



**MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
JULY 18, 2024 AT 10:00 AM**

If a person decides to appeal any decision made by the Magistrate, they will need a record of the proceeding, and 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.

CALL TO ORDER

The Special Magistrate, Keith Davis, called the Code Enforcement Meeting to order at 10:05 a.m.

ROLL CALL

Present: Special Magistrate Keith Davis, Code Enforcement Officer Supervisor Thomas Gehrman, Code Enforcement Officer Henry Stout, Code Enforcement Officer Nicole Tamayo, Code Enforcement Officer Nanciann Cuenot, Code Enforcement Joey Sanders, Village Attorney Ruth A. Holmes, Police Detective Odalys Fequiere, Police Officer Ryan Rowe, Deputy Village Clerk Jane Worth and Records Clerk Andrea Medero.

SWORN IN

Special Magistrate Davis swore in the Code Enforcement Officers and witnesses.

AGENDA CHANGES

There were no changes on the agenda.

MOTION HEARINGS

1. **Case No. 2024-41 - 3921 A Street - Pascal Cadet**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-5: Occupancy Limitations - Reduce the amount of unrelated occupants living inside the residence.

Section 14-32: No Residential Rental Permit - Obtain rental permits for each rented room.

Section 10-31 (FBC 105.1 & 110.1): Work w/o Permits - Obtain an after-the-fact permit for the installation of pavers, windows, and doors.

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

Section 34-221: Landscape Maintenance - Replace all sections of dead grass.

Section 30-143: Remove all trash/debris/rubbish/materials located in the front of the property.

Section 34-1381: Open Storage - Remove all miscellaneous items stored in the front of the property.

Section 10-9: Exterior Property Maintenance - Repair/replace broken garage door, clean/repair broken mailbox, and post "3921" house ID numbers and "3921" on the front of the property.

Citation Fine: N/A

Admin Cost: \$276.75

Recommendation: \$100.00 per day, per violation

Compliance Date: August 1, 2024

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3921 A Street. Mr. Sanders added that some of the violations mentioned were complied with.

Detective Fequierre from the Criminal Division of the Palm Springs Police Department testified that on May 20, 2024, she responded to a report of sexual assault and domestic rape. Upon entering the home with the tenants' permission, she found approximately nine people inside the apartment who claimed to live there.

The property owner, Pascal Cadet, was present to testify. Mr. Cadet stated that six people live on the property.

Special Magistrate Davis found that the defendant had complied with Section 30-141, Section 34-221, Section 30-143, Section 34-1381 and Section 10-9. However, the property remains in violation of Section 10-5, which must be corrected by August 01, 2024. Section 14-32 and Section 10-31 must be corrected by September 19, 2024. If compliance is not achieved by the mentioned dates, the Village's recommendation is to issue a daily fine of \$100.00 per day per violation until compliance is achieved and accepted. Special Magistrate Davis assessed administrative costs of \$276.75 to be paid before August 1, 2024.

2. **Case No. 2024-42 - 3750 43rd Drive South - Abel Oria**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Work without Permits - Obtain an after-the-fact permit for the installation of the fence.

Section 14-32: No Residential Rental Permit - Obtain rental permits for each unit.

Section 34-225: Fence Maintenance - Repair or remove all broken sections of the fence.

Section 34-914: Parking - Remove all vehicles parked on the grass.

Section 10-9: Exterior Property Maintenance - Paint all raw sections of fascia (right side).

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

Section 30-142: Landscape Maintenance - Trim all overgrown trees/vegetation encroaching over the property line (rear).

Section 10-8: Driveway Maintenance - Driveway needs to be pressure washed.

Section 30-143: Trash/Debris - Remove all trash/debris (front).

Citation Fine: N/A

Admin Cost: \$375.75

Recommendation: \$100.00 per day, per violation

Compliance Date: August 1, 2024

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3750 43rd Drive South.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had complied with Section 14-32, Section 34-914, Section 10-9, Section 30-142, Section 10-8, and Section 30-143. However, the property remains in violation of Section 10-31, Section 34-225, and Section 30-141, which must be corrected by August 01, 2024. If compliance is not achieved by August 01, 2024, the Village's recommendation of a daily fine of \$100.00 per day per violation until compliance is achieved is accepted. Special Magistrate Davis assessed administrative costs of \$375.75, to be paid by August 01, 2024.

3. **Case No. 2024-45 - 3584 Corrigan Court - Bradley Lewis**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

Section 34-225: Fence Maintenance - Repair the broken section of the fence (left side) and remove a small fence (right side).

Section 30-141: Overgrowth - Mow the grass and remove trees obstructing the front door.

Section 34-221: Landscape Maintenance - Replace all sections of dead grass.

Section 30-143: Trash/Debris/Materials - Remove all trash/debris/materials stored in the front of the property.

Section 34-1381: Open Storage - Remove all miscellaneous items stored in the front of the property.

Section 10-9: Exterior Property Maintenance - Remove all metal shutters and wood boards covering the windows - post "3584" house ID numbers on the mailbox.

Citation Fine:	N/A
Admin Cost:	\$235.75
Recommendation:	\$100.00 per day, per violation
Compliance Date:	August 1, 2024

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3584 Corrigan Court.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had violated Sections 34-914, Section 34-225, Section 30-141, Section 30-221, Section 30-143, Section 34-1381, and Section 10-9, which must be corrected no later than August 01, 2024. If compliance is not achieved by August 01, 2024, the Village's recommendation of a daily fine of \$100.00 per day per violation until compliance is achieved is accepted. Special Magistrate Davis assessed administrative costs of \$235.75, to be paid by August 01, 2024.

4. **CIT Case 2024-43 - 3035 Floweva Street - L & R Investments Group LLC**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-28: No required reasonable accommodation approval on file.

Section 34-765: Prohibited use of residential.

Section 10-5: Occupancy limitations, over three unrelated adults.

Citation Fine:	N/A
Admin Cost:	\$201.08
Recommendation:	\$100.00 per day, per violation
Compliance Date:	August 18, 2024

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3035 Floweva Street.

Officer Ryan Rowe from the Palm Springs Police Department testified that two roommates were involved in a confrontation on the day of the incident. When the officers entered the property, they observed at least three bedrooms and approximately four to five people living there.

Rick Katenger, from L & R Investment Group LLC, was present. Mr. Katenger stated that his house has four bedrooms and currently has three occupants. Special

Magistrate Davis found that the defendant had complied with Section 10-28, and Section 34-765. However, the property remains in violation of Section 10-5, which must be corrected by August 18, 2024. If compliance is not achieved by August 18, 2024, the Village's recommendation of a daily fine of \$100.00 per day until compliance is achieved is accepted. Special Magistrate Davis assessed administrative costs of \$201.08 to be paid before August 18, 2024.

5. **CIT Case 2024-44 - 1856 Emilio Lane - Alejandrina Navarro**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Gazebo-Pergola, no required issued permits.

Section 10-31 (FBC 110.1): No required building inspections.

Citation Fine: N/A

Admin Cost: TBD

Recommendation: \$100.00 per day, per violation

Compliance Date: August 18, 2024

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 1856 Emilio Lane.

The property owner, Alejandrina Navarro, was present with Mirian Segundo, who translated and assisted Ms. Navarro with the permit process. Ms. Navarro requested a two-month extension to obtain the permits.

Special Magistrate Davis found that the defendant had violated Sections 10-31 (FBC 105.1), and Section 10-31 (FBC 110.1), which must be corrected no later than September 19, 2024. If compliance is not achieved by September 19, 2024, the Village's recommendation of a daily fine of \$100.00 per day per violation until compliance is achieved is accepted. Special Magistrate Davis assessed administrative costs of \$229.75, to be paid by September 19, 2024.

6. **Case No. 2024-48 - 309 Henthorne Drive - Rodelci Santos Leon**
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Work without permit.

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

Citation Fine: N/A

Admin Cost: \$160.75

Recommendation: \$100.00 Per Day, Per Violation

Compliance Date: August 18, 2024

Code Enforcement Officer Mr. Stout testified about the violations cited at 309 Henthorne Drive.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had violated Sections 10-31 (FBC 105.1) and Section 10-31 (FBC 110.1), which must be corrected no later than August 18, 2024. If compliance is not achieved by August 18, 2024, the Village's recommendation of a daily fine of \$100.00 per day per violation until compliance is achieved is accepted. Special Magistrate Davis assessed administrative costs of \$160.75, to be paid by August 18, 2024.

PETITION FOR REDUCTION OR ABATEMENT OF FINE

7. 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:	June 18, 2024
Fine Amount:	\$68,450.00
Citation Fine:	Paid
Admin Cost:	Paid
Recommendation:	\$13,690.00
Compliance Date:	August 14, 2024

Code Enforcement Ms. Cuenot informed Special Magistrate Davis that Cases 2020-2442 and 2022-43 will be continued to next month's hearing due to non-compliance. The property owner, Gloria Beshara, was present at the meeting. Ms. Beshara stated that she is doing her best to get everything resolved.

Special Magistrate Davis reviewed the cases and decided to continue Case 2020-2442 and Case 2022-43 until August 15, 2024. The request for a fine reduction was denied as the property is still not in compliance.

8. 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:	June 18, 2024
Fine Amount:	\$57,400.00
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	\$11,480.00
Compliance Date:	August 14, 2024

Code Enforcement, Ms. Cuenot informed Special Magistrate Davis that Cases 2020-2442 and 2022-43 will be continued to next month's hearing due to non-compliance.

The property owner, Gloria Beshara, was present at the meeting. Ms. Beshara stated that she is doing her best to resolve everything.

Special Magistrate Davis reviewed the cases and decided to continue Cases 2020-2442 and 2022-43 until August 15, 2024. The request for a fine reduction was denied as the property is still not in compliance.

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

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

Initial Violation:	February 5, 2024
Order Finding Violation:	February 15, 2024
Compliance Deadline:	April 1, 2024
Compliance Date:	Not In Compliance
Fine Amount:	N/A
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	Extend 60 days
Compliance Date:	September 1, 2024

July 18, 2024, Special Magistrate Meeting Minutes

Code Enforcement Officer Ms. Tamayo testified about the violations cited at 316 Alameda Drive.

There was no representation from the owner.

Special Magistrate Davis granted the extension of time.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 11:22 a.m.

**Next Magistrate Hearing is
Thursday, August 15, 2024,
at 10:00 a.m. in the Village Council Chambers**

The undersigned is the Records Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Special Magistrate Meeting held on July 18, 2024.

Respectfully,

Andrea Medero

Records Clerk

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

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

II. Persons with Disabilities:

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

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

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

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8421

III. Complaint Procedures:

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

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8422