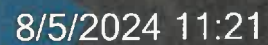
Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who 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

Date Issued: AUGUST 5, 2024

NANCIANN CUENOT  
Printed Name of Officer





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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-49**

**Vs.**

**RETURN OF SERVICE**

**AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE  
WEST PALM BEACH, FL 33404 6689**

**Respondent**

\_\_\_\_\_/

On the 5th day of August at 11:21 am., I served the attached Notice of Violation/Notice of Hearing on the within named Respondents AGAPE WORSHIP CENTER OF THE C&MA INC., owners of the property at 1900 S Congress Avenue, 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: XXXX 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 ATTACHED)

VILLAGE OF PALM SPRINGS  
DEPARTMENT OF PUBLIC SAFETY

By: \_\_\_\_\_

Nanciann M. Cuenot



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

9489 0178 9820 3019 8762 58

AUGUST 5, 2024

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE STE A  
WEST PALM BEACH, FL 33406 6689

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 **1900 S Congress Avenue in Palm Springs, FL.**

PCN: 70-43-44-08-04-000-0540

**This property is in violation of local ordinances.**

**Section 10-31 FBC 105.1 & FBC 110.1 Working without permits and inspections - Repaved parking lot/ installed speed bumps.**

**Section 34-224 - Replacement of Vegetation - Landscape plan shall be submitted and approved prior to replacement of landscape materials in the required planter box buffer between commercial and residential zoning east side of property. Dead vegetation in front of building and along north side property line.**

**Section 34-265 – Responsibility of Maintenance- unsafe, insecure monument signage. Remove and replace. Permit required.**

**Section 34-1366 Dumpsters must be screened from view from any street or adjoining property by means of a wall and landscaping approved by the building department.**

**Section. 34-883(3). Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence.**

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

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

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

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



PALM SPRINGS POLICE DEPARTMENT  
CODE ENFORCEMENT DIVISION  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot



quadiant  
FIRST-CLASS MAIL  
IMI  
\$000.69<sup>0</sup>  
08/05/2024 ZIP 33480  
043M31255277

US POSTAGE

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE STE A  
WEST PALM BEACH, FL 33406 6689



PALM SPRINGS POLICE D  
CODE ENFORCEMENT DI  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot



UNITED STATES  
POSTAL SERVICE

CERTIFIED MAIL<sup>®</sup>



9489 0178 9820 3019 8762 58

Label 890-QDT, March 2023



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US POSTAGE

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE STE A  
WEST PALM BEACH, FL 33406 6689

Tracking Number:

Remove X

9489017898203019876258

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 4:53 pm on August 8, 2024 in WEST PALM BEACH, FL 33406.

Get More Out of USPS Tracking:  
USPS Tracking Plus®

**Delivered**  
Delivered, Left with Individual  
WEST PALM BEACH, FL 33406  
August 8, 2024, 4:53 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Feedback

Text & Email Updates

▼

USPS Tracking Plus®

▼

Product Information

▼

See Less ^











7/8/2024 9:26

101-1101 Rich Drive

Dennis Rudolph R. <DRRudolph@pbc.gov>

Thu 8/8/2024 3:00 PM

To:corporate@richpropertiesfl.com <corporate@richpropertiesfl.com>

Cc:PalmSprings Manager <palmsprings@richpropertiesfl.com>;Nanciann M. Cuenot <ncuenot@vpsfl.org>;Peter Ringle <pringle@vpsfl.org>

📎 13 attachments (6 MB)

1101 Code.pdf; 1101.pdf; 101.pdf; 201.pdf; 301.pdf; 401.pdf; 501.pdf; 601.pdf; 701.pdf; 801.pdf; 901.pdf; 1001.pdf; Speed Humps - Engineering Detail from July 2021.pdf;

**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.

Good morning,

Attached are the reports as requested.

Please be advised the traffic calming devices need to be removed and are not grandfathered in. You may install new traffic calming devices that meet our requirements and with a permit submitted to the Village of Palm Springs. I provided the attachment above on the specifications.

It is to my understanding that you are refusing to remove the traffic calming devices. I have submitted a code case with the Palm Springs regarding the issue. A formal Notice of Violation (NOV) will be sent out prior to the Special Magistrate hearing.

I would like to express that each speed hump delays 7 seconds of travel time in the event of an emergency. When a medical emergency occurs, time is of the essence. Each second matters when a patient is in cardiac arrest or encountering a severe emergency.

Respectfully,

**DENNIS RUDOLPH, NFPA-CFPE**

Fire Inspector M-F (7:30-4)

Community Risk Reduction Division

Palm Beach County Fire Rescue

405 Pike Road, West Palm Beach, FL 33411

EMAIL: [DRRudolph@pbcgov.org](mailto:DRRudolph@pbcgov.org)

CELL: (561) 267-2084

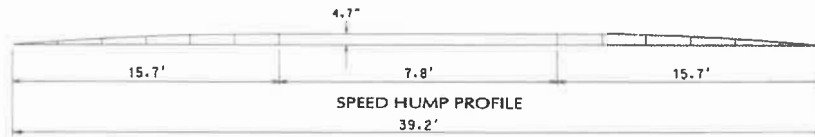
EXCELLENCE TODAY



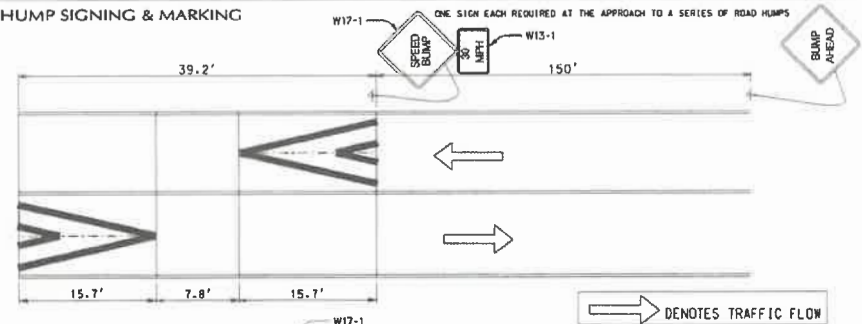
IMPROVING TOMORROW

**HIPAA NOTE:** This email conforms to the rules and regulations of the **HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**. This email may contain HIPAA protected health information, which

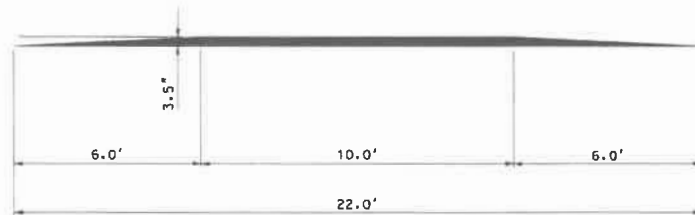
## SPEED HUMP (DUTCH DESIGN)



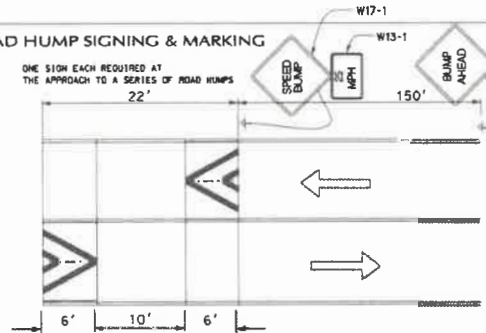
## ROAD HUMP SIGNING & MARKING



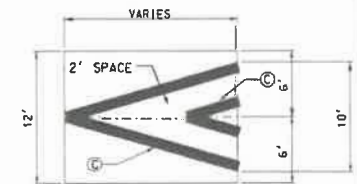
## SEMINOLE SPEED HUMP



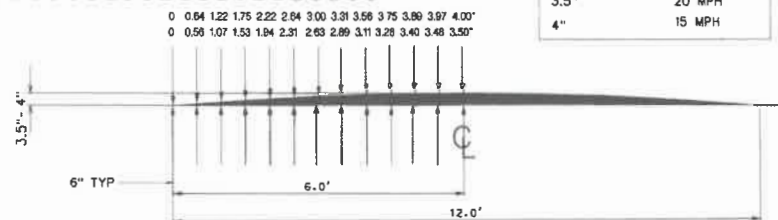
## ROAD HUMP SIGNING & MARKING



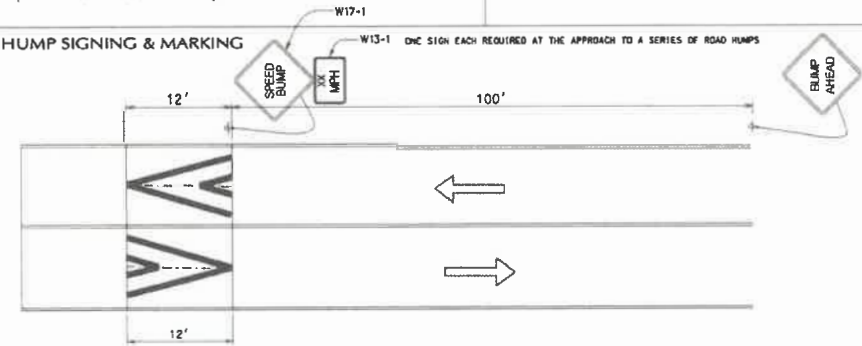
## ROAD HUMP PAVEMENT MARKINGS



## I.T.E. SPEED HUMP ONLY APPLICABLE TO PRIVATE ROADS WITHIN UNINCORPORATED PALM BEACH COUNTY



## ROAD HUMP SIGNING & MARKING



### COORDINATION WITH STREET GEOMETRY

A THOROUGH ON-SITE ANALYSIS OF ROADWAY GEOMETRICS SHALL BE PERFORMED TO ENSURE THAT SPEED HUMPS WILL NOT BE INTRODUCED AT A CRITICAL POINT IN THE ROADWAY SYSTEM, E.G., A SEVERE COMBINATION OF HORIZONTAL, VERTICAL CURVATURE AND / OR STREET GRADIENT.

### COORDINATION WITH TRAFFIC OPERATIONS

SPEED HUMPS SHOULD NOT BE INSTALLED WITHIN 400' FT. OF A TRAFFIC SIGNAL OR WITHIN 150' FROM AN INTERSECTION OR STOP SIGN. MINIMUM DISTANCE BETWEEN SPEED HUMPS IS 400' AND THE MAXIMUM SHOULD BE 800'. TO BE CONSTRUCTED ONLY WHEN APPROVED BY PALM BEACH COUNTY ENGINEER.

### CONSTRUCTION PROCEDURES

IT IS RECOMMENDED THAT A TEMPLATE BE CONSTRUCTED TO VERIFY THE ACCURACY OF THE HUMP PROFILE AND TO ENSURE THAT THE DESIRED VERTICAL DIMENSIONS ARE ATTAINED WITHIN REASONABLE TOLERANCES (NORMALLY ONE-HALF INCH OR LESS, PROVIDED THE HUMP DOES NOT EXCEED 4 INCHES). IF THE PROFILE IS INCORRECT, HUMP CHARACTERISTICS WILL BE CHANGED THAT MIGHT IMPACT TRAFFIC SAFETY OR CREATE INEFFECTIVE SPEED CONTROL. IT IS RECOMMENDED THAT THE ROAD SURFACE BE EXCAVATED AT TAPERING EDGES TO PREVENT SPALLING. HUMPS MAY BE INSTALLED IN TWO LIFTS TO IMPROVE ACCURACY AND SHAPE.



1 07/07/2 ADDED I.T.E. SPEED HUMP AND NOTE CHANGE. EL

PALM BEACH COUNTY, FLORIDA  
TRAFFIC DIVISION  
TYPICAL

ROAD SPEED HUMP DETAILS

BOOD CP  
SENIOR PROFESSIONAL ENGINEER  
NAME: MOTASEM AL-TURK  
DATE: 4-18-2010  
DRAWN BY: COT  
CHECKED BY: N.T.S.  
T-P-21





7/8/2024 9:20





1/5/2023 10:50









7/8/2024 9:28





7/8/2024 9:31



1900  
BUILDING



AGAPE  
WORSHIP  
CENTER

*Where Jesus is Lord*

7/8/2024 9:31



THE  
1900  
BUILDING



AGAPE  
WORSHIP  
CENTER

*Where Jesus is Lord*

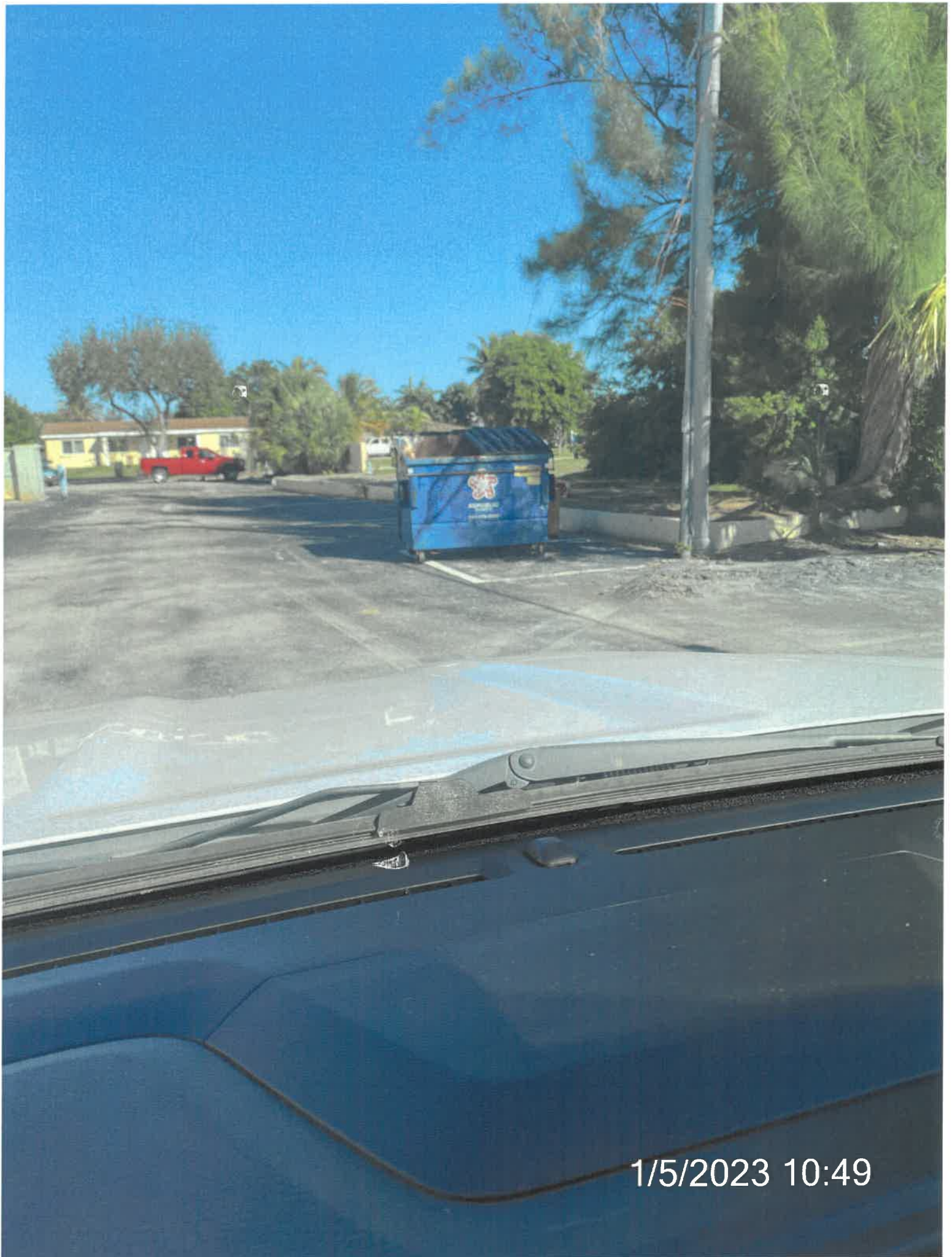
7/8/2024 9:31





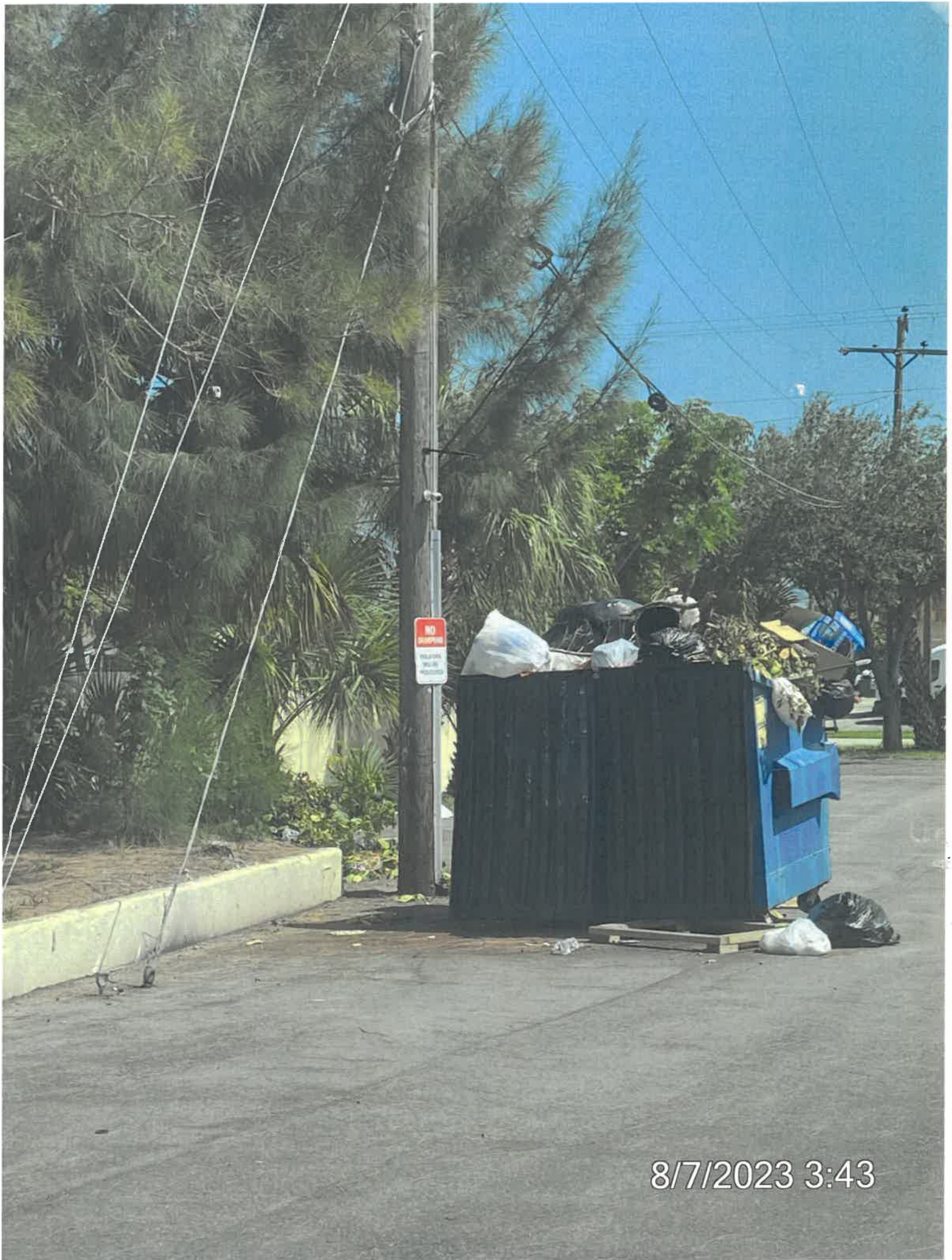
7/8/2024 9:30





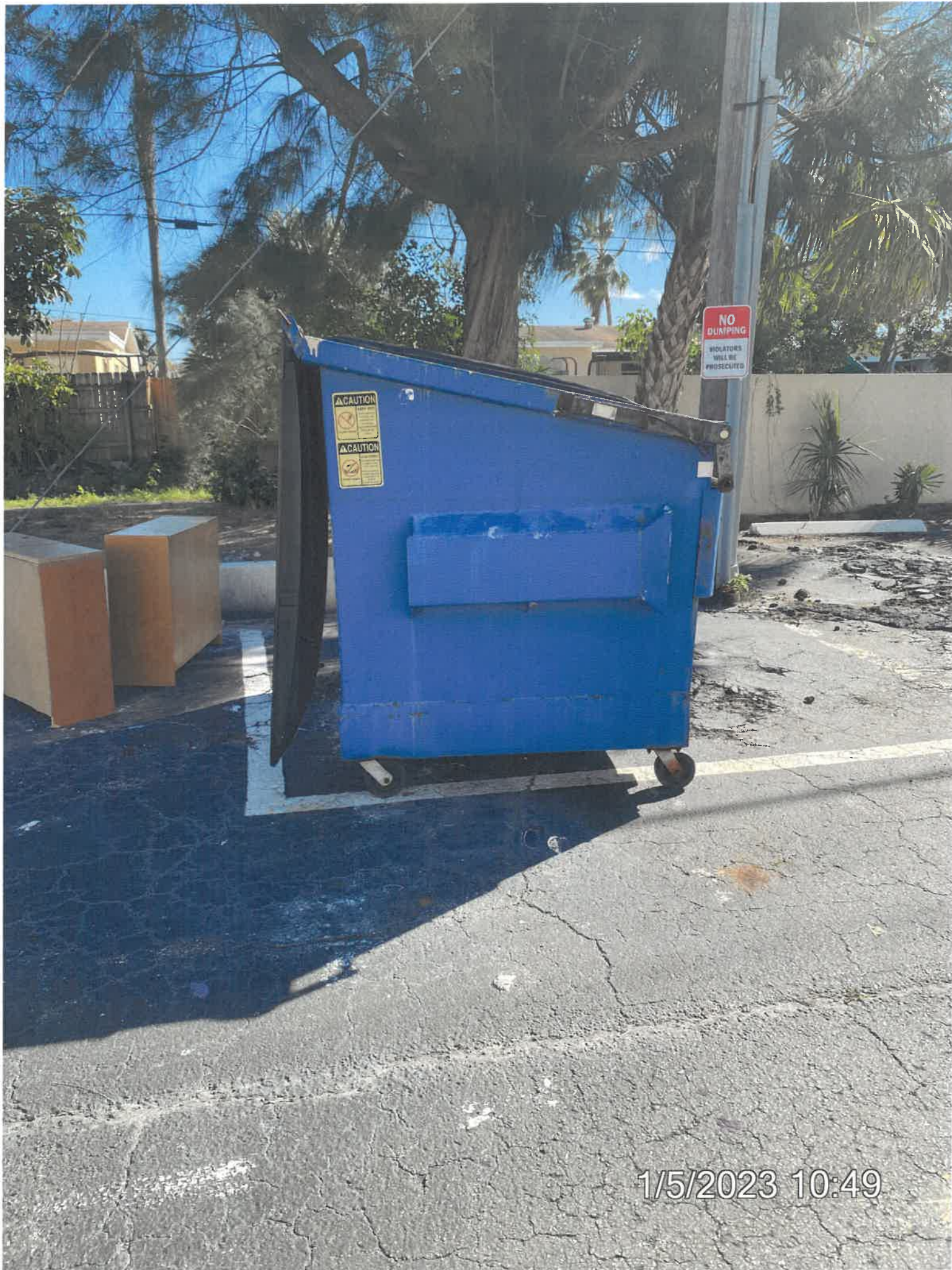
1/5/2023 10:49





8/7/2023 3:43





1/5/2023 10:49





1/5/2023 10:56





7/8/2024 9:22



## Florida Building Code (FBC) PERMITS

**FBC 105.1** Required. Any contactor, owner, or agent authorized in accordance with Florida Statute 489 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, plumbing, or 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;

**FBC 105.4** Conditions Of the permit. **The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction.** Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

**FBC 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 accessible and exposed 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 permit applicant to cause the work to remain accessible and exposed for inspection purposes. 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.



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### **Sec. 34-224. Replacement of vegetation.**

Any vegetation, including a tree, shall be replaced with plants of the same or similar species and size if it dies or becomes diseased, is removed without a village permit, or is subject of tree abuse, including hatracking. Where such dead/abused vegetation is within a required landscape buffer, or within an existing area of native vegetation preserved under a landscaping plan, and where replacement in kind is impractical due to the size or other characteristics of the trees/native vegetation, a revised landscaping plan shall be submitted and approved prior to replacement of all or part of the required trees and/or native vegetation. In such case, replacement of the trees/native vegetation should be designed to provide the same quality of buffering and tree canopy as was provided by the trees/native vegetation. If the site cannot support the total number of required replacement trees as determined herein, the village may permit the owner to mitigate by donating excess trees to the village for planting on public lands at the owner's expense; by contributing to the village the monies equivalent to such required replacement trees per the most recent edition of Valuation of Landscape Trees, Shrubs, and Other Plants: A Guide to the Methods and Procedures for Appraising Amenity Plants, prepared by the council of tree and landscape appraisers and published by the international society of arboriculture; or by permitting the required replacement trees to be placed upon other lands owned by the same property owners.

(Code 1994, § 30-149; Ord. No. 2015-12, § 8, 4-9-2015; Ord. No. 2016-21, § 2, 1-12-2017)

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

- (a) All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted, if paint is required. Defective or damaged parts shall be replaced.
- (b) If any sign regulated in this article is found by the building official to be unsafe, insecure, a menace to the public or constructed, erected or maintained in violation of the provisions of this article, written notice by the building official shall be given to the owner of the sign and of the property the sign is located on. If the owner or person in possession fails to remove or alter the structure so as to comply with the provisions of this article within ten days after the notice is delivered, the village manager shall approve the removal or alteration of the sign to comply, at the expense of the owner of the property upon which it is located. The land development department may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.
- (c) If any sign regulated in this article is found to be abandoned or the business advertised shall move from the property where the sign is located, the owner, agent or responsible person shall be responsible to remove the sign, cover the sign with a plain fabric cover or place a blank copy panel in the sign frame within 30 days of the abandonment or relocation of the business.
- (d) Upon the failure, neglect or refusal of any owner, agent or responsible person to remove or repair any sign in violation of this article, after notification by the building official, the village manager is hereby authorized and empowered to effect the removal of the sign which is in violation.

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

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

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

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

## **DUMPSTERS**

### **Sec. 34-1330. - Off-street loading.**

(g) All buildings or uses requiring the pickup of large quantities of garbage or trash shall provide an easily accessible area for the pickup and delivery of a dumpster or other trash receptacle. All such areas shall be designated so that garbage and trash pickup can be accomplished without excessive maneuvering, such as turning around and backing up.

### **Sec. 34-162. - Required buffers.**

(b)The following standards shall apply to the categories of buffers identified in subsection (a) of this section:

(1) Category 1. Five-foot wide buffer area with a wall or fence and hedge not less than six feet in height. The hedge shall be a minimum of three feet in height at time of planting.

### **Sec. 34-1366. - Building design guidelines.**

These guidelines are intended to help secure a high quality of environment, regarding livability, visual interest, identity and sense of place in Palm Springs' commercial and multifamily districts by providing guidance for the design of new buildings. These guidelines are intended to focus on the characteristics of architectural compatibility and leave individual property owners and developers the maximum flexibility to build to meet their own needs and objectives.

(10) Service yards, storage yards, and loading docks. All refuse and waste containers, recycling or compacting containers, dumpsters, oil tanks, bottled gas tanks, service yards, storage yards, and loading docks shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the city council.



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

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

- (1) Fences and walls enclosing any use shall comply with the permit procedures established in the village building code as set forth in chapter 10, article II.
- (2) Where two streets intersect, a 30-foot visibility triangle area shall be formed, where there shall be a clear space with no obstructions to vision. Fences, walls and hedges shall be restricted to a height of three feet above the average grade of the street as measured at the centerline of the street.
- (3) Walls, fences or similar structures erected in any land development district shall not contain any substances, such as broken glass, spikes, nails, electric shock, barbed wire or similar materials, designed to inflict pain or injury to any person or animal.
- (4) On properties other than those zoned for commercial or industrial development, on the front property line and on that portion of the side property line to the front building setback line, a fence, wall or hedge shall have a maximum vertical height of four feet as measured from the average grade of the centerline of the street abutting the front yard.
- (5) On residentially zoned properties on the rear property line and that portion of the side property line from the rear property line to the front of the front building setback line, a fence, wall or hedge shall have a maximum vertical height of six feet as measured from the finished grade of the lot.
- (6) On properties zoned for commercial or industrial development, all fences, walls or hedges shall have a maximum vertical height of eight feet as measured from the finished grade of the lot.
- (7) Any fence or wall adjacent to a right-of-way shall be screened on the street side with hedge plants a minimum of three gallons in size, two feet on center and 36 inches high at time of planting, supplemented by trees spaced not more than 20 feet apart. On nonresidential properties, chain link fencing is prohibited in the front or side yards adjacent to a public street unless approved pursuant to subsection 34-162(h).
- (8) The finished side of all fences shall face the street or adjoining property.
- (9) Notwithstanding the foregoing, on residentially zoned properties, a manicured hedge abutting a collector or arterial roadway may have a maximum vertical height of ten feet, outside of any visibility triangle and where not in conflict with overhead utilities.

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

**CASE PRESENTATION**  
**CASE No. CASE 2024-49**

1. Good morning, my name is Nanciann Cuenot, and I have been sworn in.
2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.
3. This is **Case No. 2024-49** concerns the property at **1900 S. Congress Avenue** in the Village of Palm Springs, FL.

4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector records the current owner(s) of the property is AGAPE WORSHIP CENTER OF THE C&MA INC

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

\* **Section 10-31 FBC 105.1 No Permits & FBC 110.1 No Inspections** – The parking lot was repaved with asphalt and striped WITHOUT a permit or inspection. Speed bumps are also installed, these traffic calming devices do not meet fire safety requirements and must be removed. New devices must that meet requirements may be installed with a permit. A passing final inspection is required for this section to be in compliance.

\* **Section 34-224 - Replacement of Vegetation** – Landscaping planter box buffer between commercial and residential zoning east side of property is void of vegetation. A landscape plan to be submitted and approved prior to replacement of vegetation. Dead vegetation in front of building and along north side property line to be replaced.

\***Section 34-265 Responsibility of maintenance;** unsafe, insecure monument signage. Remove and replace. Permit required.

\***Section 34-1366 Building design guidelines.** Dumpsters must be screened from view from any street or adjoining property by means of a wall and landscaping. A permit is required.

\* **Section. 34-883(3). Fences.** Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence.

6. On January 27, 2023, I wrote a Courtesy Code Notice for the violations. Several additional notices, emails and telephone calls with the property owner. On March 24, 2023, during a routine inspection in the area, I noticed that the parking lot was being repaved and striped. The work was done without permits or inspections. A Stop Work Red Tag was issued.

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

8. On **August 5, 2024**, I wrote **Notice of Violation/Notice of Hearing 2024-49** for the violations. The Notice was mailed certified and regular to the respondents address of record and posted at the property and Village Hall. USPS tracking of delivery was confirmed.

CASE No. \_\_\_\_\_

9. I REQUEST THAT THE RESPONDANT BE ORDERED TO COME INTO COMPLIANCE WITH THE CITED REQUIREMENTS OF THE VILLAGE'S CODE BY REMOVING **THE BARED WIRE BY AUGUST 26, 2024.**  
I REQUEST THAT THE RESPONDANT BE ORDERED TO COME INTO COMPLIANCE **BY OBTAINING PERMITS FOR THE PARKING LOT, LANDSCAPING, SIGNAGE, AND DUMPSTER ENCLOSURE BY OCTOBER 10, 2024.**  
I REQUEST THAT THE RESPONDANT BE ORDERED TO COME INTO COMPLIANCE **BY OBTAINING A CERTIFICATE OF COMPLETION BY NO LATER THAN DECEMBER 6, 2024. If not in compliance by the dates, a \$100.00 per day, per violation fine accrues until compliance.**
10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$352.98** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **AUGUST 26, 2024.**
11. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.





## Case Administrative / Court Costs

AUGUST 15, 2024, 1900 S Congress Ave

Case 2024-49

| Line #                       | Description                                       | Unit # | Cost   | Total  |
|------------------------------|---------------------------------------------------|--------|--------|--------|
| 1                            | Additional Inspector Time - 1 hour CE             | 5.00   | 35.00  | 175.00 |
| 2                            | Additional Inspector Time - 1 hour Bldg           | 0.00   | 60.00  | 0.00   |
| 3                            | Additional Inspector Time - 1 hour LD Director    | 1.00   | 70.00  | 70.00  |
| 4                            | Additional photos re-inspections - 5.00 per photo | 3.00   | 5.00   | 15.00  |
| 5                            | Additional photos re-inspections - 5 for 20.00    | 1.00   | 20.00  | 20.00  |
| 6                            | Additional certified copies for hearing           | 1.00   | 8.16   | 8.16   |
| 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                                           | 3.00   | 0.69   | 2.07   |
| 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 2024-49 |                                                   |        |        | 352.98 |



# **PALM SPRINGS POLICE DEPARTMENT**

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-584-8300 ext. 8520 · [www.vpsfl.org](http://www.vpsfl.org)

July 08, 2024

**AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 CONGRESS AVE  
PALM SPRINGS, FL 33406**

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 1900 S CONGRESS AVE, Palm Springs, FL 33406.  
PCN: 70434408040000540

**This property is in violation of local ordinances.**

**Section 10-31 FBC105.1 & FBC110.1 Working without permits and inspections - Repaved parking lot**

**Section 34-224 - replacement of vegetation – East side planter box, North Side along Apalachee Rd. Hedge required.**

**Section 34-265 – Responsibility of Maintenance- unsafe, insecure signage.**

**Compliance Date: July 18, 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,

A handwritten signature in blue ink that reads "Nanciann Cuenot".

Nanciann Cuenot  
Palm Springs Police Department  
Code Enforcement Officer  
561 584-8300 Ext. 8524  
561 307-7157  
[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)



**PALM SPRINGS POLICE DEPARTMENT  
CODE ENFORCEMENT DIVISION  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot**



**quadiant**  
FIRST-CLASS MAIL  
IMI  
**\$000.64<sup>0</sup>**  
07/08/2024 ZIP 33480  
043M31255277

**US POSTAGE**

**AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 CONGRESS AVE  
PALM SPRINGS, FL 33406**



NOTIFIED PASTOR BRUCE BY PHONE  
3.24.23

PERMIT NO.

HAND DELIVERED NOTICE TO CONTRACTOR

**VIOLATION**  
**DO NOT REMOVE**  
**CORRECTIONS MUST BE**  
**MADE AS NOTED BELOW**

1900 S. Congress Ave

ADDRESS

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLBG. ☐

Parking lot resurfacing and  
striping require a permit.

Contact Planning Zoning Building

561-584-8200 Ext. 8460

226 Cypress Lane

Palm Springs

☒ STOP WORK! CALL 965-4016  
BETWEEN 8:30 - 4:30

☒ VIOLATION! CORRECT AS NOTED

☐ 2nd REINSPECTION FEE OF \$65.00 MUST BE PAID IN  
PERSON AT THE BUILDING DEPARTMENT. EACH  
ADDITIONAL INSPECTION FEE INCREASES BY \$65.00.

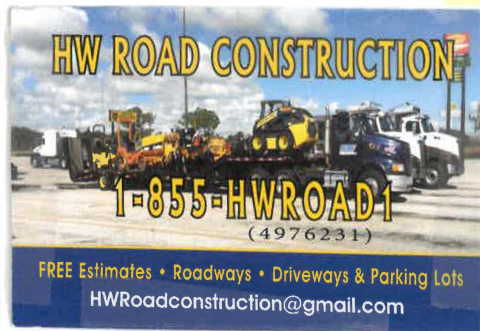
☐ CALL 434-5092 FOR REINSPECTION

VILLAGE OF PALM SPRINGS, FLORIDA

DATE 3.24.23 Nancuan Cuero INSPECTOR

561-584-8300 EXT 8500

Call Contractor 3.28.2023 - No permit on file  
+ Pastor Bruce - Property owner to do not contractor





# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-968-8243 • [www.vpsfl.org](http://www.vpsfl.org)

JANUARY 27, 2023

AGAPE WORSHIP CENTER OF THE C&MA INC

1900 S CONGRESS AVE, STE A

WEST PALM BEACH, FL 33406 6689

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 1900 S CONGRESS AVE in Palm Springs, FL

PCN: 70-43-44-08-04-000-0540

This property is in violation of local ordinances.

## SECTION 30-143 Public Nuisance

loose trash, tires, furniture, vines vegetation overgrowth & debris visible on the property area.

**Property must be maintained and cleaned; dead vegetation removed!**

**Trash is required to be picked up regularly.**

## SECTION 34-224 Replacement of dead vegetation

A landscaping plan shall be submitted and approved prior to replacement landscape materials in the required landscape buffer between commercial and residential zoning East side of property.

Dead vegetation in front of building must be replaced.

## SECTION 10-8 Parking lot

Maintain free from hazardous conditions.

**Parking lot potholes and cracks throughout must be repaired and resurfaced.**

## SECTION 34-1366 Dumpsters

Dumpsters must be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the Building Department.

**Compliance Date: JANUARY 10, 2023**

*February -*

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

Please call me if you have any questions at 561-584-8200 Ext. 8522.

Respectfully,

Nanciann Cuenot

Palm Springs Public Safety

Code Enforcement Officer

(T) 561-584-8200 Ext. 8524

[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

**FEBRUARY 24, 2023**

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 S CONGRESS AVE, STE A  
WEST PALM BEACH, FL 33406 6689

Dear Property Owner,

You have been issued a SECOND courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **1900 S CONGRESS AVE in Palm Springs, FL**

**PCN: 70-43-44-08-04-000-0540**

**This property is in violation of local ordinances.**

**SECTION 30-143 Public Nuisance**

loose trash, tires, furniture, vines vegetation overgrowth & debris visible on the property area.

**Property must be maintained and cleaned; dead vegetation removed!**

**Trash is required to be picked up regularly.**

**SECTION 34-224 Replacement of dead vegetation**

A landscaping plan shall be submitted and approved prior to replacement landscape materials in the required landscape buffer between commercial and residential zoning East side of property.

Dead vegetation in front of building must be replaced.

**SECTION 10-8 Parking lot**

Maintain free from hazardous conditions – resurface to eliminate cracks and holes.

**Parking lot potholes and cracks throughout must be repaired and resurfaced.**

**SECTION 34-1366 Dumpsters**

Dumpsters must be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the Building Department.

**Compliance Date: MARCH 24, 2023**

**Failure to comply WILL result in a 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  
Palm Springs Public Safety  
Code Enforcement Officer  
(T) 561-584-8300 Ext. 8524  
[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)





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

NEOPOST

FIRST-CLASS MAIL

08/15/2023

US POSTAGE \$000.63<sup>0</sup>



ZIP 33461  
041M11460879

**AGAPE WORSHIP CENTER OF THE C&MA INC**  
**SAMUEL BRUCE, REG. AGENT**  
**5630 MUIRFIEL VILLAGE CIRCLE**  
**LAKE WORTH, FL 33463**

## Nanciann M. Cuenot

---

**From:** Nanciann M. Cuenot <ncuenot@vpsfl.org>  
**Sent:** Friday, January 27, 2023 11:21 AM  
**To:** Jean Bruce  
**Subject:** Fw: Code Violation Notice 1900 S Congress Ave

**Importance:** High

---

**From:** Nanciann M. Cuenot <ncuenot@vpsfl.org>  
**Sent:** Friday, January 27, 2023 10:55 AM  
**To:** Jean Bruce <jeanbruc@mynsu.nova.edu>  
**Subject:** Fw: Code Violation Notice 1900 S Congress Ave

Good Morning,

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 **1900 S CONGRESS AVE in Palm Springs, FL**  
**PCN: 70-43-44-08-04-000-0540**  
**This property is in violation of local ordinances.**

**SECTION 30-143 Public Nuisance**

loose trash, tires, furniture, vines vegetation overgrowth & debris visible on the property area.  
**Property must be maintained and cleaned; dead vegetation removed!**  
**Trash is required to be picked up regularly.**

**SECTION 34-224 Replacement of dead vegetation**

A landscaping plan shall be submitted and approved prior to replacement landscape materials in the required landscape buffer between commercial and residential zoning East side of property.  
Dead vegetation in front of building must be replaced.

**SECTION 10-8 Parking lot**

Maintain free from hazardous conditions.  
**Parking lot potholes and cracks throughout must be repaired and resurfaced.**

**SECTION 34-1366 Dumpsters**

Dumpsters must be screened from view from any street or adjoining property by means of a wall, landscaping, or other methods approved by the Building Department.

**Compliance Date: FEBRUARY 10, 2023**

**Permits will be required for parking lot, dumpster enclosure and landscape buffer. Additional time may be needed. search Building permit application.**

[UNIVERSAL COUNTYWIDE/MUNICIPAL BUILDING PERMIT APPLICATION \(vpsfl.org\)](https://vpsfl.org/universal-countywide-municipal-building-permit-application)

## Village of Palm Springs Planning, Zoning & Building

fee simple titleholder, bonding company, architect/engineer and mortgage lender info is required when the aggregate value (total cost of all improvements & not just work authorized by the individual permit) is \$2,500 or

[www.vpsfl.org](http://www.vpsfl.org)

**Failure to comply can 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 561-584-8200 Ext. 8522. **For Planning Zoning and Building Department call 561 584-8200 Ext. 5460**

Respectfully,



*Nanciann Cuenot*

Code Enforcement  
226 Cypress Lane | Palm Springs, Florida 33461  
**Phone: 561-584-8200 Ext .8524**  
Email: [ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)

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**From:** Nanciann M. Cuenot  
**Sent:** Thursday, December 29, 2022 11:29 AM  
**To:** Jean Bruce <[jeanbruc@mynsu.nova.edu](mailto:jeanbruc@mynsu.nova.edu)>  
**Subject:** Code Violation Notice- Prohibited Tire Truck and Business

Good Morning Pastor Bruce,

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 **1900 S CONGRESS AVE in Palm Springs, FL**

**PCN: 70-43-44-08-04-000-0540**

**The property is in violation of local ordinances**

**SECTION 34-916 - PARKING COMMERCIAL VEHICLE ON COMMERCIAL PROPERTY**

**SECTION 34-795 PROHIBITED USE**

**Carrazana Services, Inc. is prohibited from parking panel truck and operating a business at 1900 S Congress Avenue. Cease and Desist**

**Compliance Date: JANUARY 12, 2023**

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





*Nanciann Cuenot*

Code Enforcement

226 Cypress Lane | Palm Springs, Florida 33461

**Phone: 561-584-8200 Ext .8524**

Email: [ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)

**Property Detail**

**Location Address :** 1900 S CONGRESS AVE A  
**Municipality :** PALM SPRINGS  
**Parcel Control Number :** 70-43-44-08-04-000-0540  
**Subdivision :** CONGRESS HGHTS IN  
**Official Records Book/Page :** 27532 / 1173  
**Sale Date :** APR-2015  
**Legal Description :** CONGRESS HEIGHTS TR A

**Owner Information****Owner(s)**

AGAPE WORSHIP CENTER OF THE C&MA INC

**Mailing Address**

1900 S CONGRESS AVE STE A  
 WEST PALM BEACH FL 33406 6689

**Sales Information**

| Sales Date | Price       | OR Book/Page  | Sale Type     | Owner                                |
|------------|-------------|---------------|---------------|--------------------------------------|
| APR-2015   | \$1,700,000 | 27532 / 01173 | WARRANTY DEED | AGAPE WORSHIP CENTER OF THE C&MA INC |
| MAR-2000   | \$1,092,021 | 11672 / 00125 | WARRANTY DEED | CHRISTIAN TELEVISION OF PBC INC      |
| NOV-1986   | \$100       | 05076 / 01741 | WARRANTY DEED |                                      |
| OCT-1986   | \$820,800   | 05038 / 00352 | WARRANTY DEED |                                      |

**Exemption Information**

| Applicant/Owner(s) | Year<br>2024 | Detail |
|--------------------|--------------|--------|
|--------------------|--------------|--------|

**Property Information**

**Number of Units :** 0  
**\*Total Square Feet :** 27564  
**Acres :** 2.5365  
**Property Use Code :** 7100—RELIGIOUS  
**Zoning :** CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

**Appraisals**

| Tax Year           | 2023        | 2022        | 2021        | 2020        | 2019        |
|--------------------|-------------|-------------|-------------|-------------|-------------|
| Improvement Value  | \$1,642,288 | \$1,538,364 | \$1,282,351 | \$1,312,008 | \$1,227,421 |
| Land Value         | \$1,624,174 | \$1,546,832 | \$1,325,856 | \$1,325,856 | \$1,251,829 |
| Total Market Value | \$3,266,462 | \$3,085,196 | \$2,608,207 | \$2,637,864 | \$2,479,250 |

**Assessed and Taxable Values**

| Tax Year         | 2023        | 2022        | 2021        | 2020        | 2019        |
|------------------|-------------|-------------|-------------|-------------|-------------|
| Assessed Value   | \$3,155,931 | \$2,869,028 | \$2,608,207 | \$2,637,864 | \$2,479,250 |
| Exemption Amount | \$3,155,931 | \$2,869,028 | \$2,608,207 | \$2,637,864 | \$2,479,250 |
| Taxable Value    | \$0         | \$0         | \$0         | \$0         | \$0         |

**Taxes**

| Tax Year       | 2023    | 2022    | 2021    | 2020    | 2019    |
|----------------|---------|---------|---------|---------|---------|
| AD VALOREM     | \$0     | \$0     | \$0     | \$0     | \$0     |
| NON AD VALOREM | \$6,315 | \$6,039 | \$5,763 | \$5,626 | \$5,819 |
| TOTAL TAX      | \$6,315 | \$6,039 | \$5,763 | \$5,626 | \$5,819 |


Account Information

|                                                                                        |                                                                       |                                                    |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------|
| <b>Property Control Number:</b><br>70-43-44-08-04-000-0540                             | <b>Property Type:</b><br>Real Property                                | <b>Status:</b> Active                              |
| <b>Mailing Address:</b><br>1900 S CONGRESS AVE STE A<br>West Palm Beach, FL 33406-6689 | <b>Property Address:</b><br>1900 CONGRESS A<br>PALM SPRINGS, FL 33406 | <b>Legal Description:</b><br>CONGRESS HEIGHTS TR A |
| <b>Owner of Record:</b><br>AGAPE WORSHIP CENTER OF THE C&MA<br>INC                     | <b>Second Owner:</b>                                                  |                                                    |

Last updated: 8/09/2024 02:41:55 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   | <div> <div> <div></div> <div>\$6,062.17</div> </div> <div> Net Tax: \$6,314.76<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$252.59 </div> </div> | 11/30/23  | -\$6,062.17 | <div> <div></div> <div>Paid</div> </div> |
| 3/31/23  | <div> <div> <div></div> <div>\$5,797.56</div> </div> <div> Net Tax: \$6,039.12<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$241.56 </div> </div> | 11/30/22  | -\$5,797.56 | <div> <div></div> <div>Paid</div> </div> |
| 3/31/22  | <div> <div> <div></div> <div>\$5,648.21</div> </div> <div> Net Tax: \$5,763.48<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$115.27 </div> </div> | 1/6/22    | -\$5,648.21 | <div> <div></div> <div>Paid</div> </div> |



| Due Date | Net Tax                                                                                                                                  | Last Paid | Amount Paid | Status                                                                                   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|------------------------------------------------------------------------------------------|
| 3/31/21  | <input type="checkbox"/> \$5,513.15<br>Net Tax: \$5,625.66<br>Interest: \$0.00<br>Penalty: \$0.00<br>Fees: \$0.00<br>Discount: -\$112.51 | 1/11/21   | -\$5,513.15 |  Paid |
| Due Date | Net Tax                                                                                                                                  | Last Paid | Amount Paid | Status                                                                                   |
| 3/31/20  | <input type="checkbox"/> \$5,818.61<br>Net Tax: \$5,818.61<br>Interest: \$0.00<br>Penalty: \$0.00<br>Fees: \$0.00<br>Discount: \$0.00    | 3/9/20    | -\$5,818.61 |  Paid |

 Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-49

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

AGAPE WORSHIP CENTER OF THE C&MA INC  
1900 SOUTH CONGRESS AVENUE  
WEST PALM BEACH, FL 33404 6689

Respondent(s).

**ORDER FINDING VIOLATION**

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

**Section 10-31 (FBC 105.1 & FBC 110.1) - Working without permits and inspections - Repaved parking lot/ installed speed bumps. (Life Safety Violation)**

**Section 34-224 - Replacement of Vegetation - Landscape plan shall be submitted and approved prior to replacement of landscape materials in the required planter box buffer between commercial and residential zoning east side of property. Dead vegetation in front of building and along north side property line.**

**Section 34-265 – Responsibility of Maintenance- unsafe, insecure monument signage. Remove and replace. Permit required.**

**Section 34-1366 - Dumpsters must be screened from view from any street or adjoining property by means of a wall and landscaping approved by the building department.**

**Section. 34-883(3) - Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence.**

|                    |                              |
|--------------------|------------------------------|
| Address:           | 1900 SOUTH CONGRESS AVENUE A |
| Legal Description: | CONGRESS HEIGHTS TR A        |
| PCN:               | 70-43-44-08-04-000-0540      |

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 & FBC 110.1) - Working without permits and inspections - Repaved parking lot/ installed speed bumps. (Life Safety Violation)
- ☐ Section 34-224 - Replacement of Vegetation - Landscape plan shall be submitted and approved prior to replacement of landscape materials in the required planter box buffer between commercial and residential zoning east side of property. Dead vegetation in front of building and along north side property line.
- ☐ Section 34-265 – Responsibility of Maintenance- unsafe, insecure monument signage. Remove and replace. Permit required.
- ☐ Section 34-1366 Dumpsters must be screened from view from any street or adjoining property by means of a wall and landscaping approved by the building department.
- ☐ Section. 34-883(3). Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence

☐ 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 & FBC 110.1 Working without permits and inspections - Repaved parking lot/ installed speed bumps. (Life Safety Violation)
- ☐ Section 34-224 - Replacement of Vegetation - Landscape plan shall be submitted and approved prior to replacement of landscape materials in the required planter box buffer between commercial and residential zoning east side of property. Dead vegetation in front of building and along north side property line.
- ☐ Section 34-265 – Responsibility of Maintenance- unsafe, insecure monument signage. Remove and replace. Permit required.
- ☐ Section 34-1366 Dumpsters must be screened from view from any street or adjoining property by means of a wall and landscaping approved by the building department.
- ☐ Section. 34-883(3). Fences erected in any land development district shall not contain any substances, such as broken glass, spikes, nails or barbed wire designed to inflict pain or injury to any person or animal. Remove barbed wire on fence.

### 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 August 26, 2024:
  - ☐ Administrative costs of \$206.60
  - ☐ 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 removing the barbed wire from the chain-link fence by August 26, 2024. Respondent must comply with all other code violations on or before October 10, 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 August 26, 2024.
- ☐ Administrative costs of \$206.60
  - ☐ 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 shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

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

DONE AND ORDERED this 15th day of August 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:

3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
CASE NO. 2024-0051

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,  
V.

MAILEISY ROJAS NAPOLES  
3945 PARK LANE  
PALM SPRINGS FL 33406 8533

Respondent(s).

PCN 70-43-44-18-00-000-7414

## 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 **AUGUST 15TH, 2024**, the Respondent **MAILEISY ROJAS NAPOLES** owner(s) of the property at **3945 PARK LANE, PALM SPRINGS, FL, 33406** violates local ordinances.

### SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.

### SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.

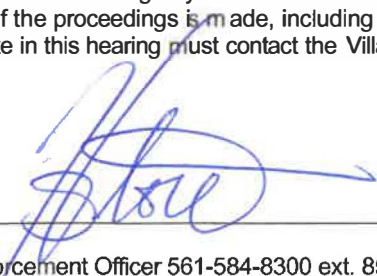
These violations must be corrected on or before **AUGUST 15TH, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8523, on THURSDAY AUGUST 15TH, 2024 at 10:00 AM. SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS SET FORTH HEREIN. IN THAT CASE, 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 8523 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) before 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 concerning 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 to attend or participate in this hearing must contact the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours before the hearing.

  
Code Enforcement Officer 561-584-8300 ext. 8523

HENRY L. STOUT

Printed Name of Officer

Date Issued: August 5, 2024

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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-51**

**RETURN OF SERVICE**

**MAILEISY ROJAS NAPOLES  
3945 PARK LN  
PALM SPRINGS FL 33406 8533**

**Respondent**

On the **05th Day of AUGUST 2024 at 10:33 AM**, I served the attached NOTICE OF HEARING on the within named Respondent(s), **MAILEISY ROJAS NAPOLES** at **3945 PARK 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: \_\_\_\_\_



A large, stylized graphic of the numbers 3, 9, 4, and 5. The numbers are rendered in a bold, serif font with a thick black outline and a lighter gray fill. They are arranged in a slightly descending sequence from left to right. The number 3 is at the top left, followed by 9, then 4, and finally 5 at the bottom right. The background is a light gray with a subtle, repeating pattern of small, dark, stylized figures or shapes.













**PALM SPRINGS POLICE DEPARTMENT**

138 Cypress Lane - Palm Springs, Florida 33461 - Phone 561-854-8300 ext. 8520 - www.vpsfl.org

May 29, 2024

SECOND WARNING!

NAPOLES ROJAS MAILEISY  
3945 PARK LN  
PALM SPRINGS, FL 33467

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 3945 PARK LN, Palm Springs, FL 33467.  
PCN: 70434418000007414

This property is in violation of local ordinances.

Section 34-014, Parking - Parking in residential land use districts- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.

SECTION 10.9(C)- HOMES MUST HAVE NUMBER ON MAIN STRUCTURE AND VISIBLE FROM THE STREET.

Compliance Date: JUNE 4<sup>TH</sup>, 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,

  
Harry Slout  
Palm Springs Police Department  
Code Enforcement Officer

hslout@vpsfl.org

Professionalism - Respect - Integrity - Duty - Excellence



**PALM SPRINGS POLICE DEPARTMENT**  
226 Cypress Lane - Palm Springs, Florida 33461 - Phone 561-584-8300 ext 8520 - www.psdfl.org

**CODE CITATION**

Wednesday June 05, 2024 09:31 AM  
NAPOLIS ROJAS MALEISV  
1945 PARK LN  
PALM SPRINGS FL 33467

Please address the listed Code Violations: [Repeat Violation: yes/no]  
SECTION 34.014: NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN)  
MAY USE SWALE SECTION  
10-9(C): HOMES MUST HAVE NUMBER ON MAIN STRUCTURE AND VISIBLE FROM THE STREET.  
FBC 105.1 NO PERMIT NEW WINDOWS BEING INSTALLED \* FBC 110.1 NO INSPECTIONS FOR NEW WINDOWS

This citation is issued pursuant to Chapter 161, 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 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:

June 05, 2024 at 10 AM  
Location: Village Council Chambers, Village Hall  
226 Cypress Lane, Palm Springs, Florida 33461

You may avoid a hearing by complying with the Code Section cited, obtaining an inspection by calling 561-584-8300 Ext. 8520 and paying a fine of \$ 300.00 plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 330.00. The inspection must be completed, and full payment must be received at Village Hall, Planning, Zoning & Building Department, 226 Cypress Lane, Palm Springs, FL 33461 or call 561-584-8300 Ext 8400 for credit card payment, no later than 5:00 PM on (Date) JUNE 13TH 2024.

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 judgement may be entered against you for an amount up to the maximum civil penalty.

Respondent Signature: Not Present

Printed Name: N/A

Henry Shad  
Code Enforcement Officer  
*[Signature]*  
Palm Springs Police Department





# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

AUGUST 5<sup>TH</sup>, 2024

MAILEISY ROJAS NAPOLES  
3945 PARK LANE  
PALM SPRINGS FL 33406 8533

Dear Property Owner,

The Code Enforcement Unit of the Palm Springs Police Department has issued a NOTICE OF VIOLATION/NOTICE OF HEARING. This is regarding the property **3945 PARK LANE**  
**PALM SPRINGS FL 33406 8533**

PCN: 70-43-44-18-07-010-0220

## **VIOLATION/HEARING CASE 2024-51**

### **SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.**

### **SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.**

The options available include coming into voluntary compliance on or before **AUGUST 15<sup>TH</sup>, 2024, OR** arguing your case at the Special Magistrate hearing, on **Thursday, August 15<sup>TH</sup>, 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)801-9217.

Respectfully,

HENRY L. STOUT  
Code Enforcement Officer  
Palm Springs Police Department  
Cell: 561-801-9217  
Office: 561-584-8300 ext. 8523  
[HSTOUT@vpsfl.org](mailto:HSTOUT@vpsfl.org)  
[www.vpsfl.org](http://www.vpsfl.org)



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## 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.

*Temporary testing systems:* A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

*Gas:*

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

*Mechanical:*

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. The installation, replacement, removal, or metering of any electrical load management control device where installed by a utility service provider.

*Plumbing:*

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. The replacement of common household plumbing fixtures to existing supply lines and outlets in One- and Two-Family Dwellings. This does not include water heaters, bathtubs and showers.

*105.2.1 Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official. Notification shall be given to the Building Official, including the work address, nature of emergency, and scope of work immediately, or by the next business day.

*105.2.2. Minor repairs.* Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided the repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary

repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

*105.2.3 Public service agencies.* A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

*105.3 Application for permit.* To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), Florida Statutes.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a non-electronic format, at the discretion of the Building Official.

*105.3.1 Action on application.* The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the Building Official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

*105.3.1.1* If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

*105.3.1.2* No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as

authorized by chapter 633 Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.

3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

*Example 1:* When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

*Example 2:* Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

*NOTE:* It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.
5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. Any system which:
  1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value greater than \$125,000; and
  2. a. Requires an aggregate service capacity of greater than 600 amperes (240 volts) on a residential electrical system or greater than 800 amperes (240 volts) on a commercial or industrial electrical system;
  - b. Requires a plumbing system with more than 250 fixture units; or
  - c. Requires a heating, ventilation, and air-conditioning system which exceeds a 15-ton-per-system capacity, or if the project is designed to accommodate more than 100 persons. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, Florida Statutes.



6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, Florida Statutes.

**105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, or for any 180 day period of abandonment or suspension during the application process, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing prior to the abandonment date, with justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for renewal, re-issuance, and extension of a permit application shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions and renewals.

**105.3.3** An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition, unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, such as the requirement for Home or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies."

**105.3.4** A building permit for a single-family residential dwelling must be issued within 30 working days of application therefore unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

**105.3.5** Identification of minimum premium policy. Except as otherwise provided in Chapter 440, Florida Statutes, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Section 440.10 and 440.38, Florida Statutes.

**105.3.6** Asbestos removal contractor exemption. Refer to Section 105.9 for additional requirements. A licensed asbestos removal contractor is not required when moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

**Disclosure Statement:** State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

**105.3.7 Applicable Code for Manufactured Buildings.** Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the

construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

*105.3.8 Public right-of-way.* A permit shall not be given by the Building Official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane.

*105.4 Conditions of the permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of any other federal, state and local laws, ordinances, codes and regulations. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of any other federal, state and local laws, ordinances, codes and regulations shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction or of any other federal, state and local laws, ordinances, codes and regulations.

*105.4.1 Permit intent.* A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

*105.4.1.1* If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

*105.4.1.2* If a new permit, or revalidation (renewal) of the original permit, is not obtained within 180 days from the date the initial permit became null and void, the Building Official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

*105.4.1.3* Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 3 months each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

*105.4.1.4* The fee for renewal, reissuance and extension of a permit shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit extensions and renewals.

*105.4.2 Additional options for closing a permit.* Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner-builder, in accordance with Sections 489.103(7) and 489.503(6), Florida Statutes.
3. If a building permit is expired and its requirements have been substantially completed as determined by the local enforcement agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term "close" means that the requirements of the permit have been satisfied.

**105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the Building Official.

**105.6 Denial or revocation.** Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize, sanction or assess fees against an arm's-length purchaser of a property for value solely because a building permit applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed.

**105.6.1 Misrepresentation of application.** The Building Official may revoke a permit or approval, issued under the provisions of this code, when there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

**105.6.2 Violation of code provisions.** The Building Official may require correction or revoke the permit upon determination by the Building Official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure,



electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

**105.7 Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.

**105.8 Notice of commencement.** In accordance with Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

**105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos Removal Contractor Exemption" of this code for additional requirements.

**105.10 Certificate of protective treatment for prevention of termites.** A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

**105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before permit issuance.** Upon written request and approval of the Building Official, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

**105.13 Phased permit approval.** After submittal of the appropriate construction documents, the Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

**105.14 Permit issued on basis of an affidavit.** The Building Official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the Building Official, are hazardous or complex, the Building Official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the Building Official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes.

In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the Building Official. The Building Official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, Florida Statutes. Nothing aforesaid shall preclude plan review or inspections by the Building Official (See also Section 107.6).

*Exception:* Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the Florida Building Code.

**105.15 Opening protection.** When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this Code or Florida Building Code, Residential for new construction shall be provided.

*Exception:* Single-family residential structures permitted subject to the Florida Building Code are not required to comply with this section.

**105.16 Inspection of existing residential building not impacted by construction.**

- (a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.
- (b) This subsection does not apply to a building permit sought for:
  - 1. A substantial improvement as defined in Section 161.54, Florida Statutes or as defined in the Florida Building Code.
  - 2. A change of occupancy as defined in the Florida Building Code.
  - 3. A conversion from residential to nonresidential or mixed use pursuant to Section 553.507(2)(a), Florida Statutes or as defined in the Florida Building Code.
  - 4. A historic building as defined in the Florida Building Code.
- (c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:
  - 1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
  - 2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).
  - 3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
  - 4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20—933.30, Florida Statutes.

**105.17 Streamlined low-voltage alarm system installation permitting.**

- (1) As used in this section, the term:
  - (a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of Chapter 489, Florida Statutes.

- (b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.
  - (c) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this Code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.
- (3) This section does not apply to the installation or replacement of a fire alarm, or access control system affecting required means of egress as required by Florida Building Code Chapter 10, if a plan review is required.
- (4) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, Florida Statutes. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.
  - (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
  - (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
- (5) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
- (6) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.
- (7) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), Florida Statutes.
- (8) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.
- (9) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.
- (10) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of chapter 489, Florida Statutes.



## 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.
  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.
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 the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

*110.3.1 Footing and foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

*110.3.2 Concrete slab and under-floor 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.

*110.3.3 Lowest floor elevation.* In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification shall be submitted to the Building Official.

*110.3.4 Frame inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

*110.3.5 Lath, gypsum board and gypsum panel product inspection.* Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

*Exception:* Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

**110.3.6 Weather-exposed balcony and walking surface waterproofing.** Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and approved.

**110.3.7 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance rated assemblies, smoke barriers and smoke partition shall not be concealed from view until inspected and approved.

**110.3.8 Energy efficiency inspections.** Inspections shall be made to determine compliance with FBC, Energy Conservation and-confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

**110.3.9 Other inspections.** In addition to the inspections specified in Sections 110.3 through 110.3.7, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

**110.3.10 Special inspections.** Reserved.

**110.3.11 Final inspection.** The final inspection shall be made after all work required by the building permit is completed.

**110.3.11.1 Flood hazard documentation.** If located in a flood hazard area, shall be submitted to the Building Official prior to the final inspection.

**110.3.11.2 Energy Code documentation.** If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

**110.3.12 Termites.** Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the Building Official has been received.

**110.3.13 Impact resistant coverings or systems.** Where impact resistant coverings or systems are installed to meet requirements of this code, the Building Official shall schedule adequate inspections of impact resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

**110.4 Inspection agencies.** The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**110.5 Inspection requests.** It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**110.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be

corrected and such portion shall not be covered or concealed until authorized by the Building Official.

**110.7 Shoring.** For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer, prior to any required mandatory inspections by the threshold building inspector.

**110.8 Threshold building.**

**110.8.1** During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the Building Official, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

**110.8.2** The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

**110.8.3** The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, Florida Statutes, as an engineer or under Chapter 481, Florida Statutes, as an architect.

**110.8.4** Each enforcement agency shall require that, on every threshold building:

**110.8.4.1** The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above-described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

**110.8.4.2** Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

**110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

**110.8.4.4** All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this Section and Chapter 633, Florida Statutes.

**110.8.5** No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a),

Florida Statutes, or to a licensed building contractor, as defined in Section 489.105(3)(b), Florida Statutes, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

**110.8.6** The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The Building Official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this code.

**110.9 *Impact of construction.*** All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage runoffs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface water drainage flows serving adjacent properties, and may require special drainage design complying with engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional, as appropriate under Florida law, shall be submitted to the inspector in order to receive approval of the final inspection.



# CASE PRESENTATION

## CASE No. CASE 2024 - 51

1. Good morning, my name is HENRY STOUT, 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. 2024-51. This case concerns the property at 3945 PARK 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 MAILEISY ROJAS NAPOLES.
5. Pursuant to observation there are Violations of local ordinances  
SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.  
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.
5. Code issued a CCV back on January 6, 2024 by CE Officer Thomas for the new windows and gate/fence. Then I wrote her up again on May 22, 2024, since the project was finished and the permits after doing my research were never issued and/or closed. Which technically means the entire project was performed without any permits. She has been advised by The Building and Zoning department multiple times through emails in regards to corrections that needed to be done and they were ignored back in the beginning of 2024 and again messages were sent in July 2024. Nothing has been done.
- 6.
7. On AUGUST 5<sup>TH</sup>, 2024, a Notice of Violation/ Notice of Hearing 2024-51 was issued for the Violations. The notice was mailed certified and regular to the respondent's address of record and posted at the property and Village Hall. The Green Card from the Certified Mail was signed and returned. The Property Owner(s) did speak with Code Enforcement Officer Tom Gehrman the day the Notice was posted at the property. Unfortunately, the property remains in violation with the Village of Palm Springs Code of Ordinance.
8. The Village has also incurred costs in the amount of \$245.75 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than SEPTEMBER 3<sup>ND</sup>, 2024
9. Subject to any questions you might have, this concludes the Village Testimony.



## Case Administrative / Court Costs

JULY 18, 2024, 309 HENTHORNE DRIVE

Case No. 2024-48

| Line #                           | Description                                       | Unit # | Cost   | Total  |
|----------------------------------|---------------------------------------------------|--------|--------|--------|
| 1                                | Additional Inspector Time - 1 hour CE             | 4.00   | 35.00  | 140.00 |
| 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    | 1.00   | 20.00  | 20.00  |
| 6                                | Additional certified copies for hearing           | 1.00   | 7.36   | 7.36   |
| 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 No. 2024-48 |                                                   |        |        | 245.75 |

**Property Detail**

**Location Address :** 3945 PARK LN  
**Municipality :** PALM SPRINGS  
**Parcel Control Number :** 70-43-44-18-00-000-7414  
**Subdivision :**  
**Official Records Book/Page :** 34568 / 569  
**Sale Date :** SEP-2023  
**Legal Description :** 18-44-43, E 80 FT OF W 325 FT OF N 137.5 FT OF S 177.5 FT OF NW 1/4 OF SW 1/4

**Owner Information**

|                        |                                            |
|------------------------|--------------------------------------------|
| <b>Owner(s)</b>        | <b>Mailing Address</b>                     |
| NAPOLES ROJAS MAILEISY | 3945 PARK LN<br>PALM SPRINGS FL 33406 8533 |

**Sales Information**

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner               |
|------------|-----------|---------------|---------------|---------------------|
| SEP-2023   | \$475,000 | 34568 / 00569 | WARRANTY DEED | ROJAS MAILEISY N    |
| JUN-2022   | \$340,000 | 33696 / 00924 | WARRANTY DEED | LOSLUS BROTHERS LLC |
| JUL-2008   | \$10      | 22788 / 00203 | QUIT CLAIM    | MULLER WAYNE JR     |
| DEC-2007   | \$10      | 22336 / 00721 | REP DEED      | MULLER WAYNE JR &   |
| DEC-1986   | \$100     | 05119 / 00856 | WARRANTY DEED | MULLER JOYCE N EST  |

**Exemption Information**

| Applicant/Owner(s)     | Year | Detail               |
|------------------------|------|----------------------|
| NAPOLES ROJAS MAILEISY | 2024 | HOMESTEAD            |
| NAPOLES ROJAS MAILEISY | 2024 | ADDITIONAL HOMESTEAD |

**Property Information**

**Number of Units :** 1  
**\*Total Square Feet :** 1718  
**Acres :** 0.2525  
**Property Use Code :** 0100—SINGLE FAMILY  
**Zoning :** RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

**Appraisals**

| Tax Year           | 2023      | 2022      | 2021      | 2020      | 2019      |
|--------------------|-----------|-----------|-----------|-----------|-----------|
| Improvement Value  | \$174,717 | \$123,251 | \$118,560 | \$130,827 | \$120,497 |
| Land Value         | \$175,956 | \$176,411 | \$114,367 | \$66,000  | \$60,600  |
| Total Market Value | \$350,673 | \$299,662 | \$232,927 | \$196,827 | \$181,097 |

**Assessed and Taxable Values**

| Tax Year         | 2023      | 2022     | 2021     | 2020     | 2019     |
|------------------|-----------|----------|----------|----------|----------|
| Assessed Value   | \$350,673 | \$81,238 | \$78,872 | \$77,783 | \$76,034 |
| Exemption Amount | \$0       | \$50,000 | \$50,000 | \$50,000 | \$50,000 |
| Taxable Value    | \$350,673 | \$31,238 | \$28,872 | \$27,783 | \$26,034 |

**Taxes**

| Tax Year       | 2023    | 2022    | 2021    | 2020    | 2019    |
|----------------|---------|---------|---------|---------|---------|
| AD VALOREM     | \$6,870 | \$788   | \$766   | \$752   | \$726   |
| NON AD VALOREM | \$511   | \$483   | \$1,560 | \$1,561 | \$424   |
| TOTAL TAX      | \$7,381 | \$1,271 | \$2,326 | \$2,313 | \$1,150 |



Account Information

Property Control Number:  
70-43-44-18-00-000-7414

Mailing Address:  
7758 BLAIRWOOD CIR E  
Lake Worth, FL 33467-1801

Owner of Record:  
LOSLUS BROTHERS LLC

Property Type:  
Real Property  
  
Property Address:  
3945 PARK  
PALM SPRINGS, FL 33406

Second Owner:

Status: Active  
  
Legal Description:  
18-44-43, E 80 FT OF W 325 FT OF N 137.5 FT  
OF S 177.5 FT OF NW 1/4 OF SW 1/4

Last updated: 8/12/2024 01:25:59 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   | <div><div></div><div>\$7,085.52</div></div> <div><div>Net Tax:</div><div>\$7,380.75</div></div> <div><div>Interest:</div><div>\$0.00</div></div> <div><div>Penalty:</div><div>\$0.00</div></div> <div><div>Fees:</div><div>\$0.00</div></div> <div><div>Discount:</div><div>-\$295.23</div></div> | 11/8/23   | -\$7,085.52 | <div><div></div><div>Paid</div></div> |
| 3/31/23  | <div><div></div><div>\$1,258.25</div></div> <div><div>Net Tax:</div><div>\$1,270.97</div></div> <div><div>Interest:</div><div>\$0.00</div></div> <div><div>Penalty:</div><div>\$0.00</div></div> <div><div>Fees:</div><div>\$0.00</div></div> <div><div>Discount:</div><div>-\$12.72</div></div>  | 2/27/23   | -\$1,258.25 | <div><div></div><div>Paid</div></div> |
| 3/31/22  | <div><div></div><div>\$2,278.40</div></div> <div><div>Net Tax:</div><div>\$2,326.12</div></div> <div><div>Interest:</div><div>\$0.00</div></div> <div><div>Penalty:</div><div>\$0.00</div></div> <div><div>Fees:</div><div>\$0.00</div></div> <div><div>Discount:</div><div>-\$47.72</div></div>  | 11/24/21  | -\$2,278.40 | <div><div></div><div>Paid</div></div> |



| Due Date | Net Tax                                                                                                                                                                                                                                                                                                            | Last Paid | Amount Paid | Status                                   |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|------------------------------------------|
| 3/31/21  | <div> <div></div> <div>\$2,266.33</div> </div> <div> <div>Net Tax:</div> <div>\$2,313.29</div> </div> <div> <div>Interest:</div> <div>\$0.00</div> </div> <div> <div>Penalty:</div> <div>\$0.00</div> </div> <div> <div>Fees:</div> <div>\$0.00</div> </div> <div> <div>Discount:</div> <div>-\$46.96</div> </div> | 11/25/20  |             | <div>-\$2,266.33</div> <div>● Paid</div> |
| Due Date | Net Tax                                                                                                                                                                                                                                                                                                            | Last Paid | Amount Paid | Status                                   |
| 3/31/20  | <div> <div></div> <div>\$1,103.65</div> </div> <div> <div>Net Tax:</div> <div>\$1,149.64</div> </div> <div> <div>Interest:</div> <div>\$0.00</div> </div> <div> <div>Penalty:</div> <div>\$0.00</div> </div> <div> <div>Fees:</div> <div>\$0.00</div> </div> <div> <div>Discount:</div> <div>-\$45.99</div> </div> | 11/26/19  |             | <div>-\$1,103.65</div> <div>● Paid</div> |


 Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-51

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

MAILEISY ROJAS NAPOLES  
3945 PARK LN  
PALM SPRINGS FL 33406 8533  
MAILING ADDRESS:  
(SAME AS ABOVE)

Respondent(s).

**ORDER FINDING VIOLATION**

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

**SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**  
**SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

Address: 3945 PARK LANE  
Legal Description: 18-44-43, E 80 FT OF W 325 FT OF N 137.5 FT OF S 177.5 FT OF NW  
1/4 OF SW 1/4  
PCN: 70-43-44-18-00-000-7414

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, under Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 violates the code section(s) referenced above.

**CONCLUSIONS OF LAW**

Respondent **violates** the following Village of Palm Springs Code of Ordinances:

- ☐ **SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**
- ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

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) NO BUILDING PERMITS FOR DRIVEWAY.**
- ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

**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 **August 15, 2024:**
- ☐ Administrative costs of **\$216.91**
  - ☐ Citation fine of **\$ N/A**
  - ☐ Re-inspection fee of **\$ N/A**
- ☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **September 3, 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 **August 29<sup>th</sup>, 2024.**
- ☐ Administrative costs of **\$245.75**
  - ☐ 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 Henry Stout at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.**

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

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

DONE AND ORDERED this 15th day of February 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: \_\_\_\_\_

Special Magistrate

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

316 ALEMEDA DRIVE  
LAKE WORTH BEACH, FL 33461 1502



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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-51**

**RETURN OF SERVICE**

**MAILEISY ROJAS NAPOLES  
3945 PARK LN  
PALM SPRINGS FL 33406 8533**

**Respondent**

\_\_\_\_\_/

On the **05th Day of AUGUST 2024 at 10:33 AM**, I served the attached NOTICE OF HEARING on the within named Respondent(s), **MAILEISY ROJAS NAPOLES** at **3945 PARK 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: \_\_\_\_\_

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-51

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

MAILEISY ROJAS NAPOLES  
3945 PARK LANE  
PALM SPRINGS FL 33406 8533

MAILING ADDRESS:  
(SAME AS ABOVE)

Respondent(s).

**ORDER FINDING VIOLATION**

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

**SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**  
**SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

Address: 3945 PARK LANE  
Legal Description: 18-44-43, E 80 FT OF W 325 FT OF N 137.5 FT OF S 177.5 FT OF NW  
1/4 OF SW 1/4  
PCN: 70-43-44-18-00-000-7414

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, under Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 violates the code section(s) referenced above.

**CONCLUSIONS OF LAW**

- ☐ Respondent **violates** the following Village of Palm Springs Code of Ordinances:
- ☐ **SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**
  - ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**
- ☐ 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) NO BUILDING PERMITS FOR DRIVEWAY.**
  - ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

## 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 **August 15, 2024**:
- ☐ Administrative costs of \$216.91
  - ☐ Citation fine of \$ N/A
  - ☐ Re-inspection fee of \$ N/A
- ☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **September 3, 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 **August 29<sup>th</sup>, 2024**.
- ☐ Administrative costs of \$245.75
  - ☐ 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 Henry Stout at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.**

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

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

DONE AND ORDERED this 15th day of August, 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: \_\_\_\_\_

Special Magistrate

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

316 ALEMEDA DRIVE  
LAKE WORTH BEACH, FL 33461 1502



VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
Case No. 2024-50

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

V.

TACOS AL CARBON INC  
230 PERRY AVE  
LAKE WORTH FL 33463 3334  
Respondent.

PCN 70-42-44-25-08-004-0010

**NOTICE OF VIOLATION AND NOTICE OF HEARING**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that she has just and reasonable grounds to believe, and does believe that on **AUGUST 5, 2024**, the Respondent, **TACOS AL CARBON INC.** owners of the property at **4420 LAKE WORTH ROAD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

**SECTION 34-572 VIOLATION OF VILLAGE COOUNCIL RESOLUTION NO. 2014-35 – ANNEXATION AGREEMENT**

This violation must be corrected on or before **AUGUST 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. 561-584-8200 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.

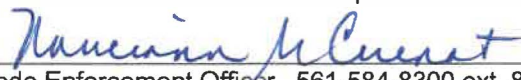
YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

**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 561 584-8200 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 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. 8524

**NANCIANN CUENOT**  
Printed Name of Officer

Date Issued: AUGUST 5, 2024



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

AUGUST 5, 2024

TACOS AL CARBON INC  
230 PERRY AVE  
LAKE WORTH FL 33463 3334

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 **4420 Lake Worth Rd in Palm Springs, FL**

PCN: 70-42-44-25-08-004-0010

This property is in violation of local ordinances.

**SECTION 34-572 VIOLATION OF VILLAGE COOUNCIL RESOLUTION NO. 2014-35 – ANNEXATION AGREEMENT**

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

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

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

Respectfully,

A handwritten signature in blue ink that reads "Nanciann Cuenot".

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

Professionalism · Respect · Integrity · Duty · Excellence

ALERT: FLOODING AND SEVERE WEATHER IN THE SOUTHEAST, MID-ATLANTIC, AND NORTH...

USPS Tracking®

FAQs &gt;

Tracking Number:

Remove X

9489017898203019876272

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

## Latest Update

Your item was delivered to an individual at the address at 4:45 pm on August 8, 2024 in LAKE WORTH, FL 33463.

Get More Out of USPS Tracking:

USPS Tracking Plus®

## Delivered

Delivered, Left with Individual

LAKE WORTH, FL 33463

August 8, 2024, 4:45 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Feedback

Text &amp; Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package



PALM SPRINGS POLICE  
CODE ENFORCEMENT D  
226 CYPRESS LANE  
PALM SPRINGS, FL 33461  
Attn: N. Cuenot



UNITED STATES  
POSTAL SERVICE

CERTIFIED MAIL



9489 0178 9820 3019 8762 72

Label 890-QDT March 2023



quadiant

FIRST-CLASS MAIL  
IMI

\$008.16<sup>0</sup>

08/05/2024 ZIP 33480  
043M31255277

US POSTAGE

TACOS AL CARBON INC  
230 PERRY AVE  
LAKE WORTH FL 33463 3334



THE ORIGINAL

TACOS

AL

CARBON

MEXICAN FOOD



Grilled Fish Burrito  
Modelo

SATISFY YOUR HUNGER!

4420

Tacos A

8/5/2024 2:52

8/5/2024 2:52



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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-50**

**RETURN OF SERVICE**

**TACOS AL CARBON INC.  
4420 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461**  
\_\_\_\_\_ /

**Respondent**

On the **5th Day of AUGUST 2024 at 2:52 PM**, I served the attached NOTICE OF VIOLATION/HEARING on the within named Respondent, **TACOS AL CARBON INC.** at **4420 LAKE WORTH ROAD** 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:   
CE Officer Nanciann Cuenot



4/22/2024 12:33:36 PM

Prohibited Canopies + Tent



4/22/2024 12:33:39 PM



*"The Best Tacos"*



Electric connection to  
Mobile Food Trailer

8/12/2024 3:19





8/12/2024 3:19



Mobile Food Trailer  
anchored to ground

8/12/2024 3:19





8/12/2024 3:19





Keep parking lot  
clean

8/5/2024 2:53



Taco Trailer  
Screen from  
View

7/22/2024 11:25



A photograph of a storage yard or parking lot. In the background, there are several white storage trailers and a white refrigerated truck. To the left, there are some cars and a white tent. The ground is dirt. The sky is blue with many white clouds. In the foreground, the side mirror of a car is visible on the right. Handwritten text is overlaid on the image.

STORAGE DRY + REFRIGERATED TRUCKS/Trailers  
Kept screened from view

6/25/2024 9:12





7/22/2024 11:24





7/22/2024 11:24





8/5/2024 2:49





7/22/2024 11:25





Shed - not permitted

7/22/2024 11:25





Dumpster + trash  
Screen from view

7/22/2024 11:33





8/5/2024 2:47





8/5/2024 2:48





8/5/2024 2:47





parking lot clean & neat

8/5/2024 2:55



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**Sec. 34-572. Violations.**

Any violation or non-compliance of any provision of chapter 34 or any violation or non-compliance with any order, license, permit, annexation agreement, site/landscape plan, approval, or any condition placed on any permit or any approval, issued by the council, a board or administratively shall be deemed a violation of this Code and shall be subject to the village's code compliance process as well as any other legal action available to the village including, but not limited to, injunctive relief.

(Code 1994, § 30-400; Ord. No. 2016-21, § 4, 1-12-2017)

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### **Sec. 34-893. Canopies prohibited.**

Canopies and freestanding canopies, as defined in section 1-2 of this Code, (excluding tree canopies), are prohibited within the village, unless the village building official has determined that the canopy meets the requirements of the Florida Building Code, and the village has issued a building permit and certificate of completion for the canopy. Any canopy existing within the village at the time of the adoption of the ordinance from which this section derives shall be deemed to be a nonconforming use, and shall be removed no later than June 31, 2007, unless an after-the-fact building permit is applied for and issued for the canopy by the village on or before June 31, 2007. This amortization period was adopted by the Village council, based upon the commencement of the 2007 hurricane season on June 1, 2007; the degree of nuisance, and other adverse effects that this nonconforming use creates; the relative ease and minor expense with which this nonconforming use may be eliminated; and a finding that this period of amortization will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare, and will not substantially diminish or impair property values during the amortization period. The owner of real property on which any freestanding canopy is located, which has not been permitted or completely removed as of July 1, 2007, shall be subject to code enforcement action and/or other legal action by the village.

(Ord. No. 2007-08, § 7, 4-26-2007)

## **ORDINANCE NO. 2014-35**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH TACOS AL CARBON, INC., OWNERS OF FIVE PARCELS OF LAND, TOTALING 1.5 ACRES, LOCATED AT 4420 LAKE WORTH ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Village Council deems it in the best interest of the Village to enter into an agreement with Tacos Al Carbon, Inc., owner of five parcels of land, totaling 1.5 acres, located at 4420 Lake Worth Road, for the purpose of voluntary annexation into the Village of Palm Springs.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:**

**Section 1.** The Village Council of the Village of Palm Springs, Florida hereby agrees to the terms and conditions of that certain Agreement with Tacos Al Carbon, Inc., owner of five parcels of land, totaling 1.5 acres, located at 4420 Lake Worth Road, which is attached hereto as **Exhibit "A"**, and which is incorporated herein by reference; and further authorizes the Mayor and Village Clerk to execute and deliver said Agreement to Tacos Al Carbon, Inc., along with a copy of this Ordinance.

**Section 2.** **Repeal of Conflicting Ordinances.** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**Section 3.** **Severability.** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

**Section 4.** **Effective Date.** This Ordinance shall become effective immediately upon adoption.



Ordinance No. 2014-35

Council Member Waller, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Brinkman, and upon being put to a vote, the vote was as follows:

|                               | <u>Aye</u>                          | <u>Nay</u>               | <u>Absent</u>            |
|-------------------------------|-------------------------------------|--------------------------|--------------------------|
| BEV SMITH, MAYOR              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SERGIO ESCALADA, VICE MAYOR   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DOUG GUNTHER, MAYOR PRO TEM   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| JONI BRINKMAN, COUNCIL MEMBER | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PATTI WALLER, COUNCIL MEMBER  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the 11<sup>th</sup> day of December, 2014.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: \_\_\_\_\_

BEV SMITH, MAYOR

First Reading: 11-13-2014

Second Reading: 12-11-2014

ATTEST:

BY: \_\_\_\_\_

VIRGINIA M. WALTON, VILLAGE CLERK



REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: \_\_\_\_\_

GLEN J. TORCIVIA, VILLAGE ATTORNEY

Prepared by and return to:

Glen Torcivia, Village Attorney  
Village of Palm Springs  
226 Cypress Lane  
Palm Springs, Florida 33461

### **ANNEXATION AGREEMENT**

**THIS ANNEXATION AGREEMENT** by and between the **VILLAGE OF PALM SPRINGS, FLORIDA**, a municipal corporation, (hereinafter referred to as the "Village"), 226 Cypress Lane, Palm Springs, FL 33461; and **TACOS AL CARBON, INC.**, a **Florida corporation** (hereinafter referred to as the "Petitioner"), with a mailing address of 230 Perry Avenue, Lake Worth, FL 33463.

**WHEREAS**, Petitioner is the fee simple owner of five (5) parcels of land located at 4420 Lake Worth Road (PCNs: 00-42-44-25-08-004-0120, 00-42-44-25-08-004-0110, 00-42-44-25-08-004-0090, 00-42-44-25-08-004-0010, & 00-42-44-25-08-004-0060) (hereinafter referred to as the "Property"); and

**WHEREAS**, the Property is within unincorporated Palm Beach County, Florida, and is reasonably compact and contiguous to the Village's municipal boundaries; and

**WHEREAS**, the Property meets all the requirements for voluntary annexation set forth in Chapter 171, Florida Statutes, and Petitioner hereby voluntarily petitions the Village to have the Property annexed into the Village; and

**WHEREAS**, the Village and Petitioner acknowledge that the Property could remain in unincorporated Palm Beach County and continue to be subject to the uses and building intensities permitted by the Palm Beach County Comprehensive Plan and the Unified Land Development Code; and

**WHEREAS**, the Village and Petitioner recognize the mutual value and benefit of the Property being located within the Village's municipal boundaries; and

**WHEREAS**, in consideration for such voluntary annexation, the Village is making certain representations regarding the appropriate land use designation and zoning category for the

Property and the continued operation of the Property pursuant to the Village's Comprehensive Plan and Land Development Code.

**NOW THEREFORE**, in consideration of the mutual covenants herein contained and other good and valuable considerations, the sufficiency of which is hereby acknowledged, the parties agree to the above recitals and to the following terms and conditions:

1. The forgoing Recitals are true and correct and are incorporated into this Agreement by this reference.
2. **REAL PROPERTY.** The Property, subject to this annexation agreement, is legally described in **EXHIBIT "A"**; which exhibit is attached hereto and incorporated herein by reference.
3. **PETITION FOR VOLUNTARY ANNEXATION AND LANDS COVERED BY AGREEMENT.** Subject to the terms of this Agreement, the provisions of Section 171.044, Florida Statutes, the Petitioner, constituting each and every person having the fee simple interest in the Property, hereby freely and voluntarily petitions the Village for annexation into the Village of Palm Springs, Florida, without the requirement for an election, but subject to the statutory public notice and ordinance adoption procedures of the Village. The Petitioner agrees not to challenge the status or ability of the Village to annex, or the annexation of the Property or any adjacent lands. The Petitioner agrees that this Agreement shall be irrevocable by the Petitioner, their heirs and assigns, and it shall be binding on any future assigns and/or purchasers. It is the Petitioner's intent that this Agreement shall be binding on all successor title holders of the Property and shall be recorded with the Palm Beach County Clerk of Courts.
4. **FUTURE LAND USE PLAN DESIGNATIONS AND ZONING DISTRICT.** The Property is presently designated on the Palm Beach County Future Land Use Map, and Official Palm Beach County Zoning Map, as follows:

|          |                   |
|----------|-------------------|
| LAND USE | UI – Urban Infill |
| ZONING   | UI – Urban Infill |

Once annexed, the Village and Petitioner contemplate that the Property will be designated on the Village's Future Land Use Map and Land Development District (zoning) Map, as follows:



LAND USE

COMMERCIAL

ZONING

CG – COMMERCIAL GENERAL

Said designation of the Property in the Village's Future Land Use Map and Land Development District (Zoning) Map is subject to the Village's Code of Ordinances and all applicable statutes, policies and procedures required in order to so designate the Property.

5. **CHANGE IN LAND USE DESIGNATION AND ZONING OF THE PROPERTY.** The Village agrees to assign an appropriate future land use and to zone the Property pursuant to its Comprehensive Plan so that it is consistent with and implements the future land use designation assigned to the Property and so that the Property's land development district (zoning) is compatible with the properties in connection with the Comprehensive Plan amendment and zoning re-districting.
6. **USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES.** So long as the Property is assigned the future land use category and land development district (zoning) designation contemplated in Section 4 above, the use and development of the Property shall be conducted in accordance with the following to maintain compatibility with, and protect against adverse impacts to, the surrounding properties:
  - a. **Uses.** Although mobile food trucks are not permitted within the Village of Palm Springs, the Petitioner has held a special permit for mobile vending from Palm Beach County for numerous years and is an established mobile food business operation. At the time of the execution of this Annexation Agreement, the following identified permitted uses of the Property may remain as approved by Palm Beach County and subject to the following conditions:
    - i) **Free Standing Restaurant** with walk-up service window. The Property has received approval for the building and improvement configurations as depicted on final site plan approved by Palm Beach County on December 22, 2004 (Control No. 04-017), with variances as approved through Application No. BA-2006-01166. So long as the Petitioner completes construction of all improvements depicted on the final site plan (i.e., the covering for the outdoor seating) within twelve (12) months of the effective date of this Annexation Agreement, Petitioner will not be required to

obtain special exception and site plan approvals from the Village. Petitioner shall obtain a business tax receipt annually for the Restaurant. If Petitioner fails to complete the construction listed on the site plan within the 12-month time period, Petitioner shall then be required to obtain a special exception and site plan approval prior to undertaking any additional improvements on the Property.

ii) **Mobile Food Trailer.** The Mobile Food Trailer shall be a permissible use for 12 years after the effective date of this Annexation Agreement, subject to compliance with requirements of Special Permit 2006-00065, including, but not limited to:

- (1) Mobile sales on the Property shall be conducted from a single portable trailer or truck, which shall be removed/relocated at least three times per week in order to perform routine maintenance and/or ensure mobile food trailer is operable and the surrounding area is maintained pursuant to Village codes (no use of unapproved portable stands, tents/canopies, trailers, etc.).
- (2) No alcohol sales from mobile food trailer.
- (3) Existing electric service may continue, but may not be upgraded unless otherwise approved by the Village Manager or Village Building Official.
- (4) Signage shall comply with Article IV of the Village Land Development Code.
- (5) Parking lot and access drives shall be maintained in good, non-dusting condition and any new paving will be done with a one-inch hotplant mix asphaltic concrete surface.
- (6) Garbage shall be disposed of in an approved dumpster, which shall be screened in accordance with Village's land development standards. Regular garbage collection shall be conducted in accordance with Village requirements for commercial operations.
- (7) Cooking Grease disposal shall be approved by the Health Department and Palm Beach County.
- (8) Approval of the Mobile Food Trailer shall expire if the use/activity is discontinued for more than 30 consecutive days.

- (9) The Mobile Food Trailer must be owned and operated by the Petitioner, Eloisa Gonzalez, Victor Gonzalez or their children only, and any lease, sublease, assignment, transfer, sale, etc. of the use to any other person or entity will immediately nullify its approval on the Property.
  - (10) No additional mobile food trailers or concession equipment may be operated on the Property at any time.
  - (11) Approval of the Mobile Food Trailer may be revoked by the Village's code enforcement special magistrate if it is determined that the Petitioner is in violation of any provision outlined and agreed to within this Agreement or the regulations of the Village of Palm Springs unless specifically modified herein.
  - (12) Upon expiration of this 12-year period referenced in 5.a.ii., or upon revocation by the Special Magistrate, the Mobile Food Trailer shall be immediately removed from the Property and no other mobile food trailer may be utilized on the Property unless specifically permitted by the Village code of ordinances.
  - (13) The Petitioner shall obtain a Village business tax receipt annually for the Mobile Food Trailer as long as it exists on the Property.
  - (14) The Petitioner shall cease operations of the food truck if they fail to abide by the requirements set forth.
- iii) **Catering and Commissary Operations.** It is acknowledged that Petitioner owns and operates other mobile concession trailers and catering services at off-site locations, and utilizes the Restaurant as a commissary/preparation kitchen for these operations. The Petitioner shall obtain a separate Village business tax receipt annually for its catering and commissary operations.
- Should the Petitioner desire to store these mobile concession trailers on the Property, the storage area shall be screened from view and secured with a fence or wall in compliance with regulations of the Village. It is acknowledged that the Petitioner's operations currently include five (5) mobile concession trailers, four (4) mobile corn roasters, one (1) cold storage trailer and one (1) dry storage trailer, all of which may be stored in the newly constructed storage area. The Petitioner shall



be limited to this number of catering/mobile concession trailers being serviced and stored on the Property.

Petitioner shall also obtain a Village business tax receipt for all future improvements including but not limited to a free standing commissary kitchen and storage yard.

The Petitioner shall cease the catering and commissary operation if they fail to abide by this section.

- b. **Insurance.** Liability insurance shall be obtained and retained listing the Village as additionally insured or certificate holder, paid in full covering the year for which the business tax receipt is issued, in the amount of \$500,000 per occurrence. Proof of liability insurance is due annually no later than September 30 with business tax receipts renewal.
- c. **Health Department License and Sanitation Certificate.** All applicable Health Department License(s) and Sanitation Certificate(s) shall be obtained and retained from the Florida Department of Health. Proof of both shall be submitted to the Village annually with business tax receipts renewal.
- d. **Hours of Operation.** The Mobile Food Trailer shall be limited to operate between 7 a.m. and 11 p.m. The existing free standing Restaurant shall be limited to operate between 7 a.m. and 2 a.m. The Restaurant Walk-Up Window shall be limited to operate between 7 a.m. and 5 a.m. No alcohol sales from the Restaurant or its Walk-Up Window shall be permitted after 2 a.m. The Petitioner is required to have a special Village police detail officer on-site between midnight and 5 a.m. on Fridays, Saturdays and national holidays. If determined at any time by the Village Police Chief that additional special details are required, Petitioner agrees to utilize same. The Property Owner is responsible for payment of all costs assessed for special details. Upon determination from the Village Police Chief that the extended hours of operation are contributing to nuisances (excessive noise, garbage, etc.) or violence, crime or disorderly conduct, the approval for extended hours of operation shall be revoked and the operations shall comply with Section 14-61 of the Code of Ordinances.

- e. **Mobile Food Trailer Re-orientation.** Within one (1) year from the effective date of this Annexation Agreement, the Petitioner shall be permitted to re-orient the Mobile Food Trailer on the Property one time in conformance with the setbacks for the Commercial General land development district. Prior to such re-orientation, the Petitioner shall submit a survey showing the proposed location of the trailer, parking and vehicular circulation as an administrative site plan amendment. If the re-orientation is approved by the Village and the Mobile Food Trailer is re-oriented, thereafter, any additional modifications or additions to the structures on the Property shall require formal site plan modification application and approval.
  - f. **Landscaping Improvements.** The Petitioner will install landscaping improvements within twenty four (24) months of the approval of this Annexation Agreement, which shall be depicted on an administrative site plan amendment (as a Landscape Plan) and approved by the Village Land Development Department prior to the installation, removal or replacement of any landscaping.
  - g. **Future Expansion.** For one (1) year after the approval of this Annexation Agreement, the Village shall allow for the addition of a free standing food preparation kitchen (aka commissary) for separate catering services/mobile concession and food vending services operated off-site by the Petitioner. The addition shall require site plan application and approval by the Village, but shall not require the entire Property being brought into conformance with Village land development code.
  - h. **Rights-of-Way.** Upon transfer of responsibility from Palm Beach County to the Village for public rights-of-way, the Village may implement an assessment program to upgrade and maintain improvements and/or may abandon public interest in these rights-of-way.
  - i. **All other codes and requirements.** All other requirements of the Village's codes and ordinance, and applicable law shall remain in full force and effect.
7. **STATUS OF AGREEMENT.** The parties agree and acknowledge that this Annexation Agreement is not a "development agreement" as contemplated by Sections 163.3220-163.3243, Florida Statutes, and that the provisions of said sections are not applicable to this Annexation Agreement. The parties acknowledge and agree that no infirmity or defect in

the Village's actions described herein shall nullify or otherwise affect the annexation of the Property into the Village.

8. **ALL OTHER CODE AND REQUIREMENTS.** All other requirements of the Village's Code of Ordinances, regulations and applicable law shall remain in full force and effect.
9. **TERM OF THE AGREEMENT.** The terms contained herein shall inure only to the party hereto. However, the allowances provided in Section 5, shall only exist for the time set forth in each subsection for the applicable use. Once the time set forth in each subsection expires, the allowances provided shall thereafter without further action by the Village become null, void and of no further legal effect. Thereafter any further use or expansion of the Property shall be governed by the Village Code of Ordinances and all applicable laws and regulations in effect.
10. **TERMINOLOGY.** In this Agreement, the use of the singular shall include the plural, the use of the masculine shall include the neuter, and the use of "officials" shall include appointed and elected officials of the Village and their successors.
11. **ENTIRE AGREEMENT.** This Annexation Agreement embodies the whole agreement of the parties and there are no promises, terms, conditions or obligations other than those herein contained, and this Annexation Agreement supersedes all previous communications, representations, proposals or agreements, if any. The provisions of this Annexation Agreement fully set forth the Petitioner's obligations and there are no other costs, charges, fees, or expenses for the annexation, land use amendment, or rezoning of the Property. There are no other oral or written promises, conditions, representations, understandings or terms of any kind as conditions of inducement to the execution hereof. Any subsequent conditions, representations, warranties, or agreements shall not be valid or binding upon the parties, unless they are in writing and signed by both parties and executed in the same manner as this Annexation Agreement.
12. **SEVERABILITY.** In the event that any part, term or provision of this Annexation Agreement is found to be illegal or inoperative by a court of competent jurisdiction, the validity of the remaining portions and provisions shall not be affected, and the rights and obligations of



the parties shall be construed and enforced as if this Annexation Agreement did not contain the particular part, term or provision held to be so invalid.

13. **CAPTIONS.** Captions are included for convenience only and shall be given no legal effect whatsoever.
14. **ATTORNEY'S FEES.** In the event any party must enforce this Annexations Agreement through legal proceedings, the prevailing party shall be entitled to reasonable attorney's fees and costs incurred, including those at the appellate level.
15. **WAIVER.** Failure of a party to enforce any conditions of this Agreement or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce said condition(s) or exercise said right(s) at any time.
16. **TIME.** Time is of the essence in all respects under this Agreement.
17. **EFFECTIVE DATE.** This Annexation Agreement shall become effective upon annexation and final approval by the Village Council.

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SIGNATURE PAGE FOLLOWS

4420 Lake Worth Road  
Tacos Al Carbon, Inc.

**IN WITNESS WHEREOF** the parties have hereto set their hands and seals in lawful execution of this Annexation Agreement on the date opposite their names.

Date: December 11, 2014

VILLAGE OF PALM SPRINGS, FLORIDA

By: \_\_\_\_\_

Bev Smith, Mayor

ATTEST:

By: \_\_\_\_\_

Virginia Walton, Village Clerk



APPROVED AS TO FORM:

By: \_\_\_\_\_

Glen J. Torcivia, Village Attorney

Date: \_\_\_\_\_

PETITIONER: Tacos Al Carbon, Inc.

Witnesses as to Petitioner:

\_\_\_\_\_

Witness

Juan Carlos

By: \_\_\_\_\_

Eloisa Gonzalez, President

Witness

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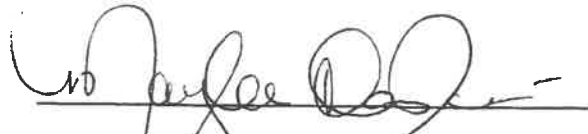
ACKNOWLEDGEMENTS FOLLOW

ACKNOWLEDGEMENTS

STATE OF FLORIDA )

COUNTY OF PALM BEACH )

The foregoing ANNEXATION AGREEMENT was acknowledged before me this 11<sup>th</sup>  
day of December, 2014 by BEV SMITH and Jane R. Worth ~~VIRGINIA WALTON~~, the Mayor and  
Deputy Village Clerk, respectively, of the Village of Palm Springs, Florida, who are personally known to  
me.

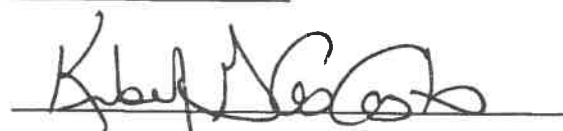
  
NOTARY PUBLIC – STATE OF FLORIDA  
MY COMMISSION EXPIRES:

STATE OF FLORIDA )

COUNTY OF PALM BEACH )



The foregoing ANNEXATION AGREEMENT was acknowledged before me this 27<sup>th</sup>  
day of October, 2014 by Eloisa Gonzalez as President of Tacos Al Carbon, Inc,  
who is personally known to me, or who provided \_\_\_\_\_ as identification.

  
NOTARY PUBLIC – STATE OF FLORIDA  
MY COMMISSION EXPIRES:





4420 Lake Worth Road  
Tacos Al Carbon, Inc.

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Lots 1 through 7 and Lots 9 through 14 (less rights of way), Block 4,  
GREENACRES PLAT 1, as recorded in Plat Book 12, Page 72  
of the Public Records of Palm Beach County, Florida.

**The Palm Beach Post**  
**REAL NEWS STARTS HERE**

Palm Beach Daily News

**NOTICE OF PUBLIC HEARING**

The Village of Palm Springs proposes to adopt:

**ORDINANCE NO. 2014-35**  
AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH TACOS AL CARBON, INC., OWNERS OF FIVE PARCELS OF LAND, TOTALING 1.5 ACRES, LOCATED AT 4420 LAKE WORTH ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 2014-36**  
AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH TULLER PROPERTIES, LLC, OWNERS OF FIVE PARCELS OF LAND, TOTALING 0.49 ACRES, LOCATED AT 4040 SOUTH MILITARY TRAIL, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 2014-37**  
AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH PURDY LANE INVESTMENTS, INC., OWNERS OF A PARCEL OF LAND, TOTALING 0.92 ACRES, LOCATED AT 4053 COOLEY COURT, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE NO. 2014-38**  
AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH PAISA ASSOCIATES, LLC, OWNERS OF A PARCEL OF LAND, TOTALING 4.73 ACRES, LOCATED AT 4481 LAKE WORTH ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearings on the proposed ordinance will be held in Council Chambers at Village Hall, 226 Cypress Lane, Palm Springs, Florida, on the following dates:

Land Development Board, Tuesday, May 13, 2014 at 6:30 PM  
Regular Council Meeting, Thursday, June 12, 2014 at 6:30 PM  
Regular Council Meeting, Thursday, July 10, 2014 at 6:30 PM

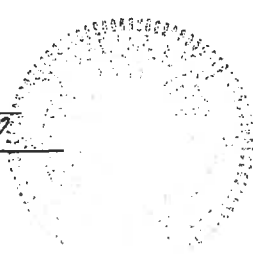
These ordinances in their entirety may be inspected at the Office of the Village Clerk during Monday through Friday between 8:00 a.m. and 5:00 p.m. All interested parties may appear at the meeting and be heard with respect to the proposed ordinances at the public hearing.

If a person decides to appeal any decision made by the above Village Council with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 965-4010 at least 3 days prior to the meeting in order to request such assistance.

Virginia M Walton, MMC, Village Clerk  
PUB: The Palm Beach Post  
10-25/2014 #322107

VILLAGE OF PALM SPRING PROOF OF PUBLICATION STATE OF FLORIDA COUNTY OF PALM BEACH Before the undersigned authority personally appeared Tiffani Everett, who on oath says that she is Call Center Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice was published in said newspaper on First date of Publication 10/25/2014 and last date of Publication 10/25/2014 Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties. PUBLIC HEARING Ad ID: 634082 Ad Cost: 392.16

Signed Tiffani Everett  
Carol Bell  
Sworn to and subscribed before 10/27/2014.  
Who is personally known to me.



WHEEEL  
WATER PUMP & CO  
7700 W. PALM BEACH BLVD  
WEST PALM BEACH, FL 33411



# Village of Palm Springs

"a great place to call home"

226 Cypress Lane • Palm Springs, Florida 33461-1699  
561.965.4010 • Fax 561.965.0899

December 15, 2014

Tacos Al Carbon, Inc.  
230 Perry Avenue  
Lake Worth, FL 33463

Re: Voluntary Annexation Agreement

Dear Respondent:

At their Regular Council Meeting on December 11, 2014, the Mayor and Village Council adopted Resolution No. 2014-35, approving the Voluntary Annexation Agreement for five parcels of land located at 4420 Lake Worth Road.

Enclosed are a copy of the signed Resolution No. 2014-35 and a copy of the Agreement for your records.

Should you have any questions, please contact Kim Glas-Castro, Land Development Director, at 965-4016.

Sincerely,

Virginia M. Walton, MMC  
Village Clerk

Enclosures



The Palm Beach Post  
**REAL NEWS STARTS HERE**  
 Palm Beach Daily News  
THE SUNSHINE STATE

**ADVERTISING INVOICE**

|                                           |                                                  |                              |                    |
|-------------------------------------------|--------------------------------------------------|------------------------------|--------------------|
| BILLED ACCOUNT NUMBER<br>G715             | BILLING DATE<br>10/25/2014                       | TOTAL AMOUNT DUE<br>\$392.16 | DOCUMENT<br>205053 |
| BILLING PERIOD<br>10/25/2014 - 10/25/2014 | TERMS OF PAYMENT<br>Upon Receipt                 | PAYMENT DUE<br>10/25/2014    | PAGE #<br>1 / 1    |
| ADVERTISER CLIENT #<br>G715               | ADVERTISER CLIENT NAME<br>VILLAGE OF PALM SPRING |                              |                    |

VILLAGE OF PALM SPRING  
 226 CYPRESS LN  
 PALM SPRINGS FL 33461-1604

*paid  
10/31/14*

For questions concerning this bill call 855-333-2676  
 If paid, please disregard - Thank you.

| DATE       | NEWSPAPER<br>REFERENCE | DESCRIPTION                        | DIMENSIONS<br>BILLED UNITS | TIMES RUN<br>RATE | GROSS AMOUNT | NET AMOUNT |
|------------|------------------------|------------------------------------|----------------------------|-------------------|--------------|------------|
| 10/25/2014 | 322107                 | NOTICE OF PUBLIC HEARING The<br>of |                            |                   | 392.16       | 392.16     |
| 10/25/2014 |                        | PB Post, PB Post Web               |                            |                   |              |            |
| 10/25/2014 |                        | Total Amount Due                   |                            |                   |              | \$392.16   |

PLEASE DETACH AND INCLUDE WITH YOUR PAYMENT

**PAYMENT COUPON**

| DOCUMENT | BILLING DATE | TERMS OF PAYMENT | PAYMENT DUE | ADVERTISER CLIENT # | ADVERTISER CLIENT NAME |
|----------|--------------|------------------|-------------|---------------------|------------------------|
| 205053   | 10/25/2014   | Upon Receipt     | 10/25/2014  | G715                | VILLAGE OF PALM SPRING |

Please send your payment to:

**CMG - PB Remittance Address**  
 PO Box 645098  
 Cincinnati, OH 45264-5098

**G715**  
 VILLAGE OF PALM SPRING  
 226 CYPRESS LN  
 PALM SPRINGS FL 33461-1604

| TOTAL AMOUNT    | AMOUNT ENCLOSED |
|-----------------|-----------------|
| <b>\$392.16</b> |                 |

0050020505300000392162

## Location Map



## Site Data

Project Number: XXX-XXX  
 Name of Project: Tacos Al Carbon  
 Proposed Use: Restaurant  
 Existing Future Land Use Designation: UH (P28)  
 Proposed Future Land Use Designation: Commercial (C3)  
 Existing Zoning District: UH (P28)  
 Proposed Zoning District: Commercial (C3)  
 Section, Township, Range: 22/44/42  
 Property Control Numbers:  
 70-42-44-23-08-004-0010  
 70-42-44-23-08-004-0000  
 70-42-44-23-08-004-0122  
 70-42-44-23-08-004-0110  
 70-42-44-23-08-004-0060  
 70-42-44-23-08-004-0060

Traffic Analysis Zone:  
 Applicable Overlay(s):  
 Total Site Area: 1.28 ac. (56,184 s.f.)

Free standing restaurant w/ walk up service window, mobile food trailer, catering and commissary operation (T)  
 Permitted Through Palm Beach County Ordinance No. 2014-35

Total Gross Floor Area: 10,607 s.f.  
 Restaurant: 8,405 s.f.  
 Outdoor Seating: 1,772 s.f.  
 Retail: 2,430 s.f.

Consuming Approved:  
 Restaurant: 8,405 s.f. (xv seats)  
 Outdoor Seating: 1,772 s.f.  
 Retail: 2,430 s.f.

Consistency is approved for the above uses and amounts shown on this plan.

Total Floor Area Ratio: 0.25  
 Total Building Coverage: 4%  
 (including maximum of 800 s.f.)

Improvement Area: 8,405 s.f.  
 Building: 8,405 s.f.  
 Pavement/Walks: 12,418 s.f.  
 Permitted Area: 30,303 s.f.

Number of Seats: 36  
 Building Height: max. 42'  
 Number of Stories: 4 Max (1 Story Proposed)

Hours of Operation:  
 Restaurant: 7am to 2am  
 Restaurant: Walk up Window: 7am - 5pm  
 Mobile Food Trailer: 7am - 11pm

Parking Required:  
 Restaurant: 1 Space/100 s.f. @ 8,405 s.f. = 84  
 Outdoor Seating: 1 Space/100 s.f. @ 1,772 s.f. = 18  
 Retail: 1 Space/200 s.f. @ 2,430 s.f. = 12

Proposed Parking:  
 Handicap Spaces Required: 4  
 Handicap Spaces Proposed: 4  
 Loading Required: 1  
 Loading Provided (12' x 36'):

## Development Regulations

| PROPERTY DEVELOPMENT REQUIREMENTS |               |                         |                        |                        |                        |                      |                    |                   |                   |                    |                   |
|-----------------------------------|---------------|-------------------------|------------------------|------------------------|------------------------|----------------------|--------------------|-------------------|-------------------|--------------------|-------------------|
| Zone                              | Min. Lot Area | Min. Front Yard Setback | Min. Side Yard Setback | Min. Rear Yard Setback | Max. Building Coverage | Max. Building Height | Min. Front Setback | Min. Side Setback | Min. Rear Setback | Min. Front Setback | Min. Side Setback |
| Commercial                        | 1.00 AC.      | 100'                    | 100'                   | 200'                   | 30%                    | 40'                  | 10'                | 5'                | 5'                | 10'                | 5'                |
| Residential                       | 1.00 AC.      | 210'                    | 210'                   | 210'                   | 40%                    | 40'                  | 10'                | 5'                | 5'                | 10'                | 5'                |

## Development Team

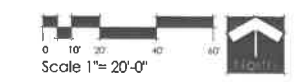
OWNER: TACOS AL CARBON, INC.  
 751 PALM SP. COMMERCIAL DR. SUITE 120  
 BOCA RATON, FLORIDA 33487  
 (561) 822-8222

ARCHITECT: JAMES ARCHITECTURE  
 318 GLENN ST. #101  
 WEST PALM BEACH, FLORIDA 33401  
 (561) 853-8280

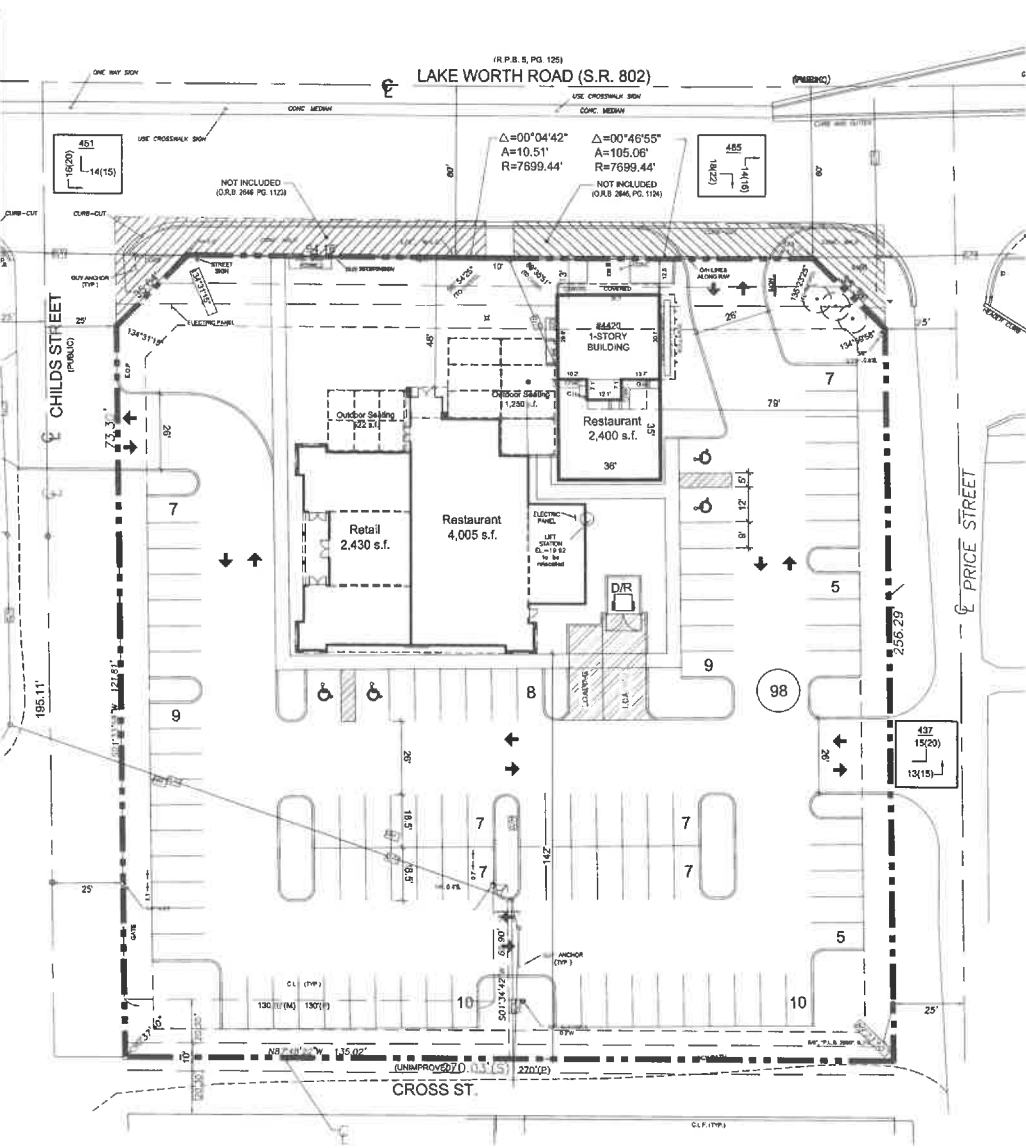
GEOTECHNICAL ENGINEER: MOORE, MCCARTHY & ASSOCIATES, P.A.  
 1835 PALM BEACH LANE SUITE 200  
 WEST PALM BEACH, FLORIDA 33401  
 (561) 698-8500

PLANNER: JON E. SCHMIDT AND ASSOCIATES  
 2247 PALM BEACH LANE SUITE 101  
 WEST PALM BEACH, FLORIDA 33409  
 (561) 694-8141

SURVEYOR: WALLACE SURVEYING  
 2055 BELLEVIEW RD.  
 WEST PALM BEACH, FLORIDA 33407  
 (561) 440-1930



| NONCONFORMITIES CHART - TACOS AL CARBON      |                                       |                                                          |                               |                                                                                                                                |
|----------------------------------------------|---------------------------------------|----------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| CODE SECTION                                 | REQUIRED                              | PROVIDED                                                 | AMOUNT OF NONCONFORMITY       | NOTING                                                                                                                         |
| 1. Property Description/Reg. Min. Lot Area   | 50 feet                               | 5 feet                                                   | 45 feet                       | Palm Beach County Site Plan (Control No. 04-0115) & 04-004-0000                                                                |
| 2. Prohibited Uses Mobile Food Trailer       | Mobile food trailer is prohibited use | Mobile food trailer permitted through Ordinance 11, 2021 | allow the Mobile Food Trailer | *Innovation Agreement - Ordinance 2021-15                                                                                      |
| 3. Reduced buffers MOU - North               | 15 feet                               | 4 feet (Relocated to south buffer per PBC approval)      | 11 feet                       | *Palm Beach County Site Plan (Control No. 04-0115) & 04-004-0000. Buffer relocated to south property line per County approval  |
| 4. Required Foundation Footing               | 45 ft                                 | 0 ft (Relocated to south buffer per PBC approval)        | 45 ft                         | *Palm Beach County Site Plan (Control No. 04-0115) & 04-004-0000. Footing relocated to south property line per County approval |
| 5. Required Foundation Footing East Footing  | 27.5 ft                               | 0 ft (Relocated to south buffer per PBC approval)        | 27.5 ft                       | *Palm Beach County Site Plan (Control No. 04-0115) & 04-004-0000. Footing relocated to south property line per County approval |
| 6. Sign Posting Required Restaurant Standard | 12 hours                              | 12 hours                                                 | 2 hours                       | Palm Beach County Site Plan (Control No. 04-0115)                                                                              |



Jon E. Schmidt and Associates  
 Landscape Architecture & Site Planning  
 2247 Palm Beach Lakes Blvd., Suite 101  
 West Palm Beach, Florida 33409  
 Tel: (561) 694-8141 • Fax: (561) 694-8142  
 E-mail: jschmidt@jesa.com  
 Website: www.jesa.com  
 License No.: LC20000332

# Tacos Al Carbon

Village of Palm Springs, Florida

Date: 11/30/16  
 Scale: 1"=20'-0"  
 Design By: JES  
 Drawn By: JES  
 Checked By: JES  
 File No.: 795.01  
 Job No.: 16-22

REVISIONS / SUBMISSIONS  
 01/04/17 Administrative SP Amend.  
 03/24/17 Site Plan Submittal

## Site Plan

**CASE PRESENTATION**  
**CASE No. CASE 2024-50**

1. Good morning, my name is Nanciann Cuenot, and I have been sworn in.
2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.
3. This is Case No. 2024-50 concerns the property at 4420 Lake Worth Road in the Village of Palm Springs, FL.
4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector records the current owner(s) of the property is TACOS AL CARBON INC
5. Pursuant to my own observation, there are violations of local ordinance **SECTION 34-572 VIOLATIONS. THERE ARE VIOLATIONS AND NON-COMPLIANCE OF CONDITIONS OF THE ANNEXATION AGREEMENT ISSUED BY VILLAGE COUNCIL RESOLUTION NO. 2014-35. THE VIOLATIONS ARE AS FOLLOWS:**
  - \*\* Respondent did not move forward with an approved Site-Plan (See paragraph 6(a)(i))**
  - \*\* Mobile Food Trailer to be removed/relocated at least three times per week, no use of unapproved portable stands, tents, canopies, trailers. (See paragraph 6(1)).** This food trailer is not mobile. It is anchored to the ground and tied into electric and plumbing without permits and inspections.
  - \*\* Prohibited use of tents, canopies and trailers. (See paragraph 6(1)).**
  - \*\* Upgraded electric without permits and inspections (See paragraph 6(3)).**
  - \*\* Prohibited A-Frame signage. (See paragraph 6(4)).**
  - \*\* Parking lot not maintained in good, non-dusting condition. Improvements required (See paragraph 6(5)).**
  - \*\* Dumpster must be screened from view. Trash and debris present. Increase size or collection (See paragraph 6(6)).**
  - \*\* One (1) Cold Storage trailer, one (1) dry storage trailer and one (1) Corn Roaster must be stored in the newly constructed storage area. (See paragraph 6(iii)).**
  - \*\* Chain-link fence with fabric screen installed without permits.**
  - \*\* Shed not approved and must be removed.**
6. On May 14, 2024, I wrote a Courtesy Code Notice for the violations.
7. Since no site plan has been submitted and construction of improvements has not been completed as required by the annexation agreement, the uses at the property are not permitted uses.
8. The food truck use has also lapsed since the owner has failed to comply with the annexation agreement (**See paragraph 6(ii)(11)**).
9. PHOTOS OF the violations are included in the file. The property remains in violation.
10. On August 5, 2024, I wrote Notice of Violation/Notice of Hearing 2024-50 for the violations. The Notice was mailed certified and regular to the respondents address of record and posted at the property and Village Hall. USPS tracking of delivery was confirmed.



CASE No. \_\_\_\_\_

9. THE VILLAGE REQUESTS THAT THE RESPONDANT BE ORDERED TO COMPLY WITH THE CITED REQUIREMENTS OF THE VILLAGE'S CODE BY **AUGUST 23, 2024. IF NOT IN COMPLIANCE BY THAT DATE A \$250.00 PER DAY FINE ACCRUES UNTIL COMPLIANCE.**

10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$457.98** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **AUGUST 23, 2024.**

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



### Case Administrative / Court Costs

August 15, 2024, 4420 Lake Worth Road - Tacos Al Carbon Inc

Case 2024-50

| Line #                       | Description                                       | Unit # | Cost   | Total  |
|------------------------------|---------------------------------------------------|--------|--------|--------|
| 1                            | Additional Inspector Time - 1 hour CE             | 6.00   | 35.00  | 210.00 |
| 2                            | Additional Inspector Time - 1 hour Bldg           | 0.50   | 60.00  | 30.00  |
| 3                            | Additional Inspector Time - 1 hour LD Director    | 1.00   | 70.00  | 70.00  |
| 4                            | Additional photos re-inspections - 5.00 per photo | 3.00   | 5.00   | 15.00  |
| 5                            | Additional photos re-inspections - 5 for 20.00    | 3.00   | 20.00  | 60.00  |
| 6                            | Additional certified copies for hearing           | 1.00   | 8.16   | 8.16   |
| 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                                           | 3.00   | 0.69   | 2.07   |
| 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 2024-50 |                                                   |        |        | 457.98 |



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-968-8243 • [www.vpsfl.org](http://www.vpsfl.org)

May 14, 2024

TACOS AL CARBON INC  
230 PERRY AVE  
LAKE WORTH, FL 33463 3334

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 **4420 LAKE WORTH ROAD, in Palm Springs, FL**

PCN: 70-42-44-25-08-004-0010

**Sec. 34-572 Violations: Noncompliance with conditions of Annexation Agreement and Village Council approval.**

- **Prohibited flag signs on building.**
- **There shall be no use of unapproved portable stands, tents/canopies, trailers, outdoor storage etc. Remove the large tent and several canopies.**
- **It is acknowledged that there is one (1) cold storage trailer and one (1) dry storage trailer, all of which are to be stored in the newly constructed storage area which is screened from view by a fence.**
- **The parking lot and access drives shall be constructed and subsequently maintained in good condition with a one-inch hot mix asphaltic concrete surface. Permits and inspections are required.**

**Compliance Date: May 30, 2024**

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

Please call me if you have any questions at (561) 584-8300 Ext 8534.

Respectfully,

Nanciann Cuenot  
Palm Springs Public Safety  
Code Enforcement Officer  
(T) (561) 584-8300 Ext 8534.  
[ncuenot@vpsfl.org](mailto:ncuenot@vpsfl.org)

Professionalism • Respect • Integrity • Duty • Excellence





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

NEOPOST FIRST-CLASS MAIL  
05/14/2024  
US POSTAGE \$000.64<sup>0</sup>



ZIP 33461  
041M11460879

TACOS AL CARBON INC  
230 PERRY AVE  
LAKE WORTH, FL 33463 3334

## Property Detail

Location Address 4420 LAKE WORTH RD  
Municipality PALM SPRINGS  
Parcel Control Number 70-42-44-25-08-004-0010  
Subdivision GREEN ACRES PLAT NO 1  
Official Records Book 12807 Page 1597  
Sale Date AUG-2001  
Legal Description GREEN ACRES PL NO 1 LTS 1 & 2 (LESS LAKE WORTH RD R/W), LTS 3 THRU 7, LTS 9 THRU 12 & LTS 13 & 14 (LESS LAKE WORTH RD R/W) BLK 4 & E 1/2 OF 50 FT ABND PT OF CHILDS ST LYG W OF & ADJ TO LTS 9 THRU 11

## Owner Information

**Owners**  
TACOS AL CARBON INC

**Mailing address**  
230 PERRY AVE  
LAKE WORTH FL 33463 3334

## Sales Information

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner               |
|------------|-----------|---------------|---------------|---------------------|
| AUG-2001   | \$300,000 | 12807 / 01597 | WARRANTY DEED | TACOS AL CARBON INC |
| NOV-1989   | \$140,000 | 06279 / 00496 | WARRANTY DEED |                     |

## Exemption Information

No Exemption information available

## Property Information

Number of Units 0  
\*Total Square Feet 1179  
Acres 1.4807  
Use Code 2100 - RESTAURANT  
Zoning CG - COMMERCIAL GENERAL ( 70-PALM SPRINGS )

## Appraisals

| Tax Year           | 2023        | 2022      | 2021      |
|--------------------|-------------|-----------|-----------|
| Improvement Value  | \$151,742   | \$138,974 | \$98,142  |
| Land Value         | \$1,096,483 | \$853,967 | \$732,064 |
| Total Market Value | \$1,248,225 | \$992,941 | \$830,206 |

*All values are as of January 1st each year*

## Assessed and Taxable Values

| Tax Year         | 2023        | 2022      | 2021      |
|------------------|-------------|-----------|-----------|
| Assessed Value   | \$1,004,550 | \$913,227 | \$830,206 |
| Exemption Amount | \$0         | \$0       | \$0       |
| Taxable Value    | \$1,004,550 | \$913,227 | \$830,206 |

## Taxes

| Tax Year       | 2023     | 2022     | 2021     |
|----------------|----------|----------|----------|
| Ad Valorem     | \$21,254 | \$18,806 | \$17,091 |
| Non Ad Valorem | \$1,735  | \$1,662  | \$1,589  |
| Total tax      | \$22,989 | \$20,468 | \$18,680 |

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER [www.pbcgov.org/PAPA](http://www.pbcgov.org/PAPA)

Account Information

|                                                                       |                                                                     |                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Control Number:</b><br>70-42-44-25-08-004-0010            | <b>Property Type:</b><br>Real Property                              | <b>Status:</b> Active                                                                                                                                                                                                               |
| <b>Mailing Address:</b><br>230 PERRY AVE<br>Lake Worth, FL 33463-3334 | <b>Property Address:</b><br>4420 LAKE WORTH<br>LAKE WORTH, FL 33461 | <b>Legal Description:</b><br>GREEN ACRES PL NO 1 LTS 1 & 2 (LESS LAKE WORTH RD R/W), LTS 3 THRU 7, LTS 9 THRU 12 & LTS 13 & 14 (LESS LAKE WORTH RD R/W) BLK 4 & E 1/2 OF 50 FT ABND PT OF CHILDS ST LYG W OF & ADJ TO LTS 9 THRU 11 |
| <b>Owner of Record:</b><br>TACOS AL CARBON INC                        | <b>Second Owner:</b>                                                |                                                                                                                                                                                                                                     |

Last updated: 8/09/2024 02:47:58 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      | <div><div></div><div>\$22,069.53</div></div> <div>Net Tax: \$22,989.10</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$919.57</div> | 11/30/23                                                                                                                                                                      |             | <div><div></div><div>\$22,069.53</div></div> <div><div></div><div>Paid</div></div> |                                                                               |
| Installment | Due Date                                                                                                                                                                                   | Net Tax                                                                                                                                                                       | Last Paid   | Amount Paid                                                                        | Status                                                                        |
| 1           | 8/1/22                                                                                                                                                                                     | <div><div></div><div>\$0.00</div></div> <div>Net Tax: \$0.00</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: \$0.00</div> |             |                                                                                    | <div><div></div><div>\$0.00</div></div> <div><div></div><div>Paid</div></div> |
| 2           | 10/14/22                                                                                                                                                                                   | <div><div></div><div>\$0.00</div></div> <div>Net Tax: \$0.00</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: \$0.00</div> |             |                                                                                    | <div><div></div><div>\$0.00</div></div> <div><div></div><div>Paid</div></div> |



| Due Date | Net Tax                                                                                                                                                                         | Last Paid | Amount Paid | Status                                              |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|-----------------------------------------------------|
| 3/31/23  | <div><div></div>\$19,649.13</div> <div>Net Tax: \$20,467.85</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$818.72</div> | 11/22/22  |             | <div>-\$19,649.13</div> <div><div></div> Paid</div> |

| Installment | Due Date | Net Tax                                                                                                                                                                       | Last Paid | Amount Paid | Status                                             |
|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|----------------------------------------------------|
| 1           | 6/30/21  | <div><div></div>\$4,810.01</div> <div>Net Tax: \$4,810.01</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: \$0.00</div>    | 7/9/21    |             | <div>-\$4,810.01</div> <div><div></div> Paid</div> |
| 2           | 9/30/21  | <div><div></div>\$4,593.55</div> <div>Net Tax: \$4,810.00</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$216.45</div> | 9/29/21   |             | <div>-\$4,593.55</div> <div><div></div> Paid</div> |
| 3           | 1/3/22   | <div><div></div>\$4,665.57</div> <div>Net Tax: \$4,529.68</div> <div>Interest: \$135.89</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: \$0.00</div>  | 5/27/22   |             | <div>-\$4,665.57</div> <div><div></div> Paid</div> |
| 4           | 3/31/22  | <div><div></div>\$4,673.56</div> <div>Net Tax: \$4,529.67</div> <div>Interest: \$135.89</div> <div>Penalty: \$0.00</div> <div>Fees: \$8.00</div> <div>Discount: \$0.00</div>  | 5/27/22   |             | <div>-\$4,673.56</div> <div><div></div> Paid</div> |

| Installment | Due Date | Net Tax                                                                                                                                                                       | Last Paid | Amount Paid | Status                                             |
|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|----------------------------------------------------|
| 1           | 6/30/20  | <div><div></div>\$4,437.43</div> <div>Net Tax: \$4,720.67</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$283.24</div> | 6/11/20   |             | <div>-\$4,437.43</div> <div><div></div> Paid</div> |
| 2           | 9/30/20  | <div><div></div>\$4,508.23</div> <div>Net Tax: \$4,720.67</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$212.44</div> | 9/22/20   |             | <div>-\$4,508.23</div> <div><div></div> Paid</div> |
| 3           | 12/31/20 | <div><div></div>\$4,752.32</div> <div>Net Tax: \$4,899.30</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: -\$146.98</div> | 12/3/20   |             | <div>-\$4,752.32</div> <div><div></div> Paid</div> |
| 4           | 3/31/21  | <div><div></div>\$4,899.29</div> <div>Net Tax: \$4,899.29</div> <div>Interest: \$0.00</div> <div>Penalty: \$0.00</div> <div>Fees: \$0.00</div> <div>Discount: \$0.00</div>    | 3/11/21   |             | <div>-\$4,899.29</div> <div><div></div> Paid</div> |

| Installment | Due Date | Net Tax             | Last Paid | Amount Paid | Status |
|-------------|----------|---------------------|-----------|-------------|--------|
| 1           | 7/1/19   | ☐ \$4,082.69        | 6/28/19   | -\$4,082.69 | ● Paid |
|             |          | Net Tax: \$4,343.29 |           |             |        |
|             |          | Interest: \$0.00    |           |             |        |
|             |          | Penalty: \$0.00     |           |             |        |
|             |          | Fees: \$0.00        |           |             |        |
|             |          | Discount: -\$260.60 |           |             |        |
| 2           | 9/30/19  | ☐ \$4,147.84        | 9/20/19   | -\$4,147.84 | ● Paid |
|             |          | Net Tax: \$4,343.29 |           |             |        |
|             |          | Interest: \$0.00    |           |             |        |
|             |          | Penalty: \$0.00     |           |             |        |
|             |          | Fees: \$0.00        |           |             |        |
|             |          | Discount: -\$195.45 |           |             |        |
| 3           | 12/31/19 | ☐ \$4,945.09        | 12/31/19  | -\$4,945.09 | ● Paid |
|             |          | Net Tax: \$5,098.03 |           |             |        |
|             |          | Interest: \$0.00    |           |             |        |
|             |          | Penalty: \$0.00     |           |             |        |
|             |          | Fees: \$0.00        |           |             |        |
|             |          | Discount: -\$152.94 |           |             |        |
| 4           | 4/15/20  | ☐ \$5,258.96        | 5/8/20    | -\$5,258.96 | ● Paid |
|             |          | Net Tax: \$5,098.02 |           |             |        |
|             |          | Interest: \$152.94  |           |             |        |
|             |          | Penalty: \$0.00     |           |             |        |
|             |          | Fees: \$8.00        |           |             |        |
|             |          | Discount: \$0.00    |           |             |        |

 Payment Info - Select to Expand Payment History for PIN

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-50

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

TACOS AL CARBON INC  
4420 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461

MAILING ADDRESS:  
TACOS AL CARBON INC  
230 PERRY AVENUE  
LAKE WORTH, FL 33463 3334  
Respondent(s).

**ORDER FINDING VIOLATION**

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

**SECTION 34-572 Violation of Village Council Resolution No. 2014-35 – Annexation Agreement.**

|                    |                                                                                                                                                                                                                 |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:           | 4420 LAKE WORTH ROAD                                                                                                                                                                                            |
| Legal Description: | GREEN ACRES PL NO 1 LTS 1 & 2 (LESS LAKE WORTH RD R/W),<br>LTS 3 THRU 7, LTS 9 THRU 12 & LTS 13 & 14 (LESS LAKE WORTH<br>RD R/W) BLK 4 & E 1/2 OF 50 FT ABND PT OF CHILDS ST LYG W OF<br>& ADJ TO LTS 9 THRU 11 |
| PCN:               | 70-42-44-25-08-004-0010                                                                                                                                                                                         |

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, Part I, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

**FINDINGS OF FACT**

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

**CONCLUSIONS OF LAW**

- ☐ Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:  
☐ **SECTION 34-572 Violation of Village Council Ordinance No. 2014-35 – Annexation Agreement.**
- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:  
☐ **SECTION 34-572 Violation of Village Council Ordinance No. 2014-35 – Annexation Agreement.**



## ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 21, 2024**:
- ☐ Administrative costs of \$457.98
  - ☐ 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 violation(s) on or before **October 21, 2024** as further described below. If Respondent fails to comply within the time given, a fine of **\$250.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **October 21, 2024**.
- ☐ Administrative costs of \$457.98
  - ☐ Citation fine of \$ N/A
  - ☐ Re-inspection fee of \$ N/A

Compliance of the code violation(s) shall require the Respondent to comply with Ordinance No. 2014-35, the Annexation Agreement between the Respondent and the Village of Palm Springs, which shall include compliance with all of the following:

1. **Obtain an approved site plan** (see paragraph 6(a)(i)); or, remove all violations from the property and return it to a state of compliance with all applicable Village of Palm Springs ordinances.
2. **Mobile Food Trailer to be removed/relocated at least three times per week, no use of unapproved portable stands, tents, canopies, trailers.** (See paragraph 6(1)). This food trailer is not mobile. It is anchored to the ground and tied into electric and plumbing without permits and inspections. All unpermitted electric and plumbing must be disconnected until permitted.
3. **Remove all prohibited use of tents, canopies and trailers** (see paragraph 6(1)).
4. **Remove or obtain permits for all upgraded electric without permits and inspections** (see paragraph 6(3)).
5. **Remove all prohibited A-Frame signage** (see paragraph 6(4)).
6. **Repair and improve parking lot, which is not maintained in good, non-dusting condition** (see paragraph 6(5)).
7. **Screen dumpster from view and remove all trash and debris present. Recommended to increase size of dumpster or frequency of collection** (See paragraph 6(6)).
8. **Only one (1) cold storage trailer, one (1) dry storage trailer, and one (1) corn roaster are allowed on site and must be stored in the newly constructed storage area** (see paragraph 6(iii)).
9. **Chain-link fence with fabric screen installed without permits.**
10. **Shed not approved and must be removed.**

Alternatively, if Respondent obtains a Temporary Use Permit approval from the Village of Palm Springs Village Council, Respondent will be in compliance if the property is in compliance with the approved Temporary Use Permit as of **October 21, 2024**.

**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 shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

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

DONE AND ORDERED this 15th day of August 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:  
4420 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461](#)

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
Case No. 2024-46

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,  
V.

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461 4060  
Respondent.

PCN 70-43-44-30-01-009-0011

## 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 **JULY 16, 2024**, the Respondent, **GRAND LAKE PROPERTIES LLC** owner of the property at **3514 LAKE WORTH RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances:

### SECTION 34-898 - Mobile food dispensing vehicles and mobile vendors –exceeding hours of operation past 9:00 p.m. and using tables on site.

These violations must be corrected on or before **JULY 19, 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 AUGUST 15, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

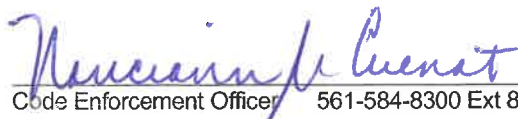
YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

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

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

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

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: JULY 16, 2024



PALM SPRINGS POLICE  
230 CYPRESS LANE  
PALM SPRINGS, FL 33461



CERTIFIED MAIL®



9489 0178 9820 3019 8761 04

Label 890-QDT, March 2023



quadiant  
FIRST-CLASS MAIL  
IMI  
**\$008.16<sup>0</sup>**  
07/16/2024 ZIP 33480  
043M31255277

US POSTAGE

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461 4060



Tracking Number:

Remove X

9489017898203019876104

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:43 am on July 18, 2024 in LAKE WORTH, FL 33461.

Get More Out of USPS Tracking:  
USPS Tracking Plus<sup>®</sup>

Delivered  
Delivered, Left with Individual  
LAKE WORTH, FL 33461  
July 18, 2024, 11:43 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

|                                 |   |
|---------------------------------|---|
| Text & Email Updates            | ▼ |
| Return Receipt Electronic       | ▼ |
| USPS Tracking Plus <sup>®</sup> | ▼ |
| Product Information             | ▼ |

See Less ^

Feedback

3514

SERVICE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
Case No. 2024-08

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner

GRAND LAKE PROPERTIES LLC  
1514 LAKESHORE ROAD  
LAKE WORTH BEACH, FL 33461-8000  
Respondent

Filed 7-17-24  
1:50 pm  
M. L. L. L.

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA  
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS TO the facts and contents of this notice and that the same are true and correct to the best of his knowledge and belief.

**SECTION 14.00 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation**  
and 14.01 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation

These violations were observed on or before **JULY 18, 2024** during the course of a Code Enforcement Special Magistrate's inspection of the property located at **1514 LAKESHORE ROAD, PALM SPRINGS, FL 33461-8000** and the violations are as follows: **VIOLATION 14.00 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation** and **VIOLATION 14.01 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation**.

**IMPORTANT - If the respondent of this violation does not appear at the hearing, the respondent will be deemed to have waived the right to be heard and the respondent will be liable for the payment of the fine and costs.**

Violations of these rules are subject to a fine of up to **\$500.00** per violation, plus costs of enforcement, and the respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

*M. L. L. L.*  
M. L. L. L.  
M. L. L. L.

FILED 7-17-24



**PALM SPRINGS POLICE DEPARTMENT**  
3144 Cypress Lane, Palm Springs, Florida 33461-8000 Phone 361-948-3331 www.pspd.org

FILED 7-17-24

GRAND LAKE PROPERTIES LLC  
1514 LAKESHORE ROAD  
LAKE WORTH BEACH, FL 33461-8000

Filed 7-17-24  
1:50 pm  
M. L. L. L.

Draft Petition/Notice

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 **1514 LAKESHORE ROAD, PALM SPRINGS, FL 33461-8000**.

FILED 7-17-24

FILED 7-17-24

This property is in violation of local ordinances.

**SECTION 14.00 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation**  
and 14.01 - Mobile food dispensing vehicles and mobile vendors - recording hours of operation

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

The respondent is hereby notified that the respondent is liable for the payment of the fine and costs.

Respondent

*M. L. L. L.*

Signature: M. L. L. L.  
Palm Springs Police Station  
Code Enforcement Officer  
(314) 361-948-3331 ext. 3331  
m.l.l.l.l.

Preparation: Request: Approval: Date: Approval:

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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Vs.**

**GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461 4060**

**RETURN OF SERVICE**

**Respondent**

On the 17th day of July, 2024, at 1:50 pm, I served the attached Notice of Violation Notice of Hearing on the within named Respondent(s), **GRAND LAKE PROPERTIES LLC**, owners of the property at **3514 Lake Worth Road** Palm Beach County, Florida, by:

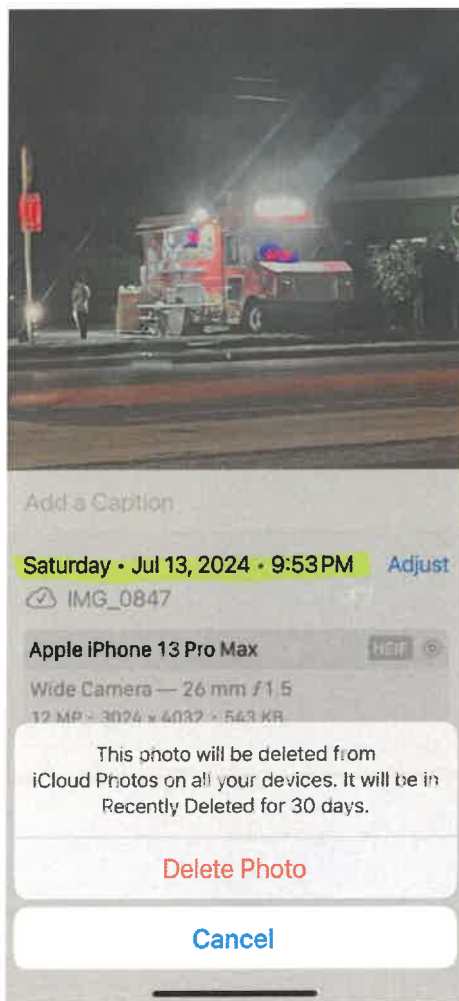
\_\_\_\_\_ INDIVIDUAL SERVICE: By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.

\_\_\_\_\_ 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 ATTACHED)

VILLAGE OF PALM SPRINGS  
DEPARTMENT OF PUBLIC SAFETY

By:   
Nanciann M. Cuenot



### **Photograph**

#### **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

Thank you for your submission. We are currently looking into your question/concern and will do everything we can to find a solution.

We appreciate your patience.





Add a Caption

Friday • Jul 12, 2024 • 9:32 PM

Adjust

IMG\_0823

Apple iPhone 13 Pro Max

HEIF

Telephoto Camera — 77 mm f2.8

12 MP • 3024 x 4032 • 1.3 MB

ISO2000 93mm 0.7ev f2.8 1/8s

Add a location...



### Photograph

#### 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

Thank you for your submission. We are currently looking into your question/concern and will do everything we can to find a solution.

We appreciate your patience.



3514 LAKE WORTH RD

Add a Caption

Saturday • Jul 6, 2024 • 10:09 PM

[Adjust](#)

 IMG\_0782

Apple iPhone 13 Pro Max

HEIF



Telephoto Camera — 77 mm  $f2.8$

12 MP • 3024 × 4032 • 538 KB

ISO2000

| 157mm

| 0ev

|  $f2.8$

| 1/17s



Add a Caption

Friday • Jun 7, 2024 • 9:39 PM

[Adjust](#)

IMG\_0770



Add a Caption

Thursday • May 30, 2024 • 9:53PM [Adjust](#)

✓ IMG\_0610

Apple iPhone 13 Pro Max

HEIF

Wide Camera — 26 mm  $f1.5$

12 MP • 3024 × 4032 • 725 KB

ISO800

93mm

0ev

$f1.5$

1/30s

[Add location...](#)



? South West Corner of Lake Worth Rd and Davis



New request received

Village of Palm Springs Code Enforcement <do\_not\_reply@civicplus.com>

Wed 5/8/2024 10:27 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

#7726

|              |                      |                                                                  |                                                                                                                  |
|--------------|----------------------|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
|              |                      | SUBMITTER                                                        |  <a href="#">View Request</a> |
| Category:    | Code Enforcement     | Johnnie Tieche                                                   |                                                                                                                  |
| Priority:    | 3                    | 305 Winged Foot Road                                             |                                                                                                                  |
| Assigned To: | Gehrman Thomas       | Palm Springs, FL 33461                                           |                                                                                                                  |
| Submitted:   | 5/8/2024 10:27 PM    | CONTACT                                                          |                                                                                                                  |
| Source:      | Website 99.98.10.132 | <a href="mailto:tiechej@bellsouth.net">tiechej@bellsouth.net</a> |                                                                                                                  |
|              |                      | 5616017946                                                       |                                                                                                                  |

??? South West corner of Lake Worth rd and  
Davis  
Palm Springs, FL 33461

REQUEST DETAILS

Description

Description  
Food Truck  
Open 9:40 PM Wed 5/8/2024,  
Truck open

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>

Sun 10/1/2023 4:19 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

#6733

Category: Code Enforcement  
Priority: 3  
Assigned To: Gehrman Thomas  
Submitted: 10/1/2023 4:19 PM  
Source: Website 99.98.10.132

#### SUBMITTER

**Johnnie Tieche**  
305 Winged Foot Road  
Palm Springs, FL 33461

 [View Request](#)

#### CONTACT

[tiechej@bellsouth.net](mailto:tiechej@bellsouth.net)  
5616017946

?? ?? South West corner of Lake Worth rd  
and Davis  
Palm Springs, Florida 33461

#### REQUEST DETAILS

##### Description

Food Truck

Open 11:00 PM Sat. 9/30/2023, Fri. 9:30 9/29/2023

Truck not open and not removed from property.

##### Your Information

Name

Johnnie Tieche

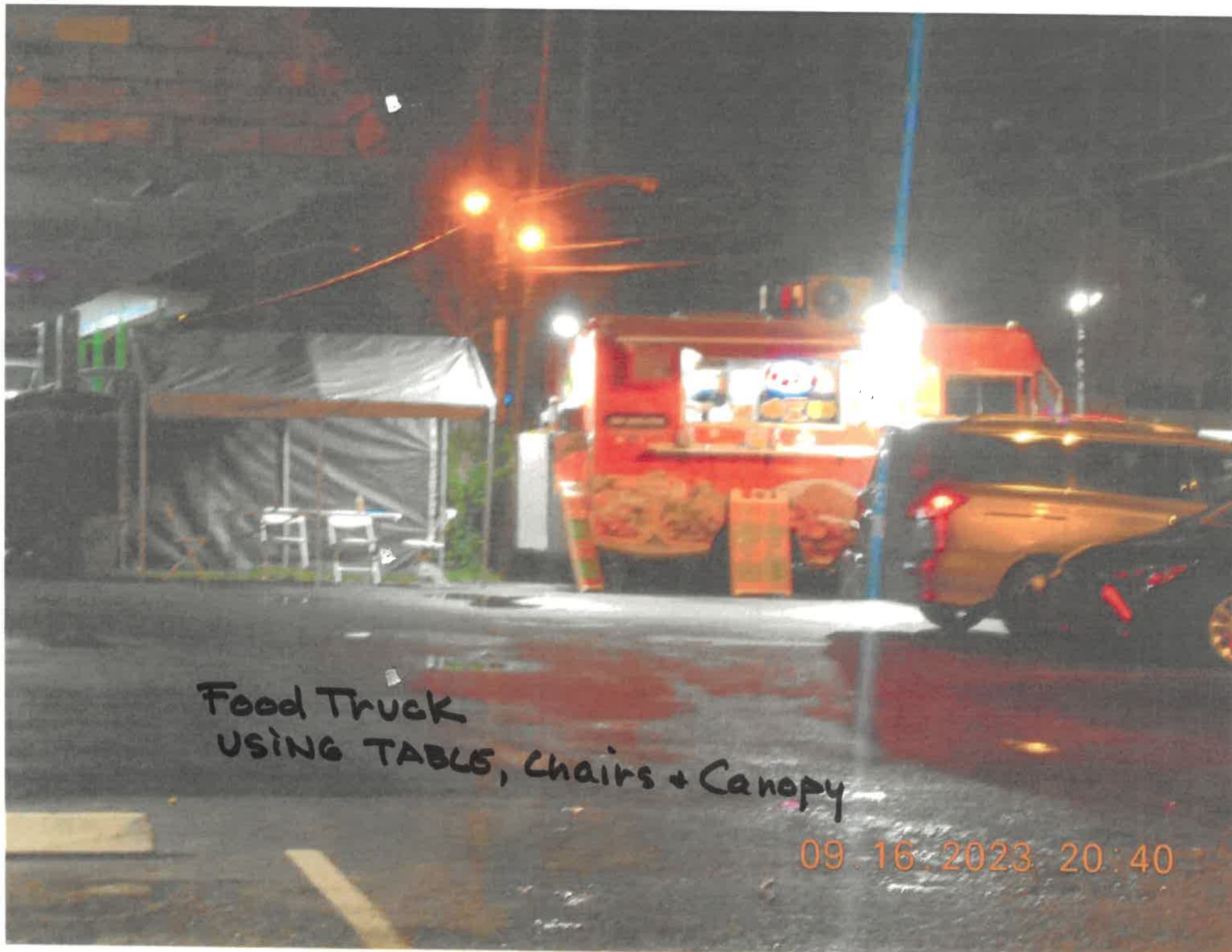
Fax Number

Email Address

[tiechej@bellsouth.net](mailto:tiechej@bellsouth.net)

Preferred Contact Method

email



Food Truck  
USING TABLE, Chairs + Canopy

09.16.2023 20:40



TACOS & Hibachi

Los Primos  
MEXICAN & JAPAN FUSION

09.16.2023 20:44





09.16.2023 20:41

## New request received

Village of Palm Springs Code Enforcement <do\_not\_reply@civicplus.com>

Wed 8/30/2023 11:03 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

**#6610**

 [View Request](#)

Category: Code Enforcement  
Priority: 3  
Assigned To: Gehrman Thomas  
Submitted: 8/30/2023 11:03 PM  
Source: Website 99.98.10.132

#### SUBMITTER

**Johnnie Tieche**  
305 Winged Foot Road  
Palm Springs, FL 33461

#### CONTACT

[tiechej@bellsouth.net](mailto:tiechej@bellsouth.net)  
5616017946

?? South West corner of Lake Worth rd and  
Davis  
Palm Springs, Florida 33461

#### REQUEST DETAILS

##### Description

Food Truck

Open 9:30 PM Wed. 8/30/2023

Observed on week ends, Tables, seats, umbrellas or similar  
furnishings for customers, were set up.

##### Your Information

Name

Johnnie Tieche

Fax Number

Email Address

[tiechej@bellsouth.net](mailto:tiechej@bellsouth.net)

Preferred Contact Method

email

## New request received

Village of Palm Springs Code Enforcement <do\_not\_reply@civicplus.com>

Sat 7/22/2023 10:24 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

#6476

 [View Request](#)

Category: Code Enforcement

Priority: 3

Assigned To: Gehrman Thomas

Submitted: 7/22/2023 10:24 PM

Source: Website 99.98.10.132

#### SUBMITTER

**Johnnie Tieche**

305 Winged Foot Road

Palm Springs, FL 33461

#### CONTACT

[tiechej@bellsouth.net](mailto:tiechej@bellsouth.net)

5616017946

#### REQUEST DETAILS

? South West corner of Lake Worth rd and

Davis

Palm Springs, FL 33461

Description

Food Truck

Open 10:00 PM Sat. 7/22/2023

Tables, seats, umbrellas or similar furnishings for customers, were set up.

Repeat, Repeat, Repeat

Hi Bob,

Can you check on this?  
let Nanci know too.

THANKS,

Tom

#### Your Information

Name

Johnnie Tieche

Fax Number

Email Address

[tiechej@bellsouth.net](mailto: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 was 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.**



**CASE PRESENTATION**  
**CASE No. 2024-46**

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 3514 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 GRAND LAKE PROPERTIES LLC.
5. Numerous complaints dating July 22, 2023 through July 13, 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 and code officer Joey Sanders observed the prohibited use of table, chair and a canopy on September 16, 2023. This Mobile food vendor is in violation of hours of operation remaining open past 9:00 PM and using a canopy, tables and chairs all of which are prohibited. Courtesy notices were sent to the owner. Photos and exhibits of notifications are included in the file
6. Violations not corrected, on July 16, 2024, I wrote NOTICE OF VIOLATION/NOTICE OF HEARING 2024-46 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 no later than August 16, 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 \$206.60 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN August 23, 2024.
9. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.



## Case Administrative / Court Costs

| AUGUST 15, 2024, 3514 LAKE WORTH ROAD |                                                   | Case 2024-46 |        |        |
|---------------------------------------|---------------------------------------------------|--------------|--------|--------|
| 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 | 2.00         | 5.00   | 10.00  |
| 5                                     | Additional photos re-inspections - 5 for 20.00    | 1.00         | 20.00  | 20.00  |
| 6                                     | Additional certified copies for hearing           | 1.00         | 8.16   | 8.16   |
| 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         | 0.69   | 0.69   |
| 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 2024-47          |                                                   |              |        | 206.60 |



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

9489 0178 9820 3019 8761 04

JULY 16, 2024

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461 4060

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 **3514 Lake Worth Rd in Palm Springs, FL**

PCN: 70-43-44-30-01-009-0011

**This property is in violation of local ordinances.**

**SECTION 34-898 - Mobile food dispensing vehicles and mobile vendors – exceeding hours of operation staying on site past 9:00 P.M. and setting up a table.**

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

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

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

Respectfully,

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



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



quadiant

FIRST-CLASS MAIL  
IMI

**\$000.69**<sup>9</sup>

07/16/2024 ZIP 33480  
043M31255277

US POSTAGE

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461 4060





# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

April 19, 2024

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH RD  
LAKE WORTH FL 33461 4060

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 **3514 LAKE WORTH RD in Palm Springs, FL**

**PCN: 70-43-44-30-01-009-0011**

**Section 34-898 Mobile food dispensing vehicles and mobile vendors.**

Food trucks are not allowed to be open past 9:00PM. Repeat violation.

**Section 10-9 Exterior of Building or Structure.**

- One address sign required on premises showing the numerical address The address shall be posted in a color contrasting that of the building a minimum of six inches for commercial structure, and of sufficient size to be plainly visible and legible from the roadway.
- Roof shingles are not maintained in a color to match the existing shingles. The exterior of structure shall be maintained in good repair.

**Compliance Date for Food Truck and Address Numerals : April 26, 2024**

**Section 34-1366 – Building design guidelines for dumpsters.**

- Dumpsters shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall and landscaping.

Dumpster enclosures and re-roofing require permits. If you have questions regarding permits contact Planning, Zoning & Building at (561) 584-8200 Ext. 8460

**Compliance Date for re-roof and dumpster enclosure: May 24, 2024**

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

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

Respectfully,

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



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-968-8243 • [www.vpsfl.org](http://www.vpsfl.org)

SEPTEMBER 10, 2023

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
LAKE WORTH, FL 33461

Dear Property Owner,

You have been issued a FINAL courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at 3514 Lake Worth Rd in Palm Springs, FL

PCN: 70-43-44-30-01-009-0011

**This property is in violation of local ordinances.**

**SECTION 34-898 Mobile food dispensing vehicles and mobile vendors**

- Use of tables, chairs, and canopy

**SECTION 34-262 – Prohibited Signs**

- Flags, banners, A type, sandwich type, sidewalk, or curb signs.

Remove signs erected for mobile food truck.

**SECTION 10-9 Exterior of property.**

- One address sign required on premises showing the numerical address and shall be plainly visible from the street or right-of-way.

**Compliance Date: September 18, 2023**

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

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

Respectfully,

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

- Dumpster enclosure  
- Roof repair - replace singles  
- sheet #15.  
- mobile food truck

## Courtesy Code Violation Notice

Case# Mobile Food Truck  
Date: 8-9-2023 Time: 3:45pm  
Location: 3514 Lake Worth Rd

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

Please address the listed code violations:

34-262 Prohibited Signs  
No Flags/Banner Signs

Mobile Food Truck  
no Flag-Banner  
Signs

Compliance Date: immediately

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

Nanciann Cuenot 154  
Name I.D. #

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



Ext. 8524

# Courtesy Code Violation Notice

Case# Navina - Employee

Date: 3-17-2023 Time: 3:11

Location: 3514 Lake Worth Rd.

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

Please address the listed code violations:

No Banner or Flag Signs  
allowed

No Canopys allowed.

Food truck must have  
approval letter on  
file.

Allowed from 9:00am - 9:00pm

Compliance Date: 3-18-2023

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.

Nanniam Cuenot 154

Name

I.D. # 

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







# **PALM SPRINGS POLICE DEPARTMENT**

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

**NOVEMBER 8, 2022**

**GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH ROAD  
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 **3514 Lake Worth Rd in Palm Springs, FL**  
**PCN: 70-43-44-30-01-009-0011**

**This property is in violation of local ordinances.**

## **SECTION 34-8998**

### **MOBILE FOOD TRUCK**

**Written permission from the property owner - notarized -required**

**No table or chairs allowed**

**In no event shall truck be allowed before 7:00 AM or after 9:00 PM**

**Vehicle must be removed from premises when not in use**

**Public restroom must be available.**

**Copy of ordinance enclosed**

## **SECTION 34-262**

### **PROHIBITED SIGNS**

**The following signs are prohibited:**

**Any sign, portable or fixed, placed or erected on or over any part of the ultimate road right-of-way.**

**Flags, banners, streamers, twirling, A type, sandwich type, sidewalk or curb signs.**

**Please, remove signs from property.**

**Compliance Date: November 18, 2022**

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

**Please call me if you have any questions at (561) 584-8200 Ext.8524**

Respectfully,

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

TO  
THE VILLAGE OF PALM SPRING  
226 CYPRESS LANE,  
PLAM SPRINGS, FL 33461

**SUBJECT : PERMISSION FOR PARKING FOOD TRUCK**

PLEASED TO INTRODUCE MYSELF MOHAMMED NAYEEM OWNER OF THE  
PROPERTY 3514 LAKE WORTH ROAD, PALM SPEINGS, FL 33461.

I HAVE GIVEN PERMISSION TO MR. JERMIAS VASQUEZ MENDEZ OF 4401 LAKE  
AVE, WEST PALM BEACH, FL 33405-2552, ID DRIVING LICENSE V225-420-82-1040  
FOR PARK HIS FOOD TRUCK WITH OPERATE IN MY PROPERTY.

THANKING YOU  
YOURS TRULY

*Nayeem*  
11/17/22



MOHAMMED NAYEEM  
CELLPHONE NUMBER : ( 561 ) 715 - 7511  
EMAIL : nayeem\_715@yahoo.com

*Emailed 2.21.23. New Food truck vendor at Property  
needs permission letter - sent ordinance*

## Courtesy Code Violation Notice

Case# \_\_\_\_\_  
Date: 11-4-22 Time: 3:30pm  
Location: 3514 Lake Worth Rd

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

Please address the listed code violations:

34-262 Prohibited Signs  
NO Flag Signs Allowed

owner-operator of  
food truck  
Jerimias 561-267-8504

Compliance Date: immediate  
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.

Narciso Cuenot 154  
Name I.D. #

Palm Springs Police Department  
(561) 968-8243

561-584-8200 Ext. 8524



## Courtesy Code Violation Notice

Case# "Purple Flag Location"  
Date: 11-4-22 Time: 3:30pm  
Location: 3514 Lake Worth Rd

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

Please address the listed code violations:

Section: 34-898  
Mobile Food Truck  
Requires letter of  
approval from  
property owner.  
Notarized.  
Note: Rules  
Section (d)  
NO tables & chairs

Compliance Date: 5 days  
Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions.

Narciso Cuenot 154  
Name I.D. #

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

561-584-8200 EXT 8524



## Property Detail

Location Address 3514 LAKE WORTH RD  
Municipality PALM SPRINGS  
Parcel Control Number 70-43-44-30-01-009-0011  
Subdivision PALM BEACH FARMS CO PL 7 IN  
Official Records Book 30910 Page 385  
Sale Date SEP-2019  
Legal Description PALM BEACH FARMS CO PL 7 E 95 FT OF LT A (LESS N 35 FT LAKE WORTH RD, E 15 FT DAVIS RD & TRGLR PAR R/WS) BLK 9

## Owner Information

Owners  
GRAND LAKE PROPERTIES LLC

Mailing address  
3514 LAKE WORTH RD  
LAKE WORTH BEACH FL 33461 4060

## Sales Information

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner                     |
|------------|-----------|---------------|---------------|---------------------------|
| SEP-2019   | \$450,000 | 30910 / 00385 | WARRANTY DEED | GRAND LAKE PROPERTIES LLC |
| SEP-2005   | \$299,900 | 19308 / 00312 | WARRANTY DEED | PURPLE HAZE INC           |
| JUL-2003   | \$200,000 | 15655 / 00400 | WARRANTY DEED | DIAMOND B HOLDINGS INC    |
| JAN-1979   | \$100     | 03143 / 01139 |               |                           |
| JAN-1978   | \$19,000  | 02911 / 01922 |               |                           |

## Exemption Information

No Exemption information available

## Property Information

Number of Units 0  
\*Total Square Feet 1375  
Acres 0.1742  
Use Code 1100 - STORES  
Zoning CG - COMMERCIAL GENERAL ( 70-PALM SPRINGS )

## Appraisals

| Tax Year           | 2023 P    | 2022      | 2021      |
|--------------------|-----------|-----------|-----------|
| Improvement Value  | \$175,211 | \$161,511 | \$133,537 |
| Land Value         | \$190,484 | \$68,768  | \$185,853 |
| Total Market Value | \$365,695 | \$230,279 | \$319,390 |

P = Preliminary

All values are as of January 1st each year

## Assessed and Taxable Values

| Tax Year         | 2023 P    | 2022      | 2021      |
|------------------|-----------|-----------|-----------|
| Assessed Value   | \$253,307 | \$230,279 | \$319,390 |
| Exemption Amount | \$0       | \$0       | \$0       |
| Taxable Value    | \$253,307 | \$230,279 | \$319,390 |

## Taxes

| Tax Year       | 2023 P  | 2022    | 2021    |
|----------------|---------|---------|---------|
| Ad Valorem     | \$5,693 | \$4,611 | \$6,575 |
| Non Ad Valorem | \$445   | \$427   | \$414   |
| Total tax      | \$6,138 | \$5,038 | \$6,989 |

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER [www.pbcgov.org/PAPA](http://www.pbcgov.org/PAPA)




Account Information

|                                                                                  |                                                                       |                                                                                                                                             |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Control Number:</b><br>70-43-44-30-01-009-0011                       | <b>Property Type:</b><br>Real Property                                | <b>Status:</b> Active                                                                                                                       |
| <b>Mailing Address:</b><br>3514 LAKE WORTH RD<br>Lake Worth Beach, FL 33461-4060 | <b>Property Address:</b><br>3514 LAKE WORTH<br>PALM SPRINGS, FL 33461 | <b>Legal Description:</b><br>PALM BEACH FARMS CO PL 7 E 95 FT OF LT A (LESS N 35 FT LAKE WORTH RD, E 15 FT DAVIS RD & TRGLR PAR R/WS) BLK 9 |
| <b>Owner of Record:</b><br>GRAND LAKE PROPERTIES LLC                             | <b>Second Owner:</b>                                                  |                                                                                                                                             |

Last updated: 8/08/2024 12:54:49 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   | <div> <div></div> \$5,884.32 </div> <div> Net Tax: \$6,129.50<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$245.18 </div> | 11/1/23   | -\$5,884.32 | <div> <div></div> Paid </div> |
| 3/31/23  | <div> <div></div> \$4,836.95 </div> <div> Net Tax: \$5,038.49<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$201.54 </div> | 11/5/22   | -\$4,836.95 | <div> <div></div> Paid </div> |
| 3/31/22  | <div> <div></div> \$6,709.07 </div> <div> Net Tax: \$6,988.61<br/> Interest: \$0.00<br/> Penalty: \$0.00<br/> Fees: \$0.00<br/> Discount: -\$279.54 </div> | 11/1/21   | -\$6,709.07 | <div> <div></div> Paid </div> |

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-46

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

GRAND LAKE PROPERTIES LLC  
3514 LAKE WORTH RD  
LAKE WORTH BEACH FL 33461 4060

Respondent(s).

**ORDER FINDING VIOLATION**

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

**SECTION 34-898: Mobile food dispensing vehicles and mobile vendors – exceeding hours of operation, using tables, chairs and canopy.**

Address: 3514 LAKE WORTH RD  
Legal Description: PALM BEACH FARMS CO PL 7 E 95 FT OF LT A (LESS N 35 FT  
LAKE WORTH RD, E 15 FT DAVIS RD & TRGLR PAR R/WS) BLK 9  
PCN: 70-43-44-30-01-009-0011

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

**FINDINGS OF FACT**

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

**CONCLUSIONS OF LAW**

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

☐ **SECTION 34-898: Mobile food dispensing vehicles and mobile vendors – exceeding hours of operation, using tables, chairs and canopy.**

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

☒ **SECTION 34-898: Mobile food dispensing vehicles and mobile vendors – exceeding hours of operation, using tables, chairs and canopy.**

## 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 **August 23, 2024**:
  - ☐ Administrative costs of \$206.60
  - ☐ 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 **August 16, 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 **August 16, 2024**.
  - ☐ Administrative costs of \$206.60
  - ☐ 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 shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.**

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

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

DONE AND ORDERED this 15th day of August 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:

3514 LAKE WORTH ROAD  
LAKE WORTH BEACH, FL 33461



VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL  
MAGISTRATE CASE NO. 2024-50A

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,  
V.

JONATHAN REY NAPOLES  
352 PONTE VEDRA ROAD  
PALM SPRINGS FL 33406 1821

Respondent(s).

PCN 70-43-44-18-07-010-0220

## 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 **AUGUST 15TH, 2024**, the Respondent (**JONATHAN REY NAPOLES** owner(s) of the property at **352 PONTE VEDRA ROAD, PALM SPRINGS, FL, 33461** violates local ordinances.

### SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.

### SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.

These violations must be corrected on or before **AUGUST 15TH, 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 8523, on THURSDAY AUGUST 15TH, 2024 at 10:00 AM. SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS SET FORTH HEREIN. IN THAT CASE, 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 8523 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) before 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. That 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 concerning 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 to attend or participate in this hearing must contact the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours before the hearing.

Code Enforcement Officer 561-584-8300 ext. 8523

HENRY L. STOUT

Printed Name of Officer

Date Issued: August 5, 2024

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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2024-50A**

**RETURN OF SERVICE**

**JONATHAN REY NAPOLES  
352 PONTE VEDRA RD  
PALM SPRINGS FL 33461 1821  
Respondent**

On the **09th Day of AUGUST 2024 at 10:33 AM**, I served the attached NOTICE OF HEARING on the within named Respondent(s), **JONATHAN REY NAPOLES** at **352 PONTE VEDRA 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  
POLICE DEPARTMENT

By: \_\_\_\_\_







**PALM SPRINGS POLICE DEPARTMENT**  
180 Cypress Lane Palm Springs, Florida 33461 Phone 861.850.4000 ext 1031 www.psd.org

May 10, 2024

NAPOLI REY JONATHAN  
352 PONTE VEDRA 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 352 PONTE VEDRA RD, Palm Springs, FL 33461, PCH 70434418010100220.

This property is in violation of local ordinances:

Section 34-613, Parking - Parking, Prohibited Vehicles in residential land use districts:  
NO TRAILERS ALLOWED

Section Sec. 19-31 FBC 118.1 - Failure to obtain a required Building Inspection; FBC 118.1  
NO PERMITS FOR DRIVEWAY, BACKYARD CONCRETE COVERAGE AND ADDITIONS  
AND MORE THAN ONE STRUCTURE IN THE BACKYARD INCLUDING SHEDS

Section Sec. 19-21 FBC 196.1 - Failure to obtain a required Building Permit; FBC 196.1

Compliance Date: JUNE 10<sup>TH</sup>, 2024

Failure to comply can result in a Citation Fines, Court Costs and possible Lien on the property. Please call Code Enforcement at (861) 344-8306 ext. 8520 or Code Officer listed below if you have any concerns or questions.

Respectfully,

  
Henry Stock  
Palm Springs Police Department  
Code Enforcement Officer

india@psd.org  
51-584-8811  
ext 8520  
861-801-9217



# 352 Ponte Vedra DEC 2013-Feb 2014



Palm Springs, Florida

Google Street View

Feb 2015 [See latest date](#)

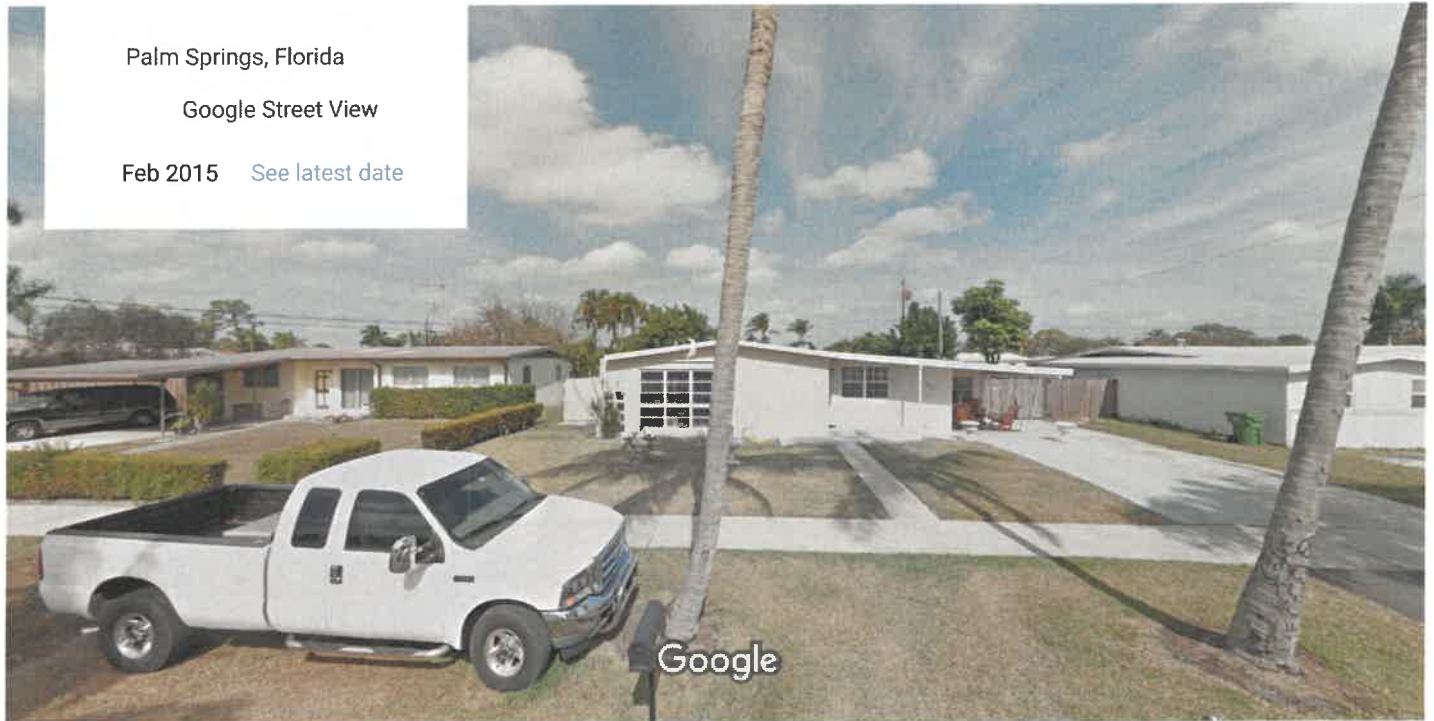
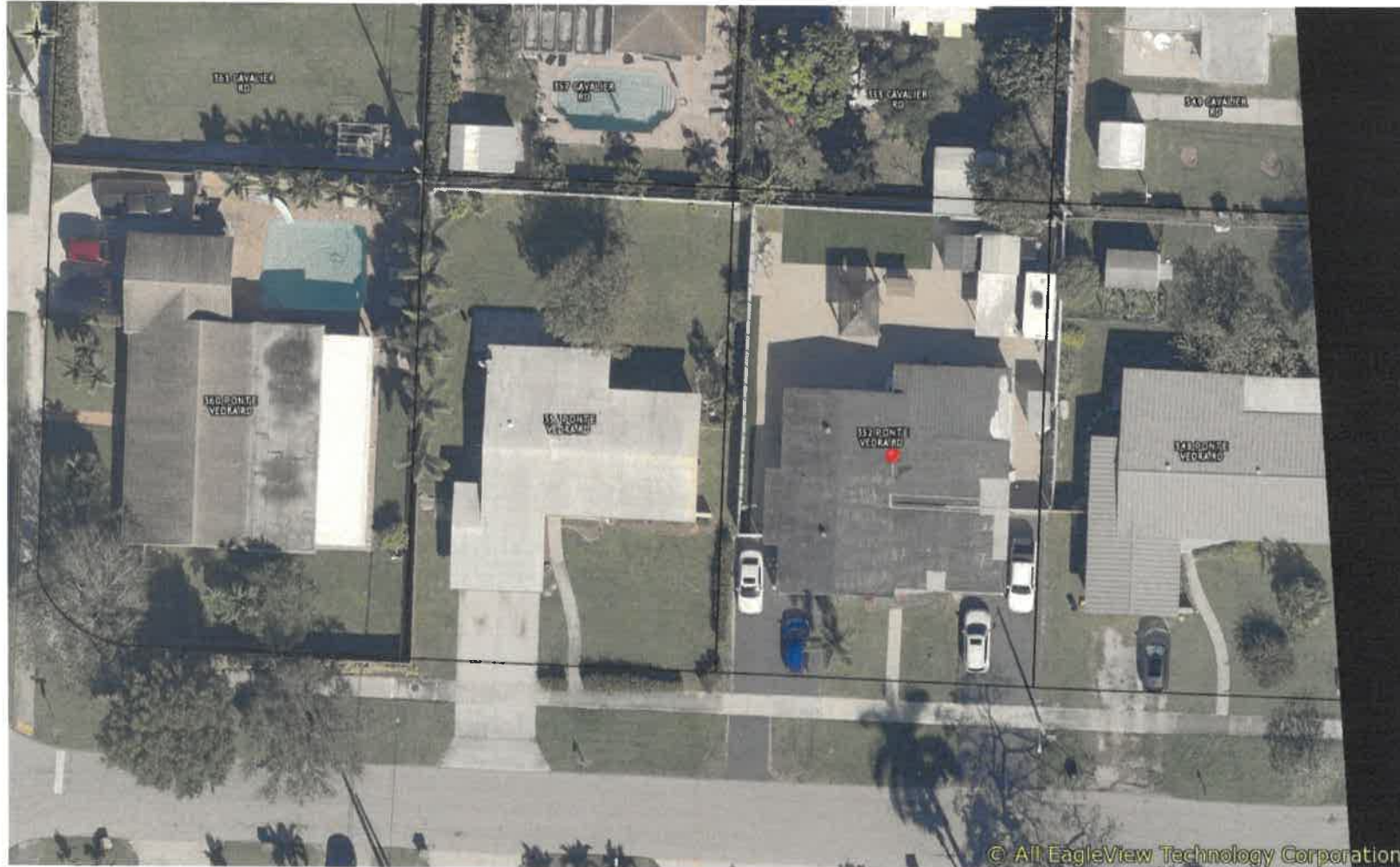


Image capture: Feb 2015 © 2024 Google





# 352 PONTE VEDRA DEC 2023-JAN 2024



01/01/2024

# 352 PONTE VEDRA DEC 2017- MAR 2018



01/06/2018



# 352 PONTE VEDRA JAN 2016-FEB 2016



01/21/2016



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

AUGUST 5<sup>TH</sup>, 2024

JONATHAN REY NAPOLES  
352 PONTE VEDRA ROAD  
PALM SPRINGS FL 33461 1821

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 **352 PONTE VEDRA ROAD PALM SPRINGS FL 33461 1821**

PCN: 70-43-44-18-07-010-0220

**VIOLATION/HEARING CASE 2024-50A**

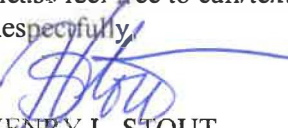
**SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.**  
**SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.**

The options available include coming into voluntary compliance on or before **AUGUST 15<sup>TH</sup>, 2024, OR** arguing your case at the Special Magistrate hearing, on **Thursday, August 15<sup>TH</sup>, 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)801-9217.

Respectfully,

  
HENRY L. STOUT  
Code Enforcement Officer  
Palm Springs Police Department  
Cell: 561-801-9217  
Office: 561-584-8300 ext. 8523  
[HSTOUT@vpsfl.org](mailto:HSTOUT@vpsfl.org)  
[www.vpsfl.org](http://www.vpsfl.org)



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## 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.

*Temporary testing systems:* A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

*Gas:*

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

*Mechanical:*

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. The installation, replacement, removal, or metering of any electrical load management control device where installed by a utility service provider.

*Plumbing:*

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. The replacement of common household plumbing fixtures to existing supply lines and outlets in One- and Two-Family Dwellings. This does not include water heaters, bathtubs and showers.

*105.2.1 Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official. Notification shall be given to the Building Official, including the work address, nature of emergency, and scope of work immediately, or by the next business day.

*105.2.2. Minor repairs.* Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided the repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary

repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

*105.2.3 Public service agencies.* A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

*105.3 Application for permit.* To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), Florida Statutes.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the Florida Building Code, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a non-electronic format, at the discretion of the Building Official.

*105.3.1 Action on application.* The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the Building Official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

*105.3.1.1* If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the Florida Building Code on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

*105.3.1.2* No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, Florida Statutes:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as

authorized by chapter 633 Florida Statutes, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.

3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, Florida Statutes, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

*Example 1:* When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

*Example 2:* Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

*NOTE:* It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.
5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. Any system which:
  1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value greater than \$125,000; and
  2. a. Requires an aggregate service capacity of greater than 600 amperes (240 volts) on a residential electrical system or greater than 800 amperes (240 volts) on a commercial or industrial electrical system;
  - b. Requires a plumbing system with more than 250 fixture units; or
  - c. Requires a heating, ventilation, and air-conditioning system which exceeds a 15-ton-per-system capacity, or if the project is designed to accommodate more than 100 persons. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, Florida Statutes.

6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, Florida Statutes.

**105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, or for any 180 day period of abandonment or suspension during the application process, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing prior to the abandonment date, with justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for renewal, re-issuance, and extension of a permit application shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions and renewals.

**105.3.3** An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition, unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, such as the requirement for Home or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies."

**105.3.4** A building permit for a single-family residential dwelling must be issued within 30 working days of application therefore unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

**105.3.5** Identification of minimum premium policy. Except as otherwise provided in Chapter 440, Florida Statutes, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Section 440.10 and 440.38, Florida Statutes.

**105.3.6** Asbestos removal contractor exemption. Refer to Section 105.9 for additional requirements. A licensed asbestos removal contractor is not required when moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

**Disclosure Statement:** State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

**105.3.7 Applicable Code for Manufactured Buildings.** Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the



construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

*105.3.8 Public right-of-way.* A permit shall not be given by the Building Official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane.

*105.4 Conditions of the permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of any other federal, state and local laws, ordinances, codes and regulations. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of any other federal, state and local laws, ordinances, codes and regulations shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction or of any other federal, state and local laws, ordinances, codes and regulations.

*105.4.1 Permit intent.* A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

*105.4.1.1* If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

*105.4.1.2* If a new permit, or revalidation (renewal) of the original permit, is not obtained within 180 days from the date the initial permit became null and void, the Building Official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

*105.4.1.3* Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 3 months each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

*105.4.1.4* The fee for renewal, reissuance and extension of a permit shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit extensions and renewals.

*105.4.2 Additional options for closing a permit.* Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an owner-builder, in accordance with Sections 489.103(7) and 489.503(6), Florida Statutes.
3. If a building permit is expired and its requirements have been substantially completed as determined by the local enforcement agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term "close" means that the requirements of the permit have been satisfied.

**105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the Building Official.

**105.6 Denial or revocation.** Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize-sanction or assess fees against an arm's-length purchaser of a property for value solely because a building permit applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed.

**105.6.1 Misrepresentation of application.** The Building Official may revoke a permit or approval, issued under the provisions of this code, when there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

**105.6.2 Violation of code provisions.** The Building Official may require correction or revoke the permit upon determination by the Building Official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure,

electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

**105.7 Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.

**105.8 Notice of commencement.** In accordance with Section 713.135, Florida Statutes, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

**105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, Florida Statutes, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos Removal Contractor Exemption" of this code for additional requirements.

**105.10 Certificate of protective treatment for prevention of termites.** A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

**105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before permit issuance.** Upon written request and approval of the Building Official, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

**105.13 Phased permit approval.** After submittal of the appropriate construction documents, the Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

**105.14 Permit issued on basis of an affidavit.** The Building Official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the Building Official, are hazardous or complex, the Building Official shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the Building Official written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes.

In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the Building Official. The Building Official shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, Florida Statutes, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, Florida Statutes. Nothing aforesaid shall preclude plan review or inspections by the Building Official (See also Section 107.6).

*Exception:* Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the Florida Building Code.

**105.15 Opening protection.** When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this Code or Florida Building Code, Residential for new construction shall be provided.

*Exception:* Single-family residential structures permitted subject to the Florida Building Code are not required to comply with this section.

**105.16 Inspection of existing residential building not impacted by construction.**

- (a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.
- (b) This subsection does not apply to a building permit sought for:
  - 1. A substantial improvement as defined in Section 161.54, Florida Statutes or as defined in the Florida Building Code.
  - 2. A change of occupancy as defined in the Florida Building Code.
  - 3. A conversion from residential to nonresidential or mixed use pursuant to Section 553.507(2)(a), Florida Statutes or as defined in the Florida Building Code.
  - 4. A historic building as defined in the Florida Building Code.
- (c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:
  - 1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
  - 2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).
  - 3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
  - 4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20—933.30, Florida Statutes.

**105.17 Streamlined low-voltage alarm system installation permitting.**

- (1) As used in this section, the term:
  - (a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of Chapter 489, Florida Statutes.



- (b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.
  - (c) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this Code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.
  - (3) This section does not apply to the installation or replacement of a fire alarm, or access control system affecting required means of egress as required by Florida Building Code Chapter 10, if a plan review is required.
  - (4) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, Florida Statutes. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.
    - (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
    - (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
  - (5) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
  - (6) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.
  - (7) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), Florida Statutes.
  - (8) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.
  - (9) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.
  - (10) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.

The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of chapter 489, Florida Statutes.

## 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.
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.
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 the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

*110.3.1 Footing and foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

*110.3.2 Concrete slab and under-floor 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.

*110.3.3 Lowest floor elevation.* In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification shall be submitted to the Building Official.

*110.3.4 Frame inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

*110.3.5 Lath, gypsum board and gypsum panel product inspection.* Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

*Exception:* Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

**110.3.6 Weather-exposed balcony and walking surface waterproofing.** Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and approved.

**110.3.7 Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance rated assemblies, smoke barriers and smoke partition shall not be concealed from view until inspected and approved.

**110.3.8 Energy efficiency inspections.** Inspections shall be made to determine compliance with FBC, Energy Conservation and-confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

**110.3.9 Other inspections.** In addition to the inspections specified in Sections 110.3 through 110.3.7, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

**110.3.10 Special inspections.** Reserved.

**110.3.11 Final inspection.** The final inspection shall be made after all work required by the building permit is completed.

**110.3.11.1 Flood hazard documentation.** If located in a flood hazard area, shall be submitted to the Building Official prior to the final inspection.

**110.3.11.2 Energy Code documentation.** If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

**110.3.12 Termites.** Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the Building Official has been received.

**110.3.13 Impact resistant coverings or systems.** Where impact resistant coverings or systems are installed to meet requirements of this code, the Building Official shall schedule adequate inspections of impact resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

**110.4 Inspection agencies.** The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**110.5 Inspection requests.** It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**110.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be

corrected and such portion shall not be covered or concealed until authorized by the Building Official.

**110.7 Shoring.** For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer, prior to any required mandatory inspections by the threshold building inspector.

**110.8 Threshold building.**

**110.8.1** During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the Building Official, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

**110.8.2** The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

**110.8.3** The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, Florida Statutes, as an engineer or under Chapter 481, Florida Statutes, as an architect.

**110.8.4** Each enforcement agency shall require that, on every threshold building:

**110.8.4.1** The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above-described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

**110.8.4.2** Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

**110.8.4.3** All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

**110.8.4.4** All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this Section and Chapter 633, Florida Statutes.

**110.8.5** No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a),



Florida Statutes, or to a licensed building contractor, as defined in Section 489.105(3)(b), Florida Statutes, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

**110.8.6** The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, Florida Statutes, without duplicative inspection by the building department. The Building Official is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, Florida Statutes, or certified as a special inspector under Chapter 471 or 481, Florida Statutes. Inspections of threshold buildings required by Section 553.79(5), Florida Statutes, are in addition to the minimum inspections required by this code.

**110.9 *Impact of construction.*** All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage runoffs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface water drainage flows serving adjacent properties, and may require special drainage design complying with engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional, as appropriate under Florida law, shall be submitted to the inspector in order to receive approval of the final inspection.

**CASE PRESENTATION**  
**CASE No. CASE 2024 - 50A**

1. Good morning, my name is HENRY STOUT, 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. 2024-50A. This case concerns the property at 352 PONE VEDRA RD. 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 JONATHAN REY NAPOLES.
5. Pursuant to observation there are Violations of local ordinances  
SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID PERMIT.  
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS.
5. Code issued a CCV for work w/o permits back in May 10<sup>th</sup> and gave them 30 days to comply by starting the permit process. Several times I came across the resident, and he would acknowledge me and say, "We are starting the permitting process this week" Those statements never solidified. The driveway was done between 2016 and 2017. We are now in August and there are still no signs of an account being created in The Village portal to start validating credentials to start the permit process.
- 6.
7. On AUGUST 5<sup>TH</sup>, 2024, a Notice of Violation/ Notice of Hearing 2024-50 was issued for the Violations. The notice was mailed certified and regular to the respondent's address of record and posted at the property and Village Hall. The Green Card from the Certified Mail was signed and returned. The Property Owner(s) did speak with Code Enforcement Officer Tom Gehrman the day the Notice was posted at the property. Unfortunately, the property remains in violation with the Village of Palm Springs Code of Ordinance.
8. The Village has also incurred costs in the amount of \$255.75 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than SEPTEMBER 2<sup>ND</sup>, 2024
9. Subject to any questions you might have, this concludes the Village Testimony.



## Case Administrative / Court Costs

JULY 18, 2024, 309 HENTHORNE DRIVE

Case No. 2024-48

| Line #                           | Description                                       | Unit # | Cost   | Total  |
|----------------------------------|---------------------------------------------------|--------|--------|--------|
| 1                                | Additional Inspector Time - 1 hour CE             | 4.00   | 35.00  | 140.00 |
| 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 | 1.00   | 5.00   | 5.00   |
| 5                                | Additional photos re-inspections - 5 for 20.00    | 2.00   | 20.00  | 40.00  |
| 6                                | Additional certified copies for hearing           | 1.00   | 7.36   | 7.36   |
| 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 No. 2024-48 |                                                   |        |        | 255.75 |



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-584-8300 ext. 8520 · [www.vpsfl.org](http://www.vpsfl.org)

May 10, 2024

**NAPOLES REY JONATHAN  
352 PONTE VEDRA 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 352 PONTE VEDRA RD, Palm Springs, FL 33461.

PCN: 70434418070100220

**This property is in violation of local ordinances.**

**Section 34-913. Parking - Parking, Prohibited Vehicles in residential land use districts-**  
**NO COMMERCIAL/FOOD TRAILERS ALLOWED.**

**Section Sec. 10-31. FBC 110.1 - Failure to obtain a required Building Inspection; FBC 110.1**  
**NO PERMITS FOR DRIVEWAY, BACKYARD CONCRETE COVERAGE AND ADDITIONS**  
**AND MORE THAN ONE STRUCTURE IN THE BACKYARD INCLUDING SHED.**

**Section Sec. 10-31. FBC 105.1 - Failure to obtain a required Building Permit; FBC 105.1**

**Compliance Date: JUNE 10<sup>TH</sup>, 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](mailto:hstout@vpsfl.org)



**Property Detail**

**Location Address :** 352 PONTE VEDRA RD  
**Municipality :** PALM SPRINGS  
**Parcel Control Number :** 70-43-44-18-07-010-0220  
**Subdivision :** PALM SPRINGS VILLAGE PL 2 IN PB 25 PGS 48 TO 50 INC  
**Official Records Book/Page :** 33754 / 1083  
**Sale Date :** AUG-2022  
**Legal Description :** VILLAGE OF PALM SPRINGS PLAT 2LT 22 BLK 10

**Owner Information****Owner(s)**

NAPOLES REY JONATHAN

**Mailing Address**

352 PONTE VEDRA RD  
 PALM SPRINGS FL 33461 1821

**Sales Information**

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner                  |
|------------|-----------|---------------|---------------|------------------------|
| AUG-2022   | \$10      | 33754 / 01083 | QUIT CLAIM    | NAPOLES REY JONATHAN   |
| SEP-2015   | \$190,000 | 27820 / 01421 | WARRANTY DEED | NAPOLES ANET           |
| MAY-2014   | \$121,000 | 26846 / 00653 | WARRANTY DEED | CREATIVE FINANCING LLC |
| MAY-1991   | \$61,500  | 06817 / 00392 | WARRANTY DEED | MCCLURE DAVID A &      |
| APR-1991   | \$100     | 06802 / 00130 | CERT OF TITLE |                        |
| JAN-1972   | \$26,500  | 02075 / 00907 |               |                        |

**Exemption Information**

| Applicant/Owner(s)   | Year | Detail               |
|----------------------|------|----------------------|
| NAPOLES REY JONATHAN | 2024 | HOMESTEAD            |
| NAPOLES REY JONATHAN | 2024 | ADDITIONAL HOMESTEAD |

**Property Information**

**Number of Units :** 1  
**\*Total Square Feet :** 1706  
**Acres :** 0.2006  
**Property Use Code :** 0100—SINGLE FAMILY  
**Zoning :** RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

**Appraisals**

| Tax Year           | 2023      | 2022      | 2021      | 2020      | 2019      |
|--------------------|-----------|-----------|-----------|-----------|-----------|
| Improvement Value  | \$165,204 | \$136,088 | \$130,702 | \$141,745 | \$132,527 |
| Land Value         | \$171,436 | \$169,201 | \$114,792 | \$110,000 | \$101,000 |
| Total Market Value | \$336,640 | \$305,289 | \$245,494 | \$251,745 | \$233,527 |

**Assessed and Taxable Values**

| Tax Year         | 2023      | 2022      | 2021      | 2020      | 2019      |
|------------------|-----------|-----------|-----------|-----------|-----------|
| Assessed Value   | \$336,640 | \$270,043 | \$245,494 | \$251,745 | \$159,319 |
| Exemption Amount | \$50,000  | \$0       | \$0       | \$0       | \$50,000  |
| Taxable Value    | \$286,640 | \$270,043 | \$245,494 | \$251,745 | \$109,319 |

**Taxes**

| Tax Year       | 2023    | 2022    | 2021    | 2020    | 2019    |
|----------------|---------|---------|---------|---------|---------|
| AD VALOREM     | \$5,777 | \$5,637 | \$5,054 | \$5,228 | \$2,475 |
| NON AD VALOREM | \$511   | \$483   | \$427   | \$422   | \$424   |
| TOTAL TAX      | \$6,288 | \$6,120 | \$5,480 | \$5,650 | \$2,899 |


Account Information

|                                                                              |                                                                       |                                                                            |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------|
| <b>Property Control Number:</b><br>70-43-44-18-07-010-0220                   | <b>Property Type:</b><br>Real Property                                | <b>Status:</b> Active                                                      |
| <b>Mailing Address:</b><br>352 PONTE VEDRA RD<br>Palm Springs, FI 33461-1821 | <b>Property Address:</b><br>352 PONTE VEDRA<br>PALM SPRINGS, FL 33461 | <b>Legal Description:</b><br>VILLAGE OF PALM SPRINGS PLAT 2LT 22<br>BLK 10 |
| <b>Owner of Record:</b><br>NAPOLES REY JONATHAN                              | <b>Second Owner:</b>                                                  |                                                                            |

Last updated: 8/12/2024 01:28:43 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   | <div>  <b>\$6,036.16</b> </div> <div>           Net Tax: \$6,287.66<br/>           Interest: \$0.00<br/>           Penalty: \$0.00<br/>           Fees: \$0.00<br/>           Discount: -\$251.50         </div> | 11/6/23   | -\$6,036.16 | <div>            Paid         </div> |
| 3/31/23  | <div>  <b>\$5,874.79</b> </div> <div>           Net Tax: \$6,119.58<br/>           Interest: \$0.00<br/>           Penalty: \$0.00<br/>           Fees: \$0.00<br/>           Discount: -\$244.79         </div> | 11/3/22   | -\$5,874.79 | <div>            Paid         </div> |
| 3/31/22  | <div>  <b>\$5,261.22</b> </div> <div>           Net Tax: \$5,480.44<br/>           Interest: \$0.00<br/>           Penalty: \$0.00<br/>           Fees: \$0.00<br/>           Discount: -\$219.22         </div> | 11/8/21   | -\$5,261.22 | <div>            Paid         </div> |

| Due Date | Net Tax                                                                                                                                                                                                                                                                                                             | Last Paid | Amount Paid | Status |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------|--------|
| 3/31/21  | <div> <div></div> <div>\$5,423.51</div> </div> <div> <div>Net Tax:</div> <div>\$5,649.50</div> </div> <div> <div>Interest:</div> <div>\$0.00</div> </div> <div> <div>Penalty:</div> <div>\$0.00</div> </div> <div> <div>Fees:</div> <div>\$0.00</div> </div> <div> <div>Discount:</div> <div>-\$225.99</div> </div> | 11/19/20  | -\$5,423.51 | Paid   |
| Due Date | Net Tax                                                                                                                                                                                                                                                                                                             | Last Paid | Amount Paid | Status |
| 3/31/20  | <div> <div></div> <div>\$2,783.13</div> </div> <div> <div>Net Tax:</div> <div>\$2,899.10</div> </div> <div> <div>Interest:</div> <div>\$0.00</div> </div> <div> <div>Penalty:</div> <div>\$0.00</div> </div> <div> <div>Fees:</div> <div>\$0.00</div> </div> <div> <div>Discount:</div> <div>-\$115.97</div> </div> | 11/4/19   | -\$2,783.13 | Paid   |
| Due Date | Net Tax                                                                                                                                                                                                                                                                                                             | Last Paid | Amount Paid | Status |
| 3/31/20  | <div> <div></div> <div>\$2,429.95</div> </div> <div> <div>Net Tax:</div> <div>\$2,429.95</div> </div> <div> <div>Interest:</div> <div>\$0.00</div> </div> <div> <div>Penalty:</div> <div>\$0.00</div> </div> <div> <div>Fees:</div> <div>\$0.00</div> </div> <div> <div>Discount:</div> <div>\$0.00</div> </div>    | 2/18/20   | -\$2,429.95 | Paid   |

Payment Info - Select to Expand Payment History for PIN

Select the "Tax Year" link to **View Tax Assessment Values** for the entire tax year.

Export data

| Tax Year | Bill Number | Last Paid | Paid By              | Receipt Number | Amount Paid |
|----------|-------------|-----------|----------------------|----------------|-------------|
| 2023     | 102193906   | 11/6/23   | Jonathan Napoles Rey | B24.104569     | \$6,036.16  |
| 2022     | 101540588   | 11/3/22   | Jonathan Napoles     | B23.88655      | \$5,874.79  |
| 2021     | 101541635   | 11/8/21   | Julio Napoles        | B22.129427     | \$5,261.22  |
| 2020     | 101542377   | 11/19/20  | Jonathan Napoles     | B21.180702     | \$5,423.51  |
| 2019     | 101654346   | 2/18/20   | NAPOLES ANET         | U20.289356     | \$2,429.95  |
| 2019     | 101543135   | 11/4/19   | NAPOLES ANET         | U20.63790      | \$2,783.13  |
| 2018     | 101656886   | 2/18/20   | NAPOLES ANET         | U20.289356     | \$1,976.19  |
| 2018     | 101544136   | 11/5/18   | JULIO NAPOLES        | U19.66661      | \$2,645.65  |
| 2017     | 101545594   | 3/14/18   | anet napoles         | B18.411768     | \$2,738.83  |

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-50A

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

JONATHAN REY NAPOLES  
352 PONTE VEDRA RD  
PALM SPRINGS FL 33461 1821  
MAILING ADDRESS:  
(SAME AS ABOVE)

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.  
SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED

Address: 352 PONTE VEDRA RD  
Legal Description: VILLAGE OF PALM SPRINGS PLAT 2LT 22 BLK 10  
PCN: 70-43-44-18-07-010-0220

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 violates the following Village of Palm Springs Code of Ordinances:

- ☐ SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.
- ☐ SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED

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

- ☐ SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.
- ☐ SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED

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 **August 15th, 2024:**
- ☐ Administrative costs of **\$216.91**
  - ☐ Citation fine of **\$ N/A**
  - ☐ Re-inspection fee of **\$ N/A**
- ☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **September 3, 2024.** If Respondent fails to comply within the time given, a fine of **\$150.00** 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 **August 29, 2024.**
- ☐ Administrative costs of **\$245.75**
  - ☐ 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 **Henry Stout** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

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

DONE AND ORDERED this 15th day of August 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: \_\_\_\_\_

Special Magistrate

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

316 ALEMEDA DRIVE  
LAKE WORTH BEACH, FL 33461 1502

VILLAGE OF PALM SPRINGS CODE  
ENFORCEMENT



CODE CASE: 2024-50A

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

JONATHAN REY NAPOLES  
352 PONTE VEDRA ROAD  
PALM SPRINGS FL 33461 1821  
MAILING ADDRESS:  
(SAME AS ABOVE)

Respondent(s).

**ORDER FINDING VIOLATION**

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

**SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**  
**SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

Address: 352 PONTE VEDRA ROAD  
Legal Description: VILLAGE OF PALM SPRINGS PLAT 2LT 22 BLK 10  
PCN: 70-43-44-18-07-010-0220

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of August 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 **violates** the following Village of Palm Springs Code of Ordinances:

- ☐ **SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**
- ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

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

- ☐ **SECTION 10-31: (FBC 105.1) NO BUILDING PERMITS FOR DRIVEWAY.**
- ☐ **SECTION 10-31: (FBC 110.1) REQUIRED INSPECTIONS NOT PERFORMED**

**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 **August 15th, 2024:**
- ☐ Administrative costs of \$216.91
  - ☐ Citation fine of \$ N/A
  - ☐ Re-inspection fee of \$ N/A
- ☐ Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **September 3, 2024.** If Respondent fails to comply within the time given, a fine of **\$150.00** 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 **August 29, 2024.**
- ☐ Administrative costs of \$245.75
  - ☐ 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 Henry Stout at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.**

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

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



DONE AND ORDERED this 15th day of August 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: \_\_\_\_\_

Special Magistrate

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

316 ALEMEDA DRIVE  
LAKE WORTH BEACH, FL 33461 1502

VILLAGE OF PALM SPRINGS, FLORIDA

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

Code Enforcement Officer: Cuenot

Date: July 18, 2024

Case No.: 2020-2442

Respondent(s): IS & RG LLC

Violation Address (Subject Property): 2887 Lake Worth Road

**BACKGROUND**

On June 18, 2020 the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section(s): **30-143 – Trash & Debris.** The Respondent was given a violation and fine commencing on September 17, 2020 and continuing to accrue at the rate of **\$50.00 per day** for every day not in compliance. To date, the fine has accumulated for **1369 days**, for a total fine of **\$68,450.00** as of the compliance date of June 18, 2024,. The administrative costs and Citation have been paid.

**RECOMMENDATION.**

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

- A. ☒ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of **\$13,690.00** within ten (30) days of the date of the Magistrate's Final Order on the Request or on or before **August 14, 2024.** If the reduced fine is not paid at the time specified, the original fine in the amount of **\$68,450.00** shall be reinstated.
- B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **denies** the Respondent's Request for a Reduction of Fine.

### **STAFF JUSTIFICATION FOR RECOMMENDATION**

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: This property has been left vacant and an eyesore in the neighborhood for approximately 24 years. The current owners purchased the property in January 2001. Two cases are being presented today for fine reduction. The violations are for Trash & Debris and Exterior of Property not kept clean, safe & sanitary. The property has reoccurring violations due to homeless camping on premises, trash, debris, dumping of construction materials, mattresses and the property is used by people on weekends for soccer games, leaving debris and garbage behind. This is in the Palm Springs CRA and the Village's desire is to end the existing blighted conditions and have this property redeveloped. Village recommends reducing the fine amount in both Cases to 20% of the total lien amount.

Dated: August 15, 2024

By: Nanciann Cuenot  
Code Enforcement Officer



VILLAGE OF PALM SPRINGS  
226 CYPRESS LANE; PALM SPRINGS, FL 33461  
561-584-8200 x 8460

Receipt #: PT03052

Application Date: 01/23/24

Receipt Date 07/08/24 Permit Number 24-00046  
Payee GLORIA I BESHARA  
Address 2887 LAKE WORTH RD, Palm Springs, FL 33416  
Permit Type Public Nuisances Garbage, Refuse and Rubbish  
Payment Method Credit Card Payment \*\*\*\*\*3939  
Confirmation # 000000014331

|                                               |          |
|-----------------------------------------------|----------|
| CE Application Fee for Fine Reduction Request | \$250.00 |
|-----------------------------------------------|----------|

Comments:

Amount \$250.00

Total Paid \$250.00



VILLAGE OF PALM SPRINGS  
226 CYPRESS LANE; PALM SPRINGS, FL 33461  
561-584-8200 x 8460

Receipt #: PT03052

Application Date: 01/23/24

Receipt Date 07/08/24 Permit Number 24-00046  
Payee GLORIA I BESHARA  
Address 2887 LAKE WORTH RD, Palm Springs, FL 33416  
Permit Type Public Nuisances Garbage, Refuse and Rubbish  
Payment Method Credit Card Payment \*\*\*\*\*3939  
Confirmation # 000000014331

|                                               |          |
|-----------------------------------------------|----------|
| CE Application Fee for Fine Reduction Request | \$250.00 |
|-----------------------------------------------|----------|

Comments:

Amount \$250.00

Total Paid \$250.00





**VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CASE NO: 2020-2442

**REQUEST FOR REDUCTION OF FINE**

INSTRUCTIONS: Please answer all questions on this form completely. Be specific and use additional pages if necessary. **PRIOR TO SUBMITTING THIS REQUEST, ALL UNPAID CITATIONS AND ADMINISTRATIVE COSTS MUST BE PAID AND PROPERTY MUST BE IN TOTAL COMPLIANCE.** Return this form and the \$250.00 application fee, to the Village Clerk of the Code Enforcement Special Magistrate. The request will then be presented to the Magistrate at the next regularly scheduled hearing. **The Special Magistrate will not consider your request unless you are present at the hearing.** You will be notified in writing of the Special Magistrate's decision within ten (10) days after the meeting. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a Doctor's statement or proof of income). If you have any questions, please call the Village Clerk's Office (561) 965-4010.

Property Owner's Name: IS & RG LLC

Property Address: 2887 Lake Worth Rd.

Telephone number where you can be reached during the day: 561-308-2680

Is the property now in compliance: Yes: ☒ No: ☐ (If no, explain in detail)

\* see attached.

Are you requesting an extension of time to make repairs: Yes: ☐ No: ☒

If yes, until what date: \_\_\_\_\_

Date you called The Village of Palm Springs Code Enforcement Division for a

re-inspection: I do not recall.

Compliance date specified by Special Magistrate: \_\_\_\_\_

Are you claiming a financial hardship:

Yes: ☒ No: ☐

Are you claiming a medical hardship:

Yes: ☒ No: ☐

If the property owner is unable to complete this form, list name of person who is authorized to act for the property owner: \_\_\_\_\_

Relationship to property and/or property owner: \_\_\_\_\_

**MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR POSITION.**

I, Gloria Beshara, do hereby submit this petition in request for a reduction in the total amount of penalty imposed, or a request for an extension of time to bring the property into compliance, and in support, offer the following statement:

\* see attached.

Date: 6/18/24

Signature: 

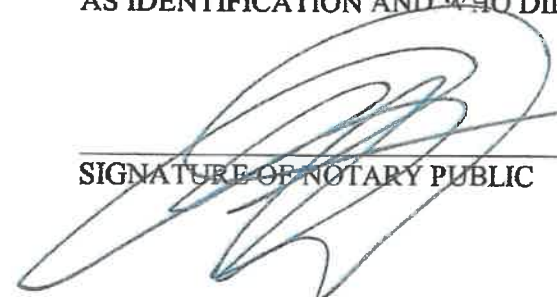
State of: Florida

County of: Palm Beach

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18  
DAY OF June 2024, BY Gloria Beshara WHO IS PERSONALLY  
KNOWN TO ME OR WHO HAS PRODUCED FL DL  
AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.



Notary Public State of Florida  
Anthony M Barbuto  
My Commission HH 060325  
Expires 11/04/2024

  
SIGNATURE OF NOTARY PUBLIC

PRINT NAME OF NOTARY PUBLIC

(OFFICIAL SEAL)

**VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT**

**CIT CODE CASE: 2020-2442**

**VILLAGE OF PALM SPRINGS, FLORIDA**  
Petitioner,

v.  
**IS & RG LLC**  
2887 LAKE WORTH ROAD  
LAKE WORTH, FL 33461-4127

**MAILING ADDRESS:**  
**IS & RG LLC**  
**PO BOX 19911**  
**WEST PALM BCH FL 33416 491**  
Respondent(s).

CFN 20210109832  
OR BK 32273 PG 482  
RECORDED 03/10/2021 14:15:29  
Palm Beach County, Florida  
AMT  
Joseph Abruzzo  
Clerk  
Pgs 0482-0483; (2Pgs)

**ORDER FINDING VIOLATION**

Re: Violation of Section(s) Sec. 30-143- Trash & Debris – of the Village of Palm Springs Code of Ordinances.

Address: **2887 LAKE WORTH ROAD**  
Legal Description: **MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106  
LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E  
OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK,  
LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26  
70-43-44-20-01-106-0020**

PCN:

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 18<sup>th</sup> day of June, 2020, 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, IS & RG LLC, owner or occupant of the above described property or responsible party for the violation(s), was/was not present at the hearing, however, there was a finding of proper notice.
2. The Village of Palm Springs Code Inspector/Officer testified to and/or produced photographs of the violation(s).

**CONCLUSIONS OF LAW**

Respondent is in violation of Section(s) Sec. 30-143- Trash & Debris, of the Village of Palm Springs Code of Ordinances as charged.

**ORDER**

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

- 50.00 ✓ Respondent is not in compliance with the code violation Sec. 30-143- Trash & Debris, must bring all violations into compliance by **JULY 16, 2020**. If Respondent fails to comply within the time given, a fine of ~~\$100.00~~ **\$50.00** per day, and will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection determines that the violations have been brought into compliance.

- ✓ Citation fine of \$300.00
- ✓ Re-inspection fee of \$30.00
- ✓ Administrative costs of \$188.49

-Respondent must pay all Citation Fines and Administration Costs by July 16, 2020.  
All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

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

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

DONE AND ORDERED this 18<sup>th</sup> day of June, 2020.

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
VILLAGE OF PALM SPRINGS

BY:

VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT

Special Magistrate

I hereby certify that this is a true and correct copy of the CT Code Case 2020-2442-0000 Finding Violation and the original on file in the Clerk's Office.

A copy of this order has been furnished to the respondent at the following statutory address:  
2887 Lake Worth Road  
Lake Worth, FL 33461

Jane R. Worth, CMC  
Deputy Village Clerk



VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT

CITATION NO: 2020-2442

XX

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

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner

vs.

IS & RG LLC  
P.O. Box 19911  
WEST PALM BEACH, FL 33416

Respondent

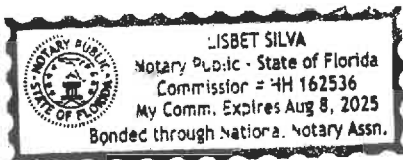
The property at 2887 LAKE WORTH ROAD in the Code Enforcement CITATION dated MAY 20, 2020, in the above-mentioned case, has been re-inspected and, I Nanciann Cuenot state that said property is NOW in compliance with Section 30-143 Trash & Debris of the Ordinance Codes of the Village of Palm Springs on the Eighteenth (18th) day of June 2024.

  
Code Enforcement Officer

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Sworn to, (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 21st day of JUNE, 2024, by, NANCIANN CUENOT, who is personally known to me or who has produced \_\_\_\_\_ as identification.

My Commission expires:



  
NOTARY SIGNATURE

Lisbet Silva  
PRINT NAME  
Notary Public, State of Florida  
Commission No.:

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

CITATION NO. 2442

|                                                      |                                          |           |      |        |
|------------------------------------------------------|------------------------------------------|-----------|------|--------|
| DAY OF WEEK                                          | MONTH                                    | DAY       | YEAR | TIME   |
| Wednesday                                            | 5                                        | 20        | 2020 | 8:38Am |
| FIRST NAME                                           | MID-INT.                                 | LAST NAME |      |        |
| IS & RG                                              | LLC                                      |           |      |        |
| STREET ADDRESS                                       |                                          |           |      |        |
| 2887 Lake worth rd                                   |                                          |           |      |        |
| CITY                                                 | STATE                                    | ZIP CODE  |      |        |
| Palm Springs                                         | FL                                       | 33461     |      |        |
| TAG NO.                                              | DESCRIPTION                              |           |      |        |
|                                                      | PO Box 19911<br>West Palm beach FL 33416 |           |      |        |
| VIOLATION CODE SECTION(S) & DESCRIPTION:             |                                          |           |      |        |
| 30-143: trash and debris                             |                                          |           |      |        |
|                                                      |                                          |           |      |        |
|                                                      |                                          |           |      |        |
|                                                      |                                          |           |      |        |
| <input checked="" type="checkbox"/> REPEAT VIOLATION |                                          |           |      |        |

Jose Inoa 136  
Code Enforcement Officer 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

June 18 2020 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 561-304-4829 and paying a fine of \$ 300.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 330.00. 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 6-18-20, 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.

Jose Inoa  
Respondent Signature

Jose Inoa  
Printed Name

Case 2020-2442

Citation + Admin Fees

2887 Lake Worth Rd

Village of Palm Springs, FL  
Planning and Zoning  
226 Cypress Ln  
Palm Springs, FL 33461  
+1 (561) 965-4010  
Welcome

000920-0011 Mayra . 10/02/2020 02:24PM

MISCELLANEOUS

Code Citations (35401)  
External Item Reference: 35401  
External Payment Reference:  
2021-02-0-4690049  
2021 Item: 35401  
1.00 @ 600.00  
Code Citations (35401) 600.00

600.00

Subtotal

600.00

Total

600.00

CREDIT CARD PBZ

600.00

MasterCard \*\*\*\*\*3931  
Ref=10022096201  
Auth=221641  
202010029036

Charge due

0.00

Paid by: GLORIA I BASHARA

Comments: CIT-2442-2887 L.W. RD

Thank you for your payment

Village of Palm Springs, FL COPY  
DUPLICATE RECEIPT



VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE

PCN: 70-43-44-20-01-106-0020

Case No. 2020-2442

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

vs.

IS & RG LLC  
2887 LAKE WORTH ROAD  
LAKE WORTH, FL

MAILING ADDRESS:  
IS & RG LLC  
P.O. Box 1991  
West Palm Beach, FL 33416

Respondent(s).

**ORDER GRANTING A CONTINUANCE**

THIS MATTER having come before the CODE ENFORCEMENT SPECIAL MAGISTRATE on, July 18, 2024, by the Fine Reduction or Abatement Order, therefore, and having been presented with a request from the Code Enforcement Officer, the Special Magistrate at this moment grants a continuance for the hearing of this matter and an extension within which to come into compliance; and having been fully apprised of the circumstances:

IT IS HEREBY ORDERED by the CODE ENFORCEMENT SPECIAL MAGISTRATE, that this matter shall be continued until the next CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING on August 15, 2024. At this time, the SPECIAL MAGISTRATE shall hear additional evidence and make its findings of fact, conclusions of law, and determination of compliance time, fine, and costs. At such time, the SPECIAL MAGISTRATE may enter such further Orders as it deems appropriate.

IT IS FURTHER ORDERED that if the Respondent comes into compliance with the village code, on or before August 14, 2024, the Respondent is permitted, but is not required to appear, and may nonetheless be subject to an Order Not to Repeat, and costs of the action.

DONE AND ORDERED this 18th day of July 2024.

BY:

\_\_\_\_\_  
SPECIAL MAGISTRATE

Copies furnished to the Parties by US Mail.





**Village of Palm Springs  
Code Enforcement Magistrate Hearing**

**Case No.: 2020-2442  
Village of Palm Springs, Florida  
Petitioner,**

**vs.**

**IS & RG LLC  
P.O. Box 19911  
WEST PALM BEACH, FL 33416  
Respondent(s).**

**PCN: 70-43-44-20-01-106-0020**

**FINE REDUCTION OR ABATEMENT ORDER**

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

1. The above Respondent(s) is the owner or occupant of **2887 LAKE WORTH ROAD** THE PROPERTY DESCRIBED AS: THE PROPERTY DESCRIBED AS: MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106 LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK, LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26

2. On June 18, 2020, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section(s) 30-143 Trash & Debris of the Village of Palm Springs Code of Ordinances. The Respondent was given until September 16, 2020 within which to comply with the code, failing which a fine of \$50.00 per day was assessed against respondent(s). The fines continued for 1,369 days and totaled \$68,450.00.

3. A Citation fine and re-inspection fee of \$330.00, and administrative costs in the amount of \$188.49 were also levied against the Respondent(s) and have been paid in full.

4. On June 18, 2024, the Respondent(s) complied with the cited violation(s).

5. The Respondent has submitted an application for a fine reduction.

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, fine reduction criteria under Section 162.09(2)(b), Florida Statutes, has been \_\_\_\_\_ or \_\_\_\_\_ has not been established; and

B. \_\_\_\_\_ Respondent is ordered to pay a reduced fine of **\$13,690.00** and costs in the amount of **\$-0-** on or before **September 18, 2024**. If the reduced fine is not paid within the time specified, the fine shall revert to the original accrued amount, prior to abatement, of \$68,450.00.

DONE AND ORDERED this 15<sup>th</sup> day of August, 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 REDUCTION OF FINE

Code Enforcement Officer: Cuenot

Date: July 18, 2024

Case No.: 2022-43

Respondent(s): IS & RG LLC

Violation Address: 2887 Lake Worth Road

**BACKGROUND**

On **October 20, 2022** the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section(s):**10-8 Exterior Property Areas not maintained in a clean, safe and sanitary condition.** The Respondent was given a violation and fine commencing on **November 21, 2022,** and continuing to accrue at the rate of **\$100.00 per day** for every day not in compliance. To date, the fine has accumulated for **574 days,** for a total fine of **\$57,400.00** as of the compliance date of **June 18, 2024,** The administrative costs have been paid.

**RECOMMENDATION.**

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

- A. ☒ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of **\$11,480.00** within ten (30) days of the date of the Magistrate's Final Order on the Request or on or before **August 14, 2024.** If the reduced fine is not paid at the time specified, the original fine in the amount of **\$57,400.00** shall be reinstated.
- B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **denies** the Respondent's Request for a Reduction of Fine.

### **STAFF JUSTIFICATION FOR RECOMMENDATION**

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: This property has been left vacant and an eyesore in the neighborhood for approximately 24 years. The current owners purchased the property in January 2001. Two cases are being presented today for fine reduction. The violations are for Trash & Debris and Exterior of Property not kept clean, safe & sanitary. The property has reoccurring violations due to homeless camping on premises, trash, debris, dumping of construction materials, mattresses and the property is used by people on weekends for soccer games, leaving debris and garbage behind. This is in the Palm Springs CRA and the Village's desire is to end the existing blighted conditions and have this property redeveloped. Village recommends reducing the fine amount in both Cases to 20% of the total lien amount.

Dated: August 15, 2024

By: Nanciann Cuenot  
Code Enforcement Officer



**VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT**

**CIT CODE CASE: 2022-43**

**VILLAGE OF PALM SPRINGS, FLORIDA**  
**Petitioner,**

**v.**  
**IS & RG LLC**  
**P.O. BOX 19911**  
**WEST PALM BEACH, FL 33416**

**Respondent(s).**

**ORDER FINDING VIOLATION**

**Re: Violation of Section: 10-8: Exterior Property Areas; 10-9: Exterior of Structure or Building; 46-3: Graffiti**

**Address: 2887 LAKE WORTH ROAD**  
**Legal Description: MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106 LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK, LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26**  
**PCN: 70-43-44-20-01-106-0020**

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 OCTOBER 2022, and based on the evidence and testimony presented, the following **FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER** are hereby entered:

**FINDINGS OF FACT**

1. The Respondent was X / 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: 10-8: Exterior Property Areas; 10-9: Exterior of Structure or Building; 46-3: Graffiti** of the Code of Ordinances of the Village of Palm Springs.
- ☐ Respondent was in violation of **Section: 10-8: Exterior Property Areas; 10-9: Exterior of Structure or Building; 46-3: Graffiti** 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 **NOVEMBER 21, 2022**.
- ☐ Administrative costs of **\$189.53**

CFN 20240054013  
OR BK 34833 PG 1988  
Pg 22nd \$ 10-9 +  
\$ 46-3 on  
or before  
December 20

- ☐ Citation fine of \$ N/A  
☐ Re-inspection fee of \$ N/A

of \$ 10-8

- ☐ 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 **NOVEMBER 21, 2022**. If Respondent fails to comply within the time given, a fine of **\$200.00 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 **NOVEMBER 21, 2022**

- ☒ Administrative costs of **\$189.53**  
☐ Citation fine of \$ N/A  
☐ Re-inspection fee of \$ N/A

for \$ 10-9  
(septic tank)  
and \$100/day for  
all other violations

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 20th day of October 2022.

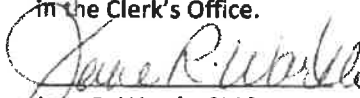
STATE OF FLORIDA  
COUNTY OF PALM BEACH  
VILLAGE OF PALM SPRINGS

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:   
Special Magistrate

I hereby certify this is a true and correct copy of the Code Case 2022-43 Order Finding Violation and the original is on file in the Clerk's Office.

A copy of this order has been furnished to the respondent at the following statutory address:  
P.O. BOX 19911  
WEST PALM BEACH FL 33416

  
Jane R. Worth, CMC  
Deputy Village Clerk



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

005612-0003 Ana Gari 10/20/2022 11:05AM

**MISCELLANEOUS**

Violations of Local Ord  
(35400)

External Item Reference: 35400

External Payment Reference:

2023 Item: 35400

Balance unpaid: -189.53

Violations of Local Ord  
(35400)

189.53

-----  
189.53

Subtotal 189.53

Total 189.53

CREDIT CARD PBZ 189.53

MasterCard \*\*\*\*\*3931

Ref=17788016051

Auth=044530

20221020569B

ATD=A0000000041010

Invoice=20221020569B

AuthCode=044530

Entry=Chip\_Read

AppLabel=MasterCard Debit

ATC=0042

Seq=

-----  
Change due 0.00

Paid by: GLORIA I BESHARA

Comments: 2887 LAKE WORTH RD  
2022-43

Thank you for your payment

CUSTOMER COPY

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT

CITATION NO: 2022-43

XX

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

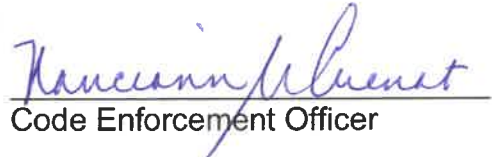
VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner

vs.

IS & RG LLC  
P.O. Box 19911  
WEST PALM BEACH, FL 33416

Respondent

The property at **2887 LAKE WORTH ROAD** in the Code Enforcement **Notice of Violation/ Notice of Hearing** dated **December 20, 2022**, in the above mentioned case, has been re-inspected and, I Nanciann Cuenot state that said property is **NOW in compliance with Section 10-8 Exterior Property Areas**; of the Ordinance Codes of the Village of Palm Springs on the **Eighteenth (18th) day of June 2024**.

  
Code Enforcement Officer

STATE OF FLORIDA  
COUNTY OF PALM BEACH

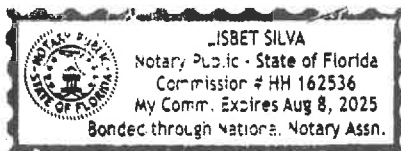
Sworn to, (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 21st day of JUNE, 2024, by, NANCIANN CUENOT, who is personally known to me or who has produced \_\_\_\_\_ as identification.

My Commission expires:

  
NOTARY SIGNATURE

Lisbet Silva  
PRINT NAME

Notary Public, State of Florida  
Commission No.:





VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT

Case No. 2022-43

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

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner

vs.

IS & RG LLC  
2887 LAKE WORTH RD  
LAKE WORTH beach, FL 33461

MAILING ADDRESS:  
PO BOX 19911  
WEST PALM BCH FL 33416 4911  
Respondent

The property described in the Order Finding Violation dated OCTOBER 20, 2022 in the above-mentioned case, has **NOW** repaired the building and painted over the graffiti and I Nanciann Cuenot state that said property is **NOW** in compliance with Section 10-9 Exterior Structure or Building and Section 46-3 Graffiti of the Ordinance Code of the Village of Palm Springs as of the 20th day of December, 2022.

ADMINISTRATIVE COSTS OF \$189.53 HAVE NOT BEEN PAID

  
Code Enforcement Officer

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of February, 2024, by Nanciann Cuenot who is personally known to me or who has produced \_\_\_\_\_ as identification.



  
Notary Public, State of Florida  
Commission No.

My commission expires:



6/18/2024 8:32:59 AM



6/18/2024 8:33:11 AM



6/18/2024 8:37:53 AM



6/18/2024 8:38:20 AM



6/18/2024 8:38:27 AM



6/18/2024 8:38:47 AM



6/18/2024 8:41:19 AM



6/18/2024 8:44:30 AM



6/18/2024 8:44:47 AM



6/18/2024 8:45:44 AM

**Re: 2887 Lake Worth Road**

Gloria Beshara <gibeshara@gmail.com>

Tue 6/18/2024 4:28 PM

To: Nanciann M. Cuenot <ncuenot@vpsfl.org>

 1 attachments (12 MB)

image\_67225345.JPG;

**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.

Good afternoon Ms. Cuenot, the bags have been taken care of, pictures attached.





On Tue, Jun 18, 2024 at 11:25 AM Gloria Beshara <[gibeshara@gmail.com](mailto:gibeshara@gmail.com)> wrote:  
Received, thank you.



VILLAGE OF PALM SPRINGS  
226 CYPRESS LANE; PALM SPRINGS, FL 33461  
561-584-8200 x 8460

Receipt #: PT03052

Application Date: 01/23/24

Receipt Date 07/08/24 Permit Number 24-00046  
Payee GLORIA I BESHARA  
Address 2887 LAKE WORTH RD, Palm Springs, FL 33416  
Permit Type Public Nuisances Garbage, Refuse and Rubbish  
Payment Method Credit Card Payment \*\*\*\*\*3939  
Confirmation # 000000014331

|                                               |          |
|-----------------------------------------------|----------|
| CE Application Fee for Fine Reduction Request | \$250.00 |
|-----------------------------------------------|----------|

Comments:

Amount \$250.00  
Total Paid \$250.00



VILLAGE OF PALM SPRINGS  
226 CYPRESS LANE; PALM SPRINGS, FL 33461  
561-584-8200 x 8460

Receipt #: PT03052

Application Date: 01/23/24

Receipt Date 07/08/24 Permit Number 24-00046  
Payee GLORIA I BESHARA  
Address 2887 LAKE WORTH RD, Palm Springs, FL 33416  
Permit Type Public Nuisances Garbage, Refuse and Rubbish  
Payment Method Credit Card Payment \*\*\*\*\*3939  
Confirmation # 000000014331

|                                               |          |
|-----------------------------------------------|----------|
| CE Application Fee for Fine Reduction Request | \$250.00 |
|-----------------------------------------------|----------|

Comments:

Amount \$250.00  
Total Paid \$250.00





**VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CASE NO: 2022-43

**REQUEST FOR REDUCTION OF FINE**

INSTRUCTIONS: Please answer all questions on this form completely. Be specific and use additional pages if necessary. **PRIOR TO SUBMITTING THIS REQUEST, ALL UNPAID CITATIONS AND ADMINISTRATIVE COSTS MUST BE PAID AND PROPERTY MUST BE IN TOTAL COMPLIANCE.** Return this form and the \$250.00 application fee, to the Village Clerk of the Code Enforcement Special Magistrate. The request will then be presented to the Magistrate at the next regularly scheduled hearing. **The Special Magistrate will not consider your request unless you are present at the hearing.** You will be notified in writing of the Special Magistrate's decision within ten (10) days after the meeting. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a Doctor's statement or proof of income). If you have any questions, please call the Village Clerk's Office (561) 965-4010.

Property Owner's Name: IS & RG LLC

Property Address: 2887 Lake Worth Rd.

Telephone number where you can be reached during the day: 561-308-2680

Is the property now in compliance: Yes: ☒ No: ☐ (If no, explain in detail)

Are you requesting an extension of time to make repairs: Yes: ☐ No: ☒

If yes, until what date: \_\_\_\_\_

Date you called The Village of Palm Springs Code Enforcement Division for a re-inspection: Approximately March 2023

Compliance date specified by Special Magistrate: \_\_\_\_\_

Are you claiming a financial hardship: Yes: ☒ No: ☐

Are you claiming a medical hardship: Yes: ☒ No: ☐

If the property owner is unable to complete this form, list name of person who is authorized to act for the property owner: \_\_\_\_\_

Relationship to property and/or property owner: \_\_\_\_\_

Request for Reduction of Fine  
Case No.: \_\_\_\_\_

**MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR POSITION.**

I, Gloria Beshara, do hereby submit this petition in request for a reduction in the total amount of penalty imposed, or a request for an extension of time to bring the property into compliance, and in support, offer the following statement:

\* see attached.

Date: 6/19/24 Signature: [Signature]  
State of: Florida County of: Palm Beach

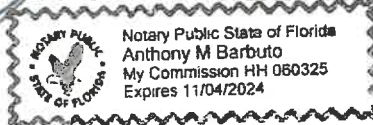
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19  
DAY OF June 2024, BY Gloria Beshara WHO IS PERSONALLY  
KNOWN TO ME OR WHO HAS PRODUCED F2 DC  
AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

SIGNATURE OF NOTARY PUBLIC

PRINT NAME OF NOTARY PUBLIC

[Signature]

Anthony Barbuto



(OFFICIAL SEAL)





VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE

PCN: 70-43-44-20-01-106-0020

Case No. 2022-43

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

vs.

IS & RG LLC  
2887 LAKE WORTH ROAD  
LAKE WORTH, FL

MAILING ADDRESS:  
IS & RG LLC  
P.O. Box 1991  
West Palm Beach, FL 33416

Respondent(s).

**ORDER GRANTING A CONTINUANCE**

THIS MATTER having come before the CODE ENFORCEMENT SPECIAL MAGISTRATE on, July 18, 2024, by the Fine Reduction or Abatement Order, therefore, and having been presented with a request from the Code Enforcement Officer, the Special Magistrate at this moment grants a continuance for the hearing of this matter and an extension within which to come into compliance; and having been fully apprised of the circumstances:

IT IS HEREBY ORDERED by the CODE ENFORCEMENT SPECIAL MAGISTRATE, that this matter shall be continued until the next CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING on August 15, 2024. At this time, the SPECIAL MAGISTRATE shall hear additional evidence and make its findings of fact, conclusions of law, and determination of compliance time, fine, and costs. At such time, the SPECIAL MAGISTRATE may enter such further Orders as it deems appropriate.

IT IS FURTHER ORDERED that if the Respondent comes into compliance with the village code, on or before August 14 2024, the Respondent is permitted, but is not required to appear, and may nonetheless be subject to an Order Not to Repeat, and costs of the action.

DONE AND ORDERED this 18th day of July 2024.

BY:

\_\_\_\_\_  
SPECIAL MAGISTRATE

Copies furnished to the Parties by US Mail.



Village of Palm Springs  
Code Enforcement Magistrate Hearing

Case No.: 2022-43  
Village of Palm Springs, Florida  
Petitioner,

vs.

IS & RG LLC  
P.O. Box 19911  
WEST PALM BEACH, FL 33416  
Respondent(s).

PCN: 70-43-44-20-01-106-0020

**FINE REDUCTION OR ABATEMENT ORDER**

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

1. The above Respondent is the owner or occupant of **2887 LAKE WORTH ROAD** THE PROPERTY DESCRIBED AS: THE PROPERTY DESCRIBED AS: MODEL LAND CO SUB, SLY 276.83 FT OF WLY 130 FT OF TR 106 LYG N OF & ADJ TO SR 802 R/W & PT OF ABND 5 FT ALLEY LYG E OF & ADJ TO LTS 22 THRU 26 LYG WITHIN & BELLE VUE PARK, LTS 20 THRU 22 LYG N OF & ADJ TO SR 802 R/W & LTS 23 THRU 26
2. On October 20, 2022, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section(s) 10-8 Exterior Property areas of the Village of Palm Springs Code of Ordinances. The Respondent was given until November 21, 2022 within which to comply with the code, failing which a fine of \$100.00 per day was assessed against respondent. Administrative costs in the amount of \$189.53 were also levied against the Respondent and paid is full.
3. On JUNE 18, 2024, the Respondent(s) complied with the cited violation(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, the fine of \$57,400.00 \_\_\_\_\_ is/ \_\_\_\_\_ is not found to be excessive; and

\_\_\_\_\_ Respondent is ordered to pay a fine of **\$11,480.00** and costs in the amount **\$-0-** on or before **September 18, 2024**. If the reduced fine is not paid within the time specified, the fine shall revert to the original accrued amount, prior to abatement, of \$57,400.00.

DONE AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
By: Special Magistrate

Copies Furnished to the Parties by

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
Case No. 2023-15

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

V.

JANET B. KIM  
THOMAS W. KIM  
2807 REO LANE  
PALM SPRINGS, FL 33461

Respondent(s).

PCN 70-43-44-18-00-000-7180

Mailing Address:  
JANET B. KIM  
THOMAS W. KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33461 1018

### REVISED 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 APRIL 6, 2023, the Respondent(s), JANET B. KIM & THOMAS W. KIM owner(s) of the property at 2807 REO LANE, PALM SPRINGS, FL, 33461 is in violation of local ordinances.

**SECTION 10-10 (A): Interior of structure must be maintained in good repair and in sanitary condition.**  
**SECTION 10-4 (A & B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.**

These violations must be corrected on or before **MAY 15, 2023**, 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 MAY 18, 2023**. 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 8521 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. 8521

NICOLE TAMAYO  
Printed Name of Officer

Date Issued: APRIL 6, 2023

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

**VILLAGE OF PALM SPRINGS,  
FLORIDA,**

**Petitioner**

**Case No. 2023-15**

**RETURN OF SERVICE**

**JANET B. KIM  
THOMAS W. KIM  
2807 REO LANE  
PALM SPRINGS, FL 33461**

**Respondent**

\_\_\_\_\_ /

On the **5th Day of MAY 2023** at **09:36 AM**, I served the attached **REVISED** NOTICE OF HEARING on the within named Respondents, **JANET B. & THOMAS W. KIM** at **2807 REO 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  
DEPARTMENT OF PUBLIC SAFETY

By:  \_\_\_\_\_





2807



05.05.2023 09:36

2807



**PALM SPRINGS POLICE DEPARTMENT**

1700 E. Palm Canyon Road, Palm Springs, Florida 92262 | Phone: 951.844.8100 | www.pspfl.org

MAY 04, 2023

JANET B KIM  
THOMAS W KIM  
480 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1818

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 **4807 RED LANE in Palm Springs, FL**.  
PCN: 20-03-24-18-00-000-7140

VIEW ACTION/HEARING **CASE 3048 02**

**SEE THAT 10-25-18A** Section of ordinance must be maintained in good repair and in a sanitary condition.

**10-25-18A 4. B.1** Homeowner/owner of the subject must take necessary steps to maintain the subject property in accordance with the State Building Code, and the County Health Code.

The options available include entering into voluntary compliance OR appearing your case at the Special Magistrate hearing **THURSDAY MAY 18, 2023 AT 10:00 AM** due to notice on your citation. This is per 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 \$500.00.

Please call me if you have any questions at **(951) 844-8100 x7140**.

Respectfully,

Nicole Tarnora

Palm Springs Police Department  
Code Enforcement Officer  
(714) 844-8100 ext. 8121  
tarnora@pspdfl.org

Professionalism - Respect - Integrity - Duty - Excellence

05.05.2023 09:36



2807



**PALM SPRINGS POLICE DEPARTMENT**  
234 Cassin Lane • Palm Springs, Florida 33461 • Phone 561-860-8141 • www.pspfl.org

May 04, 2023

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

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 **2807 REO LANE in Palm Springs, FL**.  
PCN: 70-43-44 (8-400-060-7140)

**VIOLATION/HEARING CASE 2023-15**

**SECTION 10-10 (A) Interior of structure must be maintained in good repair and in a sanitary condition.**

**SECTION 10-4 (A) & B: Responsibility of the owner to make sure dwelling meets standards of the State Building Code, and the County Housing Code.**

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THU THURSDAY MAY 18, 2023, 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)584-8300 ext. 8521**

Respectfully,

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

Professionalism • Respect • Integrity • Duty • Excellence

05.05.2023 09:36

2807



**PALM SPRINGS POLICE DEPARTMENT**  
230 Cypress Lane • Palm Springs, Florida 33461 • Phone 941.848.4141 • [www.cpsd.org](http://www.cpsd.org)

APRIL 06, 2023

JANET H KIM  
THOMAS W KIM  
400 GLENDROCK DRIVE  
LAKE WORTH, FL 33462 1018

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 **2807 HFO LANE in Palm Springs, FL**.  
PCN: 7643-44-18-00-000-7180

**VIOLATION/HEARING CASE 2072-18**

04.10.2023 17:24



2807



04.10.2023 17:24



2607



04.10.2023 17:24





03.24.2023 17:53



03.24.2023 17:54





03.24.2023 17:54







03.24.2023 17:54



03.24.2023 17:54





03.24.2023 17:54















03.24.2023 17:57



03.24.2023 17:57







03.10.2023 16:36





...MONTADO EN PIEL MOXIDO DE CARBONC

... e a possibilidade de que a cultura tenha sido introduzida por algum viajante que se deslocou para o Brasil em busca de riquezas. A cultura também pode ter sido introduzida por algum viajante que se deslocou para o Brasil em busca de riquezas.

A close-up photograph of a piece of aged, yellowed paper. The paper is heavily stained with brown and black marks, possibly from water damage or mold. The text on the paper is extremely faint and illegible, appearing as light brown smudges against the yellow background. The paper is torn at the edges, and the overall appearance is one of significant age and wear.

**PAMLICOAIR**

**SelectFEC**

Selecting

E PAMELIGDALE

03.10.2023 16:36





03.10.2023 16:36







# PALM SPRINGS POLICE DEPARTMENT

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

MAY 04, 2023

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

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 **2807 REO LANE in Palm Springs, FL.**

PCN: 70-43-44-18-00-000-7180

## **VIOLATION/HEARING CASE 2023-15**

**SECTION 10-10 (A) Interior of structure must be maintained in good repair and in a sanitary condition.**

**SECTION 10-4 (A & B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.**

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY MAY 18, 2023, 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)584-8300 ext. 8521.**

Respectfully,

A handwritten signature in blue ink that reads "Nicole".

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

Certified  
Mail  
For  
Revised  
NOV/NOH

7020 1290 0000 7827 1723

|                                                                                                  |                  |
|--------------------------------------------------------------------------------------------------|------------------|
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| <input type="checkbox"/> Return Receipt (electronic) \$                                          |                  |
| <input type="checkbox"/> Certified Mail Restricted Delivery \$                                   |                  |
| <input type="checkbox"/> Adult Signature Required \$                                             |                  |
| <input type="checkbox"/> Adult Signature Restricted Delivery \$                                  |                  |
| Postage<br>\$                                                                                    |                  |
| Total Postage and Fees<br>\$                                                                     |                  |
| Sent To                                                                                          |                  |
| Thomas W. Kim                                                                                    |                  |
| Street and Apt. No., or PO Box No.                                                               |                  |
| 460 Glenbrook Drive                                                                              |                  |
| City, State, ZIP+4®                                                                              |                  |
| Lake Worth, FL 33462 1018                                                                        |                  |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions                       |                  |



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

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JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

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PALM SPRINGS POLICE DEPARTM  
230 CYPRESS LANE  
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ZIP 33461  
041M11460879

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

(Revised NOV/NOV)

**Sec. 10-10. - Interior of structure or building.**

- (a) *General.* The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.
- (b) *Structural members.* All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.
- (c) *Interior surfaces.* All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.
- (d) *Lead-based paint.* Interior and exterior painted surfaces of dwellings and child and day care facilities, including fences and outbuildings, which contain lead levels equal to or greater than one milligram per square centimeter or in excess of one-half (0.50) percent lead by weight shall be maintained in a condition free from peeling, chipping and flaking paint or removed or covered in an approved manner. Any surface to be covered shall first be identified by approved warnings as to the lead content of such surface.
- (e) *Stairs and railings.* All interior stairs and railings shall be maintained in sound condition and good repair.
- (f) *Stairs and walking surfaces.* Every stair, ramp, balcony, porch, deck or other walking surface shall be maintained structurally sound and be capable of supporting the imposed loads.
- (g) *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.

(Ord. No. 2006-47, § 2, 11-9-2006)



**Sec. 10-4. - Responsibility of the owner.**

- (a) For purposes of this article, the term *owner* shall mean any person, agent, operator, firm, trust, partnership, limited liability corporation, association, corporation, or other person or entity having a legal or equitable interest in the property; or who is shown to be a/the record title owner of the property in the official records of the state, village or municipality; or who has the care, custody and control of the property, including but not limited to a guardian, personal representative or executor, of the estate of any such person, or the receiver, trustee or administrator of the estate of such person if ordered to take possession of property by a court of competent jurisdiction.
- (b) The responsibilities of the owner are to:
- (1) Let no dwelling to anyone for occupancy unless it meets minimum standards of the state building code and the county housing code, as amended, which are incorporated herein by reference.
  - (2) Have the dwelling in clean, sanitary, habitable condition; to free from infestation before renting; to provide suitable wall coverings and ceilings; and to clean, repair and exterminate if needed to meet forestated requirements before offering for rent.
  - (3) Provide screens to be hung.
  - (4) Exterminate in the following cases:
    - a. When infestation exists in two or more units of multiple-unit structures.
    - b. When infestation exists in shared or public areas of multiple-unit structures.
    - c. When infestation exists in a single unit of a multiple-unit structure or in a single-unit structure when infestation is due to failure of the owner to maintain the dwelling in a rat proof and reasonably insect proof condition.
  - (5) To allow code compliance and law enforcement officers of the village, reasonable access to the dwelling to inspect for violations of this section. The owner's refusal to allow code compliance and/or law enforcement officer's access to any dwelling, during reasonable hours, shall be construed as prima facie evidence that the owner is in violation of one or more parts of this article.
  - (6) No large amounts of hazardous or flammable materials or chemicals, as defined by the Florida Fire Prevention Code, may be stored on premises. Storage shall be orderly and maintained two feet or more below the ceiling in nonsprinklered buildings and 18 inches or more below sprinkler head deflectors in sprinklered buildings. No storage is allowed, at any time, in any exit, corridor, hallway, stairway, or other exitway leading to an exit.

(Ord. No. 2006-47, § 2, 11-9-2006; Ord. No. 2013-08, § 3, 3-14-2013)

**Sec. 10-10. - Interior of structure or building.**

# CASE PRESENTATION

## CASE No. CASE 2023 - 15

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 case concerns the property at 2807 REO 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 owners of the property are JANET B KIM & THOMAS W KIM.
5. Pursuant to observation and complaints from tenants there are Violations of local ordinances  
**SECTION 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition.**  
**SECTION 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the Housing Code.**  
Photos Included in the file.
5. A complaint was received from a tenant of one of the apartments. Code Enforcement Officer Tom Gehrman accompanied me to go see the issue and to document what we observed. Upon inspecting the apartment, flooding and water damages were observed and photographed. Courtesy Letters were mailed to the property owners. The property owner did attempt to repair the plumbing work and was in contact with Code, but the water damage remains and does **NOT** meet with Standards of the State Building Code as well as Housing Code. Walls are falling apart, there are other matters on the property that do **NOT** meet Building Code Standards. Water meter is in question. These issues fall under the responsibility of the owner to correct.
6. On APRIL 6, 2023, Notice of Violation/ Notice of Hearing 2023-15 was issued for the Violations. Due to Hearing Reschedule, Revised Notice of Violation/ Notice of Hearing was issued and posted on MAY 05, 2023. 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 mailing has not been returned. The Property owner has been in communication with Code Enforcement explaining the situation and plans to correct the violations. Unfortunately, the property remains in noncompliance. I met with a tenant concerned about the property's interior maintenance and other issues that are not up to Building Code Standards, my inspection with Tom Gehrman confirmed flooding, water damages and mold throughout apartment, as well as other issues such as windows are not fully secured properly.
7. I request that the respondent be ordered to come into compliance by correcting property violations by JUNE 14, 2023. If not in compliance by JUNE 14, 2023, a \$100.00 PER DAY Fine shall commence.
8. The Village has also incurred costs in the amount of \$216.14 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than JUNE 14, 2023.
9. Subject to any questions you might have, this concludes the Village Testimony.

# Revised Admin Cost Sheet



## Case Administrative / Court Costs

| MAY 18, 2023, 2807 REO LANE  |                                                   | Case 2023 -15 |        |        |
|------------------------------|---------------------------------------------------|---------------|--------|--------|
| Line #                       | Description                                       | Unit #        | Cost   | Total  |
| 1                            | Additional Inspector Time - 1 hour CE             | 3.00          | 35.00  | 105.00 |
| 2                            | Additional Inspector Time - 1 hour Bldg           | 0.00          | 60.00  | 0.00   |
| 3                            | Additional Inspector Time - 1 hour LD Director    | 0.00          | 70.00  | 0.00   |
| 4                            | Additional photos re-inspections - 5.00 per photo | 0.00          | 5.00   | 0.00   |
| 5                            | Additional photos re-inspections - 5 for 20.00    | 2.00          | 20.00  | 40.00  |
| 6                            | Additional certified copies for hearing           | 1.00          | 7.82   | 7.82   |
| 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          | 0.57   | 0.57   |
| 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 2023-15 |                                                   |               |        | 216.14 |



# PALM SPRINGS POLICE DEPARTMENT

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

APRIL 19, 2023

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

Dear Property Owner,

This letter is regarding **HEARING CASE NO. 2023-15.**

**ADDRESS: 2807 REO LANE**  
**PCN: 70-43-44-18-00-000-7180**

The Hearing before the Special Magistrate scheduled for **THURSDAY APRIL 20, 2023 AT 10:00AM** has been cancelled and **RESCHEDULED** for **THURSDAY MAY 18, 2023 AT 10:00AM.**

Re: Violation of

**SECTION 10-10 (A):** Interior of structure must be maintained in good repair and in sanitary conditions.

**SECTION 10-4 (A&B):** Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.

You are going to need to get a **General Contractor** to come out and analyze and repair damage to the interior of the structure. General Contractor will be **REQUIRED** to obtain **PERMITS** with the Village of Palm Springs Planning, Zoning and Building Department.

It also was brought to my attention that **2807 REO LANE and 2785 REO LANE have 1 shared water meter.** This is also a violation of Florida Building Code that will **REQUIRE** correction to be made. 2807 REO LANE and 2875 REO LANE are listed as **2 different parcels (2785 REO LANE PCN: 70-44-43-18-00-000-7840)** which means they each **REQUIRE a SEPARATE WATER METER.**

You will need to have a **Contracted Plumber** come out. Plumber will be **REQUIRED** to obtain **PERMITS** with the Village of Palm Springs Planning, Zoning and Building Department.

**PLANNING, ZONING AND BUILDING DEPARTMENT**

**226 CYPRESS LANE**

**PALM SPRINGS, FL 33461**

**(561)584-8200 ext. 8460**

If these violations are **CORRECTED BEFORE MAY 18, 2023** there will be no need to proceed with case at hearing. Please call me if you have any questions at **(561)584-8300 ext. 8521.**

Respectfully,

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

Professionalism • Respect • Integrity • Duty • Excellence



My copy



## PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-968-8243 • [www.vpsfl.org](http://www.vpsfl.org)

**FEBRUARY 24, 2023**

THOMAS W KIM  
JANET B KIM  
460 GLENBROOK DR  
LAKE WORTH, FL 33462 1018

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 **2807 REO LANE and 2785 REO LANE in Palm Springs, FL**

PCN: 70-43-44-18-00-000-7180

PCN: 70-43-44-18-00-000-7840

**This property is in violation of local ordinances;**

**SECTION 30-143**

**Public nuisance violation:** Please keep your property neat and clean.

**SECTION 34-914**

**Parking violation:** Parking inoperable cars on the property is not allowed. Cars are not allowed to be parked on the grass of property.

**SECTION 34-931(3)**

**Missing or broken fence, wall or gate violation:** Please make sure all fences on residential property are fixed if broken and replaced if missing.

**Compliance Date: MARCH 6, 2023**

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

Please call me if you have any questions at (561) 584-8300 ext.8521.

Respectfully,

A handwritten signature in blue ink that reads "Nicole".

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

my copy



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-968-8243 • [www.vpsfl.org](http://www.vpsfl.org)

**MARCH 08, 2023**

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

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 **2807 REO LANE in Palm Springs, FL**  
**PCN: 70-43-44-18-00-000-7180**

**This property is in violation of local ordinances.**

**SECTION 10-10 INTERIOR OF STUCTURE.**

Reports of plumbing and sewer problems at the apartments. Flooding of kitchen, bathroom, and living room areas. **Repairs and maintenance are required.** Permits are required for plumbing work to be done, along with inspections made by Village of Palm Springs Code Enforcement.

**PROMPT ATTENTION TO THIS MATTER IS REQUIRED!**

**Compliance Date: MARCH 13, 2023**

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

Respectfully,

A handwritten signature in blue ink that reads "Nicole".

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



# PALM SPRINGS POLICE DEPARTMENT

230 Cypress Lane · Palm Springs, Florida 33461 · Phone 561-968-8243 · [www.vpsfl.org](http://www.vpsfl.org)

**MARCH 29, 2023**

JANET B KIM  
THOMAS W KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018

Dear Property Owner,

This is regarding the property at **2807 REO LANE in Palm Springs, FL.**  
**PCN: 70-43-44-18-00-000-7180**

The plumbing work that has been repaired at the property required a permit and an inspection from the Village of Palm Springs. There is still the matter of repairing damage caused by flooding from the pipes. The water damage and mold issue found in the apartments **DOES NOT** meet the minimum standards of the state building code.

Attached I have included pictures of the water damage and mold I found upon my visit to the property. These conditions are considered unsanitary. It is the responsibility of the owner to correct these conditions. I have also gone ahead and included **Section 10-4** and **Section 10-10** of the Village of Palm Springs Code of Ordinance.

Code Enforcement can meet with you at property to discuss more in depth the violations that require corrections and compliance.

Please reach out to me by **NO LATER THAN APRIL 7, 2023.**

You can reach me at: (561)584-8300 ext. 8521

Or via email at: **NTAMAYO@VPSFL.ORG**

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

Respectfully,

A handwritten signature in blue ink that reads "Nicole".

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

Case No. 2023-15

**Property Detail**

Location Address 2807 REO LN 1  
 Municipality PALM SPRINGS  
 Parcel Control Number 70-43-44-18-00-000-7180  
 Subdivision  
 Official Records Book 27947 Page 1471  
 Sale Date NOV-2015  
 Legal Description 18-44-43, S 95 FT OF N 325 FT OF E 150 FT OF W 641.04 FT OF SW 1/4 OF SW 1/4

**Owner Information****Owners**

KIM JANET B  
 KIM THOMAS W &

**Mailing address**

460 GLENBROOK DR  
 LAKE WORTH FL 33462 1018

**Sales Information**

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner               |
|------------|-----------|---------------|---------------|---------------------|
| NOV-2015   | \$10      | 27947 / 01471 | QUIT CLAIM    | KIM THOMAS W &      |
| JUL-2014   | \$10      | 26937 / 00364 | QUIT CLAIM    | PARKER PROJECTS INC |
| JUL-2014   | \$10      | 26933 / 01285 | QUIT CLAIM    | PARKER PROJECTS INC |
| MAY-2005   | \$300,000 | 18637 / 01152 | WARRANTY DEED | KIM THOMAS W &      |
| JUL-1996   | \$110,000 | 09382 / 00748 | WARRANTY DEED | HOYOS AMELIA &      |
| JAN-1980   | \$86,000  | 03205 / 01749 |               |                     |
| JAN-1977   | \$58,000  | 02710 / 00243 |               |                     |
| JAN-1973   | \$10,000  | 02178 / 01545 | WARRANTY DEED |                     |

**Exemption Information**

No Exemption information available

**Property Information**

Number of Units 3  
 \*Total Square Feet 3128  
 Acres 0.3322  
 Use Code 0800 - MULTIFAMILY < 5 UNITS  
 Zoning RM - RESIDENTIAL MULTI-FAMILY ( 70-PALM SPRINGS )

**Appraisals**

| Tax Year           | 2022      | 2021      | 2020      |
|--------------------|-----------|-----------|-----------|
| Improvement Value  | \$185,865 | \$136,841 | \$168,277 |
| Land Value         | \$207,713 | \$115,293 | \$93,600  |
| Total Market Value | \$393,578 | \$252,134 | \$261,877 |

All values are as of January 1st each year

**Assessed and Taxable Values**

| Tax Year         | 2022      | 2021      | 2020      |
|------------------|-----------|-----------|-----------|
| Assessed Value   | \$277,347 | \$252,134 | \$258,287 |
| Exemption Amount | \$0       | \$0       | \$0       |
| Taxable Value    | \$277,347 | \$252,134 | \$258,287 |

**Taxes**

| Tax Year       | 2022    | 2021    | 2020    |
|----------------|---------|---------|---------|
| Ad Valorem     | \$6,311 | \$5,190 | \$5,389 |
| Non Ad Valorem | \$870   | \$765   | \$762   |
| Total tax      | \$7,181 | \$5,955 | \$6,151 |



**Property Detail**

Location Address 2785 REO LN 1  
 Municipality PALM SPRINGS  
 Parcel Control Number 70-43-44-18-00-000-7840  
 Subdivision  
 Official Records Book 27947  
 Sale Date NOV-2015  
 Legal Description 18-44-43, S 95 FT OF N 230 FT OF E 150 FT OF W 641.04 FT OF SW 1/4 OF SW 1/4

Page 1469

Other property owned By  
 Janet B. Kim & Thomas W. Kim  
 in Palm Springs

**Owner Information****Owners**

KIM JANET B  
 KIM THOMAS W &

**Mailing address**

460 GLENBROOK DR  
 LAKE WORTH FL 33462 1018

**Sales Information**

| Sales Date | Price     | OR Book/Page  | Sale Type     | Owner               |
|------------|-----------|---------------|---------------|---------------------|
| NOV-2015   | \$10      | 27947 / 01469 | QUIT CLAIM    | KIM THOMAS W &      |
| JUL-2014   | \$10      | 26937 / 00362 | QUIT CLAIM    | PARKER PROJECTS INC |
| MAY-2005   | \$10      | 18923 / 01563 | WARRANTY DEED | KIM THOMAS W &      |
| MAY-2005   | \$300,000 | 18637 / 01004 | WARRANTY DEED | KIM THOMAS W &      |
| JUL-1996   | \$110,000 | 09382 / 00628 | WARRANTY DEED |                     |
| JAN-1980   | \$84,000  | 03205 / 01745 |               |                     |
| JAN-1976   | \$60,000  | 02524 / 00690 |               |                     |

**Exemption Information**

No Exemption information available

**Property Information**

Number of Units 3  
 \*Total Square Feet 3128  
 Acres 0.3321  
 Use Code 0800 - MULTIFAMILY < 5 UNITS  
 Zoning RM - RESIDENTIAL MULTI-FAMILY ( 70-PALM SPRINGS )

**Appraisals**

| Tax Year           | 2022      | 2021      | 2020      |
|--------------------|-----------|-----------|-----------|
| Improvement Value  | \$185,903 | \$136,879 | \$168,315 |
| Land Value         | \$207,704 | \$115,288 | \$93,600  |
| Total Market Value | \$393,607 | \$252,167 | \$261,915 |

All values are as of January 1st each year

**Assessed and Taxable Values**

| Tax Year         | 2022      | 2021      | 2020      |
|------------------|-----------|-----------|-----------|
| Assessed Value   | \$277,384 | \$252,167 | \$258,328 |
| Exemption Amount | \$0       | \$0       | \$0       |
| Taxable Value    | \$277,384 | \$252,167 | \$258,328 |

**Taxes**

| Tax Year       | 2022    | 2021    | 2020    |
|----------------|---------|---------|---------|
| Ad Valorem     | \$6,312 | \$5,191 | \$5,390 |
| Non Ad Valorem | \$870   | \$765   | \$762   |
| Total tax      | \$7,182 | \$5,956 | \$6,152 |

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER [www.pbcgov.org/PAPA](http://www.pbcgov.org/PAPA)

\* Has 1 water meter for 2 different parcels  
 Each parcel has 3 units  
 Utilities has this address as 6 units.

 Account Information

**Property Control Number:**

70-43-44-18-00-000-7180

**Mailing Address:**KIM THOMAS W & 460 GLENBROOK DR  
Lake Worth, FL 33462-1018**Owner of Record:**

KIM THOMAS W &amp;

**Property Type:**

Real Property

**Property Address:**2807 REO 1  
PALM SPRINGS, FL 33461**Second Owner:**

KIM JANET B

**Status:** Active**Legal Description:**18-44-43, S 95 FT OF N 325 FT OF E 150 FT  
OF W 641.04 FT OF SW 1/4 OF SW 1/4

Last updated: 4/14/2023 11:01:31 AM

2022 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2023.

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 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: 2023-15**

**VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,**

**JANET B. KIM  
THOMAS W. KIM  
2807 REO LANE  
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:  
JANET B. KIM  
THOMAS W. KIM  
460 GLENBROOK DRIVE  
LAKE WORTH, FL 33462 1018**

**Respondent(s).**

**ORDER FINDING VIOLATION**

**Re: Violation of Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition. Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.**

Address: 2807 REO LANE  
Legal Description: 18-44-43, S 95 FT OF N 325 FT OF E 150 FT OF W 641.04 OF SW 1/4 OF SW 1/4  
PCN: 70-43-44-18-00-000-7180

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

**FINDINGS OF FACT**

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

**CONCLUSIONS OF LAW**

☒ Respondent is in violation of **Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition. Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.**

☐ Respondent was in violation of **Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition. Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code.**

### **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 14, 2023**
- ☐ Administrative costs of \$216.14
  - ☐ 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 14, 2023**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day** 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 14, 2023**.
- ☒ Administrative costs of \$216.14
  - ☐ 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 should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at **(561) 584-8300 ext.8520** to request a reinspection of the property and/or violation(s).



DONE AND ORDERED this 18th day of MAY 2023.

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:

2807 REO LANE  
PALM SPRINGS, FL 33461

VILLAGE OF PALM SPRINGS, FLORIDA  
CODE ENFORCEMENT

CASE NO.: 2023-15

XX AFFIDAVIT OF COMPLIANCE

VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner

vs.

JANET B. KIM  
THOMAS W. KIM  
460 GLENBROOK DRIVE  
LAKE WORTH BEACH, FL 33462 1018  
Respondent

The property at 2807 Reo Lane on the Code Enforcement Notice Of Violation/Notice Of Hearing dated April 06, 2023, in the above-mentioned case, has been re-inspected and, I C.E.O. Nicole Tamayo state that said property is NOW in compliance with, Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition; and Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code and the County Housing Code of the Ordinance Codes of the Village of Palm Springs on the Fourteenth (14th) day of August 2024.

Admin costs have been paid as of 06/15/2023.

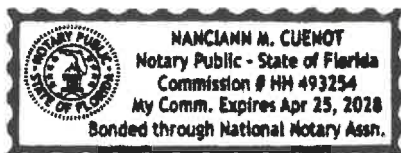
Nicole  
Code Enforcement Officer

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Sworn to, (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 14th day of August, 2024, by, Nicole Tamayo, who is personally known to me or who has produced as identification.

My Commission expires: April 25, 2028

Nanciann M. Cuenot  
NOTARY SIGNATURE



NANCIANN M. CUENOT  
PRINT NAME  
Notary Public, State of Florida  
Commission No.: HH 493254



**VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT SPECIAL MAGISTRATE**

**CASE NO:** 2023-15

**REQUEST FOR REDUCTION OF FINE**

INSTRUCTIONS: Please answer all questions on this form completely. Be specific and use additional pages if necessary. **PRIOR TO SUBMITTING THIS REQUEST, ALL UNPAID CITATIONS AND ADMINISTRATIVE COSTS MUST BE PAID AND PROPERTY MUST BE IN TOTAL COMPLIANCE.** Return this form and the **\$250.00** application fee, to the Village Clerk of the Code Enforcement Special Magistrate. The request will then be presented to the Magistrate at the next regularly scheduled hearing. **The Special Magistrate will not consider your request unless you are present at the hearing.** You will be notified in writing of the Special Magistrate's decision within ten (10) days after the meeting. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a Doctor's statement or proof of income). If you have any questions, please call the Village Clerk's Office (561) 9654010.

Property Owner's Name: Thomas Kim

Property Address: 2807 Reo Ln 1 / 2785 Reo Ln 1

Telephone number where you can be reached during the day: (561)963-9107

Is the property now in compliance: Yes: ☒ No: ☐ (If no, explain in detail)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you requesting an extension of time to make repairs: Yes: ☐ No: ☒

If yes, until what date: \_\_\_\_\_

Date you called The Village of Palm Springs Code Enforcement Division for a re-inspection:

\_\_\_\_\_  
Compliance date specified by Special Magistrate: \_\_\_\_\_

Are you claiming a financial hardship: Yes: ☐ No: ☐

Are you claiming a medical hardship: Yes: ☒ No: ☐

If the property owner is unable to complete this form, list name of person who is authorized to act for the property owner: \_\_\_\_\_

Relationship to property and/or property owner: \_\_\_\_\_

**MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR POSITION.**

I, Thomas Kim, do hereby submit this petition in request for a reduction in the total amount of penalty imposed, or a request for an extension of time to bring the property into compliance, and in support, offer the following statement:

I am 92 years old with severe hearing loss and vision loss with one eye blindness. My beloved wife of sixty years passed away due to a cancer beginning of last year. The loss of my wife has been devastating because she took care of me and all the paperwork that came to our house. I thought all citations were taken care of and I did not know that citation was on-going. I recently found out about the citation and resolved the matter. Please assist reducing the fine for this elderly man, as I truly did not know the citation was still active.

Date:

8/14/24

Signature:



State of:

Florida

County of:

Palm Beach

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF August 2024, BY Kim Thomas WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FL DL AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

Christina Ruizwaddell  
SIGNATURE OF NOTARY PUBLIC

Christina Ruizwaddell  
PRINT NAME OF NOTARY PUBLIC

(OFFICIAL SEAL)





**VILLAGE OF PALM SPRINGS, FLORIDA**

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

**Code Enforcement Officer:** NICOLE TAMAYO

**Date:** AUGUST 15, 2024

**Citation Case No.** 2023-15

**Respondent(s):** JANET B. KIM & THOMAS W. KIM

**Violation Address (Subject Property):** 2807 REO LANE

**BACKGROUND**

On **May 18, 2023**, the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition; and Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code and the County Housing Code. An Order Finding Violation was issued by the Special Magistrate giving the Respondent(s) until **June 14, 2023**, to come into compliance. Failure to do so would result in a \$100.00 per day fine to continuously accrue until the violation is corrected. The fine accumulated for the violations for **426 days for a total fine of \$42,600.00** as of the compliance date of **August 13, 2024**. Administrative fees associated with this case have been paid by the Respondent as of June 15, 2023.

**RECOMMENDATION.**

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

- A. ☒ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of \$8,520.00 within ten (10) days of the date of the Magistrate's Final Order on the Request or on or before **August 26, 2024**. If the reduced fine is not paid within the time specified, the original fine in the amount of \$42,600.00 shall be reinstated.
- B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for a Reduction of Fine.

### **STAFF JUSTIFICATION FOR RECOMMENDATION**

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s). The basis for the Staff's recommendation is set forth as follows: The Owner, Mr. Kim let the lien accrue for a year. Once the lien came up during the sale of another one of Mr. Kim's rental properties, in an unincorporated area near Palm Springs, his realtor, Mr. Kevin Oh initiated contact with Code Enforcement. The unsanitary and unlivable conditions of this case were shown to Mr. Kevin Oh, and direction for coming into compliance was given. Mr. Kevin Oh informed Code he would be assisting Mr. Kim with coming into compliance due to his age and a possible language barrier. Mr. Kevin Oh has kept in constant contact with Code and has been diligently working to bring this case into full compliance. The Village recommends reducing the fine to 20% of the original amount.

Dated: June 07, 2023

By: Nicole Tamayo  
Code Enforcement Officer

VILLAGE OF PALM SPRINGS  
Code Enforcement Magistrate Hearing

Case No. 2023-15



VILLAGE OF PALM SPRINGS, FLORIDA  
Petitioner,

v.

JANET B. KIM  
THOMAS W. KIM  
2807 REO LANE  
PALM SPRINGS, FL 33461

MAILING ADDRESS:  
460 GLENBROOK DRIVE  
LAKE WORTH BEACH, FL 33462 1018

Respondent(s).

PCN: 70-43-44-18-00-000-7180

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**FINE REDUCTION ORDER**

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

1. The above Respondent(s) is/are the owner(s) of the Property Described as: **2807 Reo Lane; Legal Description: 18-44-43, S 95 FT OF N 325 FT OF E 150 FT OF W 641.04 FT OF SW 1/4 OF SW 1/4; PCN: 70-43-44-18-00-000-7180**
2. On **May 18, 2023**, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section 10-10 (A): Interior of structure must be maintained in good repair and in a sanitary condition, and Section 10-4 (A&B): Responsibility of the owner to make sure dwelling meets Standards of the State Building Code, and the County Housing Code, of the Village of Palm Springs Code of Ordinances. The Respondent(s) was given until **JUNE 14, 2023**, within which to comply with the code, failing which a fine of \$100.00 per day was assessed against the Respondent(s). The fines continued for 426 days and totaled \$42,600.00. A lien was recorded on the property with the Palm Beach County Clerk of the Court on August 10, 2023.
3. Administrative costs in the amount of \$216.14 were also levied against the Respondent(s) and have been paid in full.
4. On **AUGUST 13, 2024**, the Respondent(s) complied with the cited violation(s).
5. The Respondent has submitted an application for a fine reduction.

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, fine reduction criteria under Section 162.09(2)(b), Florida Statutes, has been \_\_\_\_\_ or \_\_\_\_\_ has not been established; and

B. \_\_\_\_\_ Respondent is ordered to pay a reduced fine of \$8,520.00 and costs in the amount of \$-0- on or before August 26, 2024. If the reduced fine is not paid within the time specified, the fine shall revert to the original accrued amount, prior to abatement, of \$42,600.00.

DONE AND ORDERED this 15th day of August 2024.

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By: Special Magistrate

Copies Furnished to the Parties by U. S. Mail