



**MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
SEPTEMBER 19, 2024
10:00 AM**

If a person decides to appeal any decision made by the Magistrate, they will need a record of the proceeding, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

The Special Magistrate, Keith Davis, called the Code Enforcement Meeting to order at 10:00 a.m.

ROLL CALL

Present: Special Magistrate Keith Davis, Code Enforcement Officer Supervisor Thomas Gehrman, Code Enforcement Officer Henry Stout, Code Enforcement Officer Nichole Tamayo, Code Enforcement Officer Nanciann Cuenot, Code Enforcement Joey Sanders, Attorney Ruth A. Holmes, Deputy Village Clerk Jane Worth.

SWORN IN

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

AGENDA CHANGES

Staff requested that items #3, #4, and #5 be continued to the October 17, 2024 Special Magistrate Hearing. Code Enforcement Officer Supervisor Thomas Gehrman informed that items #6, #8, and #9 were in compliance.

AGENDA CHANGES

MOTION HEARINGS

1. **Case No. 2024-51 - 3706 Almar Road - Harry Maxime**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Windows and doors installed without a permit.

Section 34-913: Commercial vehicles. Remove all prohibited bucket trucks

from the property.

Section 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles from the property.

Section 14-32: No residential rental permit. Obtain a rental permit for each unit.

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

Section 30-143: Trash/Debris/Materials. Remove all trash/debris/materials from the property.

Section 34-1381: Open storage. Remove all miscellaneous. Items stored around the property.

Section 10-8: Walkways. Remove all black discoloration from the walkways.

Section 10-9: Exterior property maintenance. Post "3706" house ID numbers on the front of the property. Label each unit's front door with house ID numbers. Repair cracked ceiling. Repair and paint damaged fascia. Replace missing light bulbs. Paint the exterior of the property.

Citation Fine: N/A

Admin Cost: \$276.60

Recommendation: \$100.00 per day, per violation

Compliance Date: October 1, 2024

Mr. Sanders, the Code Enforcement Officer, testified about violations at 3706 Almar Road. The property owner did not attend the hearing.

Special Magistrate Davis found the owner violated several codes: Section 10-31 (1.1 & 110.1), Section 34-913, Section 34-914, Section 14-32, Section 31-141, Section 30-143, Section 34-1381, Section 10-8, and Section 10-9. The owner must fix these issues by October 1, 2024.

If the owner does not comply by this date, the Village will impose a fine of \$100.00 per day for each violation until compliance is achieved. Magistrate Davis also ordered that the owner pay \$276.60 in administrative costs by October 1, 2024.

2. **Case No. 2024-52 - 3823 Kenyon Road - Rafael Alcocer**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-8: Driveways. Driveway was observed in disrepair and needs to be resurfaced.

Section 34-914: Vehicles/Parking. Remove the trailer parked on the grass.

Section 14-32: No residential rental permit. Obtain a rental permit for each unit.

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

Section 30-143: Trash/Debris/Materials. Remove all trash/debris/materials

stored around the property.

Citation Fine:	N/A
Admin Cost:	\$336.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	October 1, 2024

Code Enforcement Officer Mr. Sanders testified about violations at 3823 Kenyon Road. The property owner, Rafael Alcocer, was not there. His son, Jerry Alcocer, represented him. Mr. Alcocer appreciated the Village for giving them time to address the issues.

Special Magistrate Davis found that the defendant had followed Section 34-914. However, the property still violates Section 10-8, Section 14-32, Section 34-225, and Section 30-143. These issues must be fixed by November 15, 2024. If they are not fixed by that date, the Village will impose a daily fine of \$100.00 for each violation until compliance is met. Special Magistrate Davis also ordered that administrative costs of \$336.60 be paid by November 1, 2024..

3. **CIT Case 2024-55 - 2600 Donald Road - William S. Thomas Jr. & Violet O. Zanutti Est.**

CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 34-914: Parking inoperable vehicles in disrepair and no visible registration tags.

Section 30-143: Public nuisance, debris & overgrowth visible on the property.

Section 10-9: Exterior of the structure/building must be maintained in good repair, including cleaning & painting.

Section 14-32: No required current rental permits for rental units.

Citation Fine:	N/A
Admin Cost:	\$230.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	October 16, 2024

Special Magistrate requested that this case be continued to the October 17, 2024, hearing.

4. **Case No. 2024-53 - 801 Rich Drive A - Jerjo Holdings LLC**

CE Officer Nicole Tamayo

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Permits. Traffic-calming devices are installed without approved permits from the Village.

Section 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.

Citation Fine: N/A
Admin Cost: \$196.60
Recommendation: \$100.00 per day, per violation
Compliance Date: September 30, 2024

Special Magistrate requested that this case be continued to the October 17, 2024, hearing.

5. **Case No. 2024-54 - 801 Rich Drive B - Jerjo Holdings LLC**
CE Officer Nicole Tamayo

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Permits. Traffic-calming devices are installed without approved permits from the Village.

Section 10-31 (FBC 110.1): Inspections. No required inspections of traffic-calming devices from the Village.

Citation Fine: N/A
Admin Cost: \$196.60
Recommendation: \$100.00 per day, per violation
Compliance Date: September 30, 2024

Special Magistrate requested that this case be continued to the October 17, 2024, hearing.

6. **CIT Case No. 2024-2791 - 3959 Lake Worth Road - Bella Raza Inc**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-898: Mobile food dispensing vehicles and mobile vendors remain on the property overnight. No primary businesses are open.

Citation Fine: Paid
Admin Cost: TBD
Recommendation: Citation fine of \$100.00 + \$30 = \$130
Compliance Date: September 20, 2024

Code Enforcement Officer Supervisor Mr. Gehrman let the Special Magistrate know that this case was in compliance.

7. **Case No. 2024-60 - 3116 Evans Drive - Henry Fernandez & Hanny V. Garcia Chavez**
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 34-914: No parking of vehicles on property grass (front lawn) may use swale (repeat, previous citation forgiven).

Citation Fine:	N/A
Admin Cost:	\$160.75
Recommendation:	\$100 per day, per violation
Compliance Date:	October 3, 2024

Code Enforcement Officer Mr. Stout testified regarding the violations cited at 3116 Evans Drive. The property owner, Henry Fernandez, was present and affirmed his commitment to promptly address all outstanding issues.

Special Magistrate Davis determined that the defendant had violated Section 34-914, which must be rectified by September 20, 2024. If compliance is not achieved by this date, the Village's recommendation of a daily fine of \$100.00 per violation will be enforced until compliance is reached. Additionally, Special Magistrate Davis assessed administrative costs of \$160.75, which must be paid before September 29, 2024.

PETITION FOR REDUCTION OR ABATEMENT OF FINE

8. **CIT Case No. 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:	October 17, 2024

Code Enforcement Officer Supervisor Mr. Gehrman let the Special Magistrate know that this case was in compliance. Special Magistrate Davis withdrew the case.

9. **Case No. 2024-43 - 2887 Lake Worth Road - IS & RG LLC**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 10-8: Exterior property areas must be maintained in a clean, safe, and sanitary condition.

September 19, 2024, Special Magistrate Meeting Minutes

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:	October 17, 2024

Special Magistrate Davis withdrew the case.

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

10. **CIT Case No. 2024-30 - 3218 Frost Road - Herman J. Doorlag**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 30-143: Public nuisance, trash, debris & overgrowth visible.

Section 10-9: Building exterior (main residence) not maintained, needs repairs, cleaning & painting.

Section 10-8: Accessory areas & buildings (shed & fence) are not maintained.

Section 30-141: Overgrown grass, hedges, vegetation.

Section 34-1381: Outdoor storage visible to neighbors.

Section 6-3: Keeping fowl on the premises, chickens, roosters prohibited.

Initial Violation:	April 23, 2024
Order Finding Violation:	May 16, 2024
Compliance Deadline:	August 15, 2024
Compliance Date:	Not in Compliance
Fine Amount:	N/A
Citation Fine:	N/A
Admin Cost:	\$196.08 Not Paid
Recommendation:	Extend to November 21, 2024
Compliance Date:	November 21, 2024

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3218 Frost Road. The property owner, Herman J. Doorlag, was present. Special Magistrate Davis granted the extension of time.

11. **CIT Case 2024-44 -1856 Emilio Lane - Alejandrino Navarro**

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Gazebo/Pergola: No required permit issued.

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

Initial Violation:	July 7, 2024
Order Finding Violation:	July 18, 2024
Compliance Deadline:	May 10, 2016
Compliance Date:	September 19, 2024
Fine Amount:	N/A
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	Extend 30 Days
Compliance Date:	October 19, 2024

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 1856 Emilio Lane. There was no representation from the owner.
Special Magistrate Davis, granted the extension.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 10:48 a.m.

**Next Magistrate Hearing is
Thursday, October 17, 2024 at 10:00 A.M.**

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 September 19, 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. 8419

III. Complaint Procedures:

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

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