



**AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
NOVEMBER 21, 2024
10:00 AM**

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

AGENDA CHANGES

MOTION HEARINGS

1. Case No. 2024-68 - 3625 Davis Road - Carlos & Caridad Fernandez
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section 14-32: No residential rental permit. Obtain a rental permit for each unit.
Section 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.
Section 30-143: Trash/Debris/Materials. Remove all trash/debris/materials off the property.
Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.
Section 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.
Section 34-225: Fence maintenance. Repair or remove all broken fences.
Section 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.
Citation Fine: N/A
Admin Cost: \$356.60
Recommendation: \$100.00 per day, per violation
Compliance Date: December 01, 2024

2. Case No. 2024-69 - 3629 Davis Road - Carlos & Caridad Fernandez
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

Section 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.

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

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

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

Section 34-225: Fence maintenance. Repair or remove all broken fences.

Section 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.

Citation Fine:	N/A
Admin Cost:	\$356.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	December 01, 2024

3. Case No. 2024-72 - 3650 Almar Road - Tzonka Hristov
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

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

Section 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.

Section 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.

Section 46-3: Graffiti. Remove all graffiti off the exterior walls.

Section 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

Section 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.

Section 34-914: Vehicles. Remove the open trailer off the property.

Section 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.

Section 34-893: Canopies. Remove all prohibited canopies off the property.

Section 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on

the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.

Citation Fine: N/A
Admin Cost: \$336.60
Recommendation: \$100.00 per day, per violation
Compliance Date: December 01, 2024

4. Case No. 2024-73 - 3620 Almar Road - Dimiter B. Hristov
CE Officer Joey Sanders.

Violation of Village Code of Ordinances

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

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

Section 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.

Section 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.

Section 46-3: Graffiti. Remove all graffiti off the exterior walls.

Section 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

Section 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.

Section 34-914: Vehicles. Remove the open trailer off the property.

Section 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.

Section 34-893: Canopies. Remove all prohibited canopies off the property.

Section 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3620" house ID numbers on the front of the property.

Citation Fine: N/A
Admin Cost: \$336.60
Recommendation: \$100.00 per day, per violation
Compliance Date: December 01, 2024

5. 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 violation. Inoperable vehicles are in disrepair, no major repairs are allowed, and registration tags are missing.

Section 30-143: Public nuisance. Debris and items stored outside are visible to neighbors.

Citation Fine: N/A
Admin Cost: \$230.60
Recommendation: \$100.00 per day, per violation
Compliance Date: December 18, 2024

6. Case 2024-67 - 4455 South Congress Avenue (Units 107 & 109) - Congress Pointe Inc.

CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 14-61: Hours of operation of establishments served.

Citation Fine: N/A
Admin Cost: \$361.76
Recommendation: \$5,000.00 per day, per violation (6 violations, irreparable) = \$30,000.00 fines owed
Compliance Date: November 22, 2024

7. Case No. 2024-71 - 3595 2nd Avenue North - 3595 Second Avenue Holdings LLC

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 70-94: Application. Local business tax receipt required for a new business and accompanied by payment of the appropriate fee. It is unlawful to engage in any business without a business tax receipt.

Section 70-124: Use and occupancy certificates and inspections required and enforcement. It is unlawful for any business to engage in or conduct business at a given location or premises without a use and occupancy inspection and certificate.

Section 70-125: Application for use and occupancy certificate for new businesses, inspection, and fees. The owner/applicant is required to file an application with the Village before engaging in or carrying on any business.

Section 34-823: Accessory uses. No outdoor storage is permitted in the Commercial General zoning district. Remove all spools of cable and other related materials stored outside.

Citation Fine: N/A
Admin Cost: \$405.45
Recommendation: \$75.00 per day, per violation
Compliance Date: Varies - see timeline in Order Finding Violation

PETITION FOR REDUCTION OR ABATEMENT OF FINE

8. Case No. 2018-2364 - 3133 Lake Worth Road - EMJO 66 Inc.

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-262: Prohibited signs.

Section 34-916: Parking on commercial property.

Initial Violation: July 19, 2018

Order Finding Violation:	August 16, 2018
Compliance Deadline:	August 27, 2018
Compliance Date:	December 9, 2016
Fine Amount:	\$10,000.00
Citation Fine:	Paid
Admin Cost:	Paid
Recommendation:	\$2,000.00
Compliance Date:	December 21, 2024

9. Case No. 2022-58 - 3133 Lake Worth Road - EMJO 66 Inc.
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 30-143: Public nuisance. Trash and debris.

Section 34-916: Parking commercial vehicles

Initial Violation:	December 27, 2022
Order Finding Violation:	January 19, 2023
Compliance Deadline:	February 15, 2023
Compliance Date:	Section 30-143 - September 24, 2024, and Section 34-916 - October 28, 2024
Fine Amount:	\$120,700.00
Citation Fine:	Paid
Admin Cost:	Paid
Recommendation:	\$24,140.00
Compliance Date:	December 21, 2024

Next Magistrate Hearing is
Thursday, December 19, 2024, at 10:00 A.M at 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
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

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

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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-68

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Respondent(s).

70-43-44-19-11-004-0091

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 **October 15th, 2024**, the Respondent(s), **Carlos & Caridad Fernandez** owner(s) of the property at **3625 Davis RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.

SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.

These violations must be corrected on or before **November 19th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY November 21st, 2024.** IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

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

Code Enforcement Officer 561-584-8300 ext. 8525

Joey Sanders
Printed Name of Officer

Date Issued: October 15th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-68

RETURN OF SERVICE

**CARLOS & CARIDAD FERNANDEZ
3557 GULFSTREAM RD
PALM SPRINGS, FL 33461 3521**
_____ /

Respondent

On the **15th Day of October 2024 at 11:57AM**, I served the attached NOV/NOH on the within named Respondent, **Carlos & Caridad Fernandez** at **3625 Davis RD**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

_____ **SUBSTITUTE SERVICE:** By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: _____ and informing such person of their contents pursuant to F.S. 48.031.

_____ **XX** **POSTED BY:** Securely affixing a copy to a conspicuous place on the property described within. **PHOTO INCLUDED**

**VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY**

By: Joey Sanders
Code Enforcement Officer

3625

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NOTICE OF VIOLATION AND NOTICE OF HEARING

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2. *Explain the difference between the two types of sampling methods. Give an example of each type of sampling method. How do you think the two types of sampling methods will affect the results of the study? Give an example of each type of sampling method.*



PALM SPRINGS POLICE DEPARTMENT

October 1994, 2014
 Taylor & Francis Group
 4015 Chestnut Drive
 Philadelphia, PA 19104
 Phone: (215) 625-8900
 Fax: (215) 625-2240
 Web: www.tandf.co.uk
 Taylor & Francis Group
 4015 Chestnut Drive
 Philadelphia, PA 19104
 Phone: (215) 625-8900
 Fax: (215) 625-2240
 Web: www.tandf.co.uk

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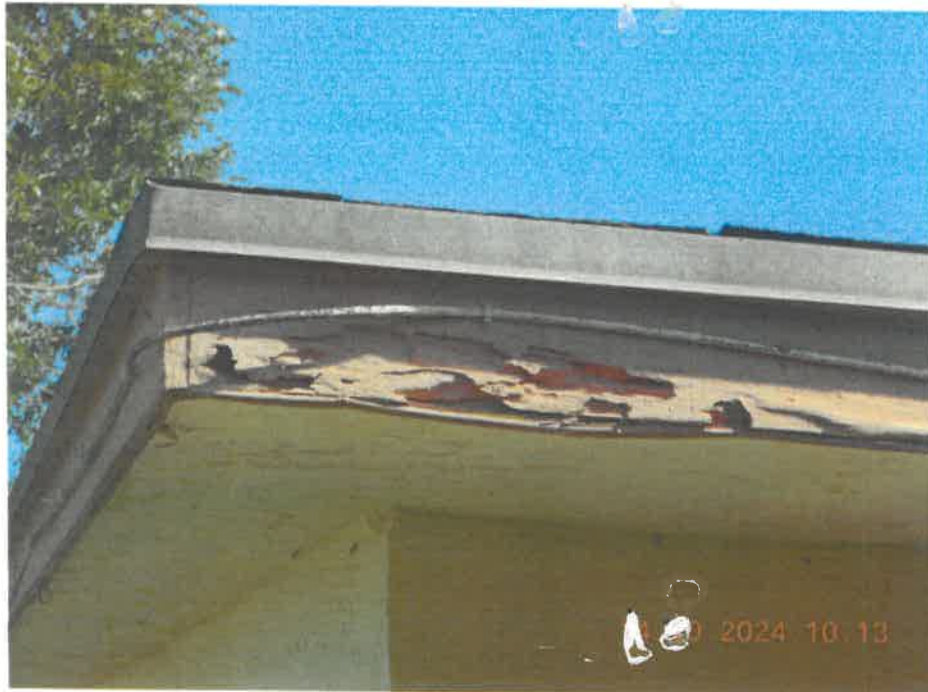
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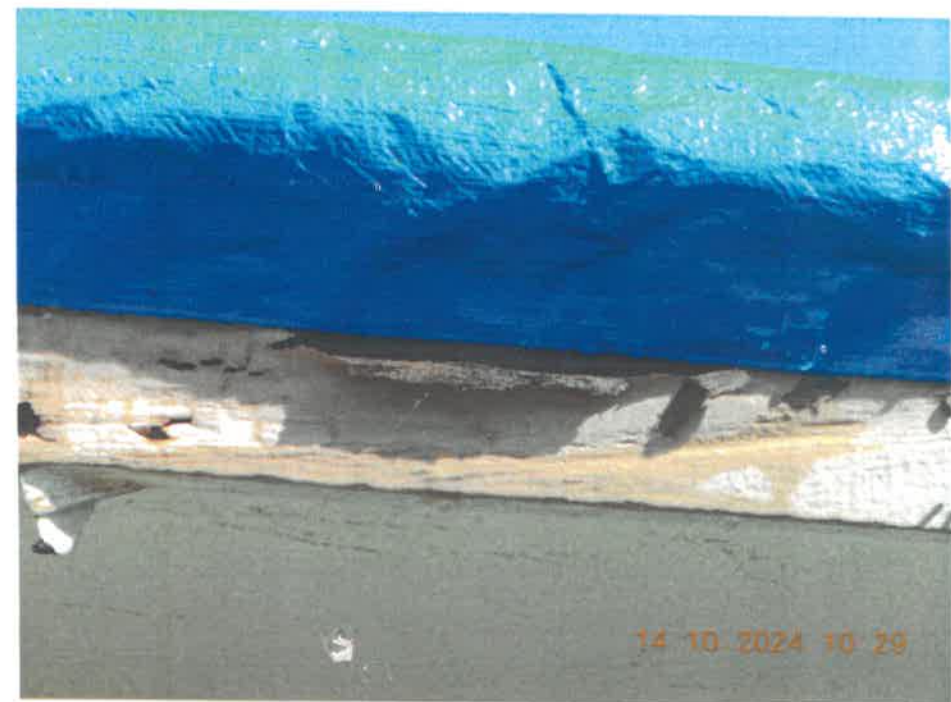
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*Please call me or
email me.*

Officer Joey Sanders
Code Enforcement



Very Important.

Palm Springs Police Department

230 Cypress Lane
Palm Springs, FL 33461
www.vpsfl.org

Cell: (561) 801-9290
(561) 584-8300, ext. 8525
jsanders@vpsfl.org

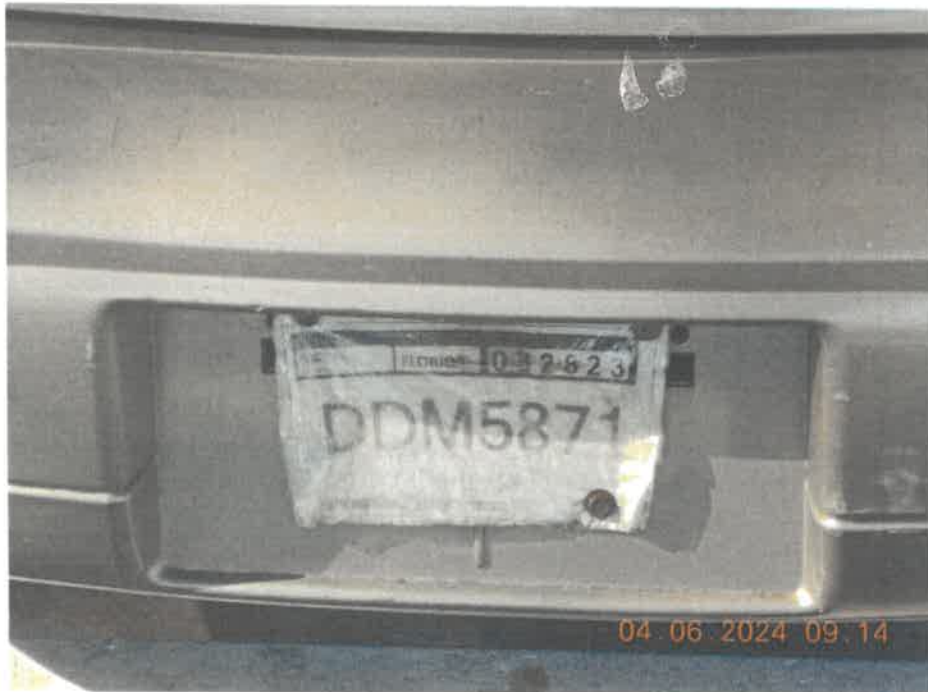
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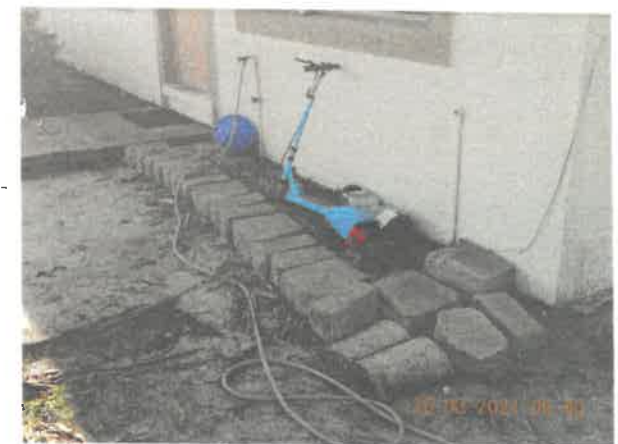
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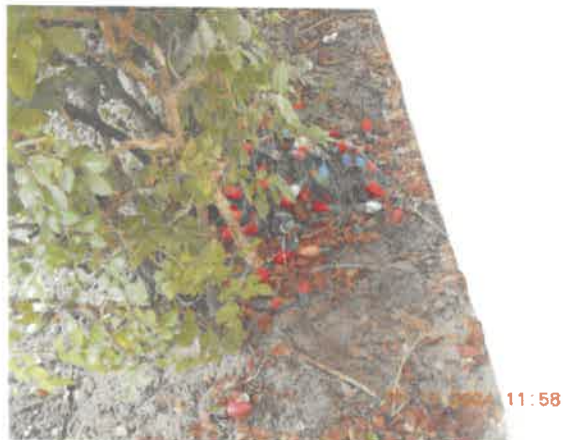
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PALM SPRINGS POLICE DEPARTMEN
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461

CERTIFIED MAIL®



9589 0710 5270 1045 6817 25



quadjent
FIRST-CLASS MAIL
IMI
\$008.16⁰
10/14/2024 ZIP 33480
043M31255277

US POSTAGE

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461



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



quadjent
FIRST-CLASS MAIL
IMI
\$000.69⁰
10/14/2024 ZIP 33480
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US POSTAGE

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

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PALM SPRINGS POLICE DEPARTMENT

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

October 15th, 2024

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3625 Davis RD in Palm Springs, FL.**
PCN: 70-43-44-19-11-004-0091

VIOLATION/HEARING CASE 2024-68

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.
SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
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SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.
SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.

The options available include coming into voluntary compliance on or before **November 19th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday November 21st, 2024 at 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

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

Respectfully,

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

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 residential¹ and six inches for commercial structure, and of sufficient size to be plainly visible and legible from the roadway. When the building utilizes multiple addresses, such as multiple occupant mercantile buildings, the address range shall be posted as indicated above. Signs shall be plainly visible from the street or right-of-way providing access to the lot and shall be installed and maintained pursuant to the county building security code. This requirement shall apply to all new and existing structures.
- (d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- (e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.
- (f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- (g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.
- (h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (j)

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

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

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

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

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

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

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

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

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

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

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

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

(3)

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

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

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

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

Sec. 14-32. - Regulatory fee; application.

- (a) *Establishment of permit fee.* There is hereby established a regulatory fee of \$50.00 per year for the issuance of a business permit, payable in advance, for all persons or entities, engaged in a business, occupation, or profession within the village, unless exempted from same by the terms of this article, or as otherwise provided by law. Such fee shall be due and payable on or before October 1 of each year, and the fee shall be prorated to \$25.00 for those persons making an initial application on or after April 1 of the year in which first made.
- (b) *Permit application.* The business permit provided herein shall be issued upon the payment of the application fee and approval of the application by the village. The applicant must complete an application form provided by the village, which shall require at a minimum, the provision of valid information concerning the nature of the business to be operated, the business experience, qualifications, and competence of the employees and the individuals operating the business, number of employees of the business, the licenses, certifications and registrations held by the business operators, insurance coverage(s) maintained by the business, the criminal history of the business operators and employees, and the applicant's agreement not to engage in criminal activity. The applicant shall furnish the village with a copy of all occupational licenses held by the business with the completed application form.
- (c) *Multiple permits required for residential rental units.* Persons and/or entities engaged in the rental of dwellings for residential use, specifically including mobile homes and trailers, shall be required to obtain a separate business permit for each and every dwelling rented, regardless of whether the dwelling is for single or multi-family occupancy, or is located on the same or adjacent

lot or parcel of real property. For purposes of this section, a business permit shall not be required for the rental of dwelling units in a motel, hotel, boardinghouse, or a commercial apartment complex, for which an occupational license is required by this code.

(Code 1994, § 14-67; Ord. No. 2006-10, § 2, 2-23-2006)

State Law reference— Regulatory fees authorized, F.S. § 166.221.

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

- (a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.
- (b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.
- (c) *Removal by village.* Upon the failure, neglect or refusal of any owner or agent notified pursuant to subsection (b) of this section to remove and eliminate the conditions described in subsection (a) of this section within the time limit stated in the notice, the village manager is authorized, upon approval by the village council, to contract and pay for such maintenance and bill the property owner or his agent. The charges for such services shall be a lien against the property on which the nuisance is located.

(Code 1994, § 26-86)

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

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

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

(Code 1994, § 30-150)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster") within any zoning district in the village, is subject to the following regulations:
 - (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
 - (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the

event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.

- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
 - (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:
- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
 - a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
 - (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.

- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
- (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
- (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
- (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

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

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

- (a) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air or water pollution, smoke or dust, uncontrolled or uncontained solid, liquid, or airborne waste or debris, or which involves unusual accumulation of stored materials not immediately and directly required for the normal operation of the permitted use present on the property.
- (b) No materials may be stored in an outside area visible from any adjacent or nearby street or property in any residential district. No inoperative wheeled vehicle may be stored for more than five days on any parcel in a residential district, except when stored in a completely enclosed structure.

(Code 1994, § 30-956)

Sec. 62-73. - Multifamily storage areas.

Recyclable material collection and storage areas shall be provided on the site of all multifamily developments that include ten or more dwelling units in accordance with the following standards, except that multifamily developments that receive curbside recyclable materials collection service on at least a weekly basis shall be exempt from the standards of this section:

- (1) *Location.* Recyclable material collection and storage areas shall be located within the building containing the multifamily dwelling units or within an accessory building, such as a parking structure, or within or adjacent to the disposable material dumpster area used by residents of the multifamily development.
- (2) *Access.* Access to such recyclable material collection and storage areas shall be designed so as not to require unnecessary turning or backing movements by pickup and removal vehicles.
- (3) *Setback.* The minimum setback for recyclable material collection and storage areas that are located on the exterior of buildings shall be 25 feet from residential districts or properties.
- (4) *Screenings.* All recyclable material collection and storage areas that are located on the exterior of buildings shall be screened on at least three sides by a solid opaque enclosure constructed of landscape or a block and stucco or decorative block wall consistent with the architectural character of the principal buildings. All block and stucco, and decorative block walls shall be landscaped with a hedge of shrubs spaced a maximum of 24 inches apart and 24 inches high immediately upon planting. The fourth side, if not screened, must not be visible to public view. If visible to public view, the fourth side must be accessible by an opaque gate. Sufficiency of access shall meet the reasonable dimension requirements established by the village and the collection firm. All screening shall be a minimum of six feet high upon installation. All construction shall be in conformity with the current edition of the Standard Building Code and a permit must be obtained from the building department prior to such construction.
- (5) *Standards.* The following minimum recyclable material storage area standards shall apply to multifamily developments:

Number of Dwelling Units	Minimum Storage (Floor) Area (square feet)
10—30	40
31—99	100
100—159	160
160—240	240
Over 240	240, plus one square foot per dwelling unit for each dwelling unit over 240 units

- (6) *Alternative plans.* Applicants shall be entitled to demonstrate that recyclable material storage space needs can be more effectively met through an alternative recyclable materials collection and storage plan. An alternative recyclable materials collection and storage plan shall be reviewed by the village and the solid waste authority, and, if approved, shall be substituted for a recyclable materials storage and collection plan meeting the express storage area standards of this section.
- (7) *Plan review and approval.* Recyclable material storage and collection area plans shall be reviewed by the village. Information necessary to evaluate proposed plans for compliance with the standards of this section shall be shown on and submitted with the site plan.

(Code 1994, § 50-22)

CASE PRESENTATION

CASE No. CASE 2024-68

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

2. Case #2024-68 is concerning the property located at 3625 Davis RD within the Village of Palm Springs.

3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is Carlos & Caridad Fernandez.

4. Pursuant to observation there are violations of the following local ordinances:
SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.
SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 34-914: Vehicles-Remove all inoperative and/or unregistered vehicles off the property.
SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.
SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.

Photos are included in the file.

5. On 09/23/2023, I inspected the property and observed multiple code violations to include several inoperative/unregistered vehicles and a large quantity of trash, debris, materials and misc. items stored around the property. I issued a code courtesy violation notice and posted it at the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owner a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 05/19/2024 with a compliance date of 06/02/2024.

It should be noted that on 01/22/2024 the property owner's son/granddaughter and I walked the property together and I pointed out all of the existing code violations that needed to be corrected. I attempted to follow up with the property owner's son and granddaughter on numerous occasions via telephone but they have not returned any of my phone calls. On 07/02/2024, I made one last final good faith effort to make contact with the property owner by posting my business card on the front gate of the property owner's homesteaded property, which is located nearby within the Village of Palm Springs. As of this writing, all of my efforts to reach the property owner were unsuccessful and I have received no response from the property owner's son or granddaughter as of 03/2024.

6. On October 15th, 2024, Notice of Violation/ Notice of Hearing 2024-68 was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

CASE No. _____

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

8. The Village has also incurred costs in the amount of **\$356.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **December 1st, 2024**.

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



Case Administrative / Court Costs

November 21, 2024, 3625 Davis RD		Case 2024-68		
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	9.00	20.00	180.00
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 2024-68				356.60



PALM SPRINGS POLICE DEPARTMENT

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

May 19th, 2024

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3625 & 3629 Davis RD Palm Springs, FL 33461**

PCN: 70-43-44-19-11-004-0093 & PCN: 70-43-44-19-11-004-0091

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

SECTION 34-914

Vehicles/Parking: Remove all inoperative and/or unregistered vehicles off the property. This includes the gold Chevy sedan, dark-grey Honda sedan, white Chevy SUV and blue Ford station wagon (reference attached photos).

SECTION 14-32

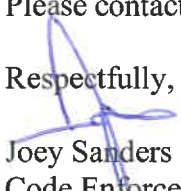
No Residential Rental Permit: No residential rental permit on file with the Village of Palm Springs. Obtain a rental permit for each unit by contacting the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

Compliance Date: June 2nd, 2024

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

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

Respectfully,


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

Professionalism • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE DEPARTMENT

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

September 23rd, 2023

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at 3625, 3627, 3629, 3631, 3633, 3635, 3637, 3639, 3641, 3643 and all Common Areas Davis RD Palm Springs, FL 33461

PCN: 70-43-44-19-11-004-0091 and 70-43-44-19-11-004-0093

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

Section 10-8, 34-225 & 10-9

Exterior Property/Parking Lot/Windows/Walkways//Fence/Shutters/Holiday Lights:

- Remove all wood boards covering the windows.
- Repair all broken windows.
- Remove all black/green/orange discoloration off the exterior walls.
- Pressure wash the parking lot and all walkways located in front of the units.
- Repair or remove broken fence.
- Remove all holiday lights.

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

Overgrowth/Landscape Maintenance/Weeds:

- Mow all overgrown grass located throughout the property.
- Trim all overgrown trees/bushes/vegetation located throughout the property.
- Remove all weeds (rear).

Section 30-143, 34-1381 & 34-913

Trash/Debris/Rubbish/Materials/Open Storage/Construction Equipment: Remove all trash, debris, rubbish, materials, construction equipment and misc. items stored throughout the property.

Section 62-73

Multifamily Storage Areas: All recyclable material collection/dumpsters that are located on the exterior of buildings shall be screened on at least three sides by a solid opaque enclosure constructed of landscape or a block and stucco or decorative block wall consistent with the architectural character of the principal buildings. The fourth side, if not screened, must not be visible to public view. If visible to public view, the fourth side must be accessible by an opaque gate. All screening shall be a minimum of six feet high upon installation.

Section 34-914

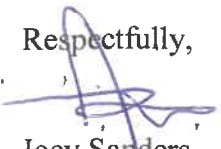
Vehicles: Remove all inoperative and/or unregistered vehicles off the property.

Compliance Date: October 7th, 2023

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

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

Respectfully,



Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence

Courtesy Code Violation Notice

3625 + 3629 DAVIS RD

Case#

Date: 07/23/2023 Time:

Location: 3625 3627 3629 3631 3633 3635
3637, 3639, 3641, 3643 and all common areas DAVIS RD

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

Please address the listed code violations:

10-8/34-25/10-9 - Exterior Property / Parking lot /
Windows / Walkways / Fence / Sutters / Holiday Lights
30-141/30-142/10-8 - Overgrowth / Weeds /
Landscape Maintenance
30-143/34-1381/34-913 - Trash / Debris / Rubbish / Materials /
Open Storage / Construction Equipment
62-73 - Multi-Family Storage Areas
34-914 - Vehicles
* Restore Attached Letter *

Compliance Date: 10/07/2023

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

Code Officer J. Sanders #211

Name

I.D. #

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

Ext. 8525



Completed
01/02/2024
JSS

Note: All individual
cov's were merged
into one case.
JSS

Courtesy Code Violation Notice

30-141/30-142 - Overgrown - Landscape Maintenance -
Trim all overgrown bushes/vegetation (Right Side)
Case#

Date: 09/03/2023 Time: _____

Location: 3605 Davis RD

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

Please address the listed code violations:

10-9 Exterior Plaster, Windows/Holiday Lights -

Remove all green and multi-colored holiday lights (Front and Rear)

Also, remove broken wood boards and repair broken windows (Right Side).

10-8/34 Fence - Repair or remove broken fence (Rear)

34-913/30-143/34-1382 Trash/Debris/Materials/Open Storage/

Construction Equipment - Remove all msk. items stored in the front, rear and right side of the property (Back Side Table and chairs may stay).

Compliance Date: 09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. #8525



Completed
01/02/2024
AJS

Note: All individual
CCV's were
merged into
one case. JPS

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3627 DAVIS RD

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

Please address the listed code violations:

10-4 Exterior Property/Holiday Lights - Remove all

black discoloration off the exterior walls/Front door

(Front, Left side and rear) Also, remove all holiday

Lights (white lights hanging in the front).

10-8 - Weeds - Remove all weeds attached to the

trim/faxia (Rear).

10-8/34-225 Fence Repair or remove broken Fence (Rear).

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

Remove all minor items stored in the rear of the

property (Barbecue, Table and chairs may stay).

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT. #8525



Complied
08/08/2023
JSS

Note: All
individual CCV's
were merged into
one case. JSS

Courtesy Code Violation Notice

Case#

Date:

07/09/2023

Time:

Location:

3629 Davis RD

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

Please address the listed code violations:

10-7 Exterior Property

Remove all black discoloration off the exterior walls (Front).

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

Remove all misc. items stored in the rear of the property (Barbecue, table and chairs may stay).

Compliance Date:

07/19/2023

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

Code officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. #8525



Completed
01/02/2024
JSS

Note: All individual
CCV's were
merged into one
case. JSS

Courtesy Code Violation Notice

Case#

Date:

09/09/2023

Time:

Location:

3651 Davis RD

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

Please address the listed code violations:

10.7-Exterior Property

- Remove all black discoloration ORP (ie exterior walls (Front, Rear and right side).

30.143/34.1381-Trash/Debris/Materials/Open Storage

- Remove all misc items stored in the rear of the property.

Compliance Date:

09/19/2023

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.

Cute officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. # 6525



Complied
01/02/2024
JSS

Note: All
individual CV's
were merged
into one case. JSS

Courtesy Code Violation Notice

Case#

Date: 09/06/2023 Time:

Location: 3638 Davis RD

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

Please address the listed code violations:

30-9 - Exterior Property / Shutters - Remove all black

discoloration off the exterior walls. Also, remove all
shutters/wood boards covering the windows (Rear).

30-141/30-142 - Overgrowth/Landscape Maintenance

Trim all overgrown trees/bushes/vegetation located
in the rear and left side of the property.

30-143/34-1381 - Trash/Debris/Materials/Upon Storage

Remove all misc. items stored in the rear of the
property.

Compliance Date: 09/15/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext: #8525



Completed
09/02/2023
JTS

Note: All individual
CCV's were
merged into one
case. JTS

Courtesy Code Violation Notice

Case# _____
Date: 09/06/2023 Time: _____
Location: 3635 Davis RD

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

Please address the listed code violations:
30-141/30-142 10-8 - Overgrowth/Landscape Maintenance
(Weeds - Trim all overgrown trees/bushes/vegetation
Rear). Also, remove all weeds attached to the
Chain-Link Fence (Rear).
10-9 - Exterior Property - Remove all black discoloration/
orange stains off the exterior walls.
32-113/34-2381 - Trash/Debris/Excesses/Open Storage
Remove all misc. items stored in the rear of the
property.

Compliance Date: 09/15/2023
Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions.

Code Officer J. Sanders #211

Name I.D. #

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

EXT: #8525



note: All individual
CCW's were
merged into one
case. JTT

Courtesy Code Violation Notice

Case#

Date: 07/06/2023 Time:

Location: 36357 Davis RD

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

Please address the listed code violations:

30 July 1962 Trans-Union Industrial / Open Storage

Remove all mix. terms stored in the front: can work

right source of the property:

10.9. Error: Project / Success. Remove all black diamonds.

off the extra leaves. After remove all 4 wings/veins

factor covering the windows (RCW).

30-141/30-142-ARJ/ccl/burkcap. MONTANA

Trim all overgrown trees/bushes/vegetation located

10' in front, 10' on west right side of the property.

Compliance Date: 09/15/2023

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

Code Officer J. Summers #211

Name	I.D. #
------	--------

Palm Springs Police Department

(561) 584-8300, ext. 8520

ext. 8520
DUT. #8525



Complied
01/02/2024
fss

Note: All
individual COI'S
were merged
into one case.
fss

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3639 DAVIS RD

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

Please address the listed code violations:

10-9-Exterior Property

-Remove all black discoloration on off fire. exterior wall (Right Side).

10-8/34-225-Fence-Rep. Broken Fence (Right side)
one piece of wood needs to be secured/removed

34-1361/30-143-Materials/Open Storage-Remove all
misc. Items stored in the front / Ex. Powers garbage
on the property.

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT. #8525



Complied
07/03/2023
JSS

Note: All individual
CV's were
merged into
one case. JSS

Courtesy Code Violation Notice

Case#

Date: 07/03/2023 Time:

Location: 3613 Davis RD

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

Please address the listed code violations:

34-136.1 / 34-143 Trash/Debris/Material upon Storage
- Remove all trash, debris, material stored in the front, rear (back)
side of the property (Enclosed table and chairs not okay).

30-9 Exterior Trim/Windows
- Remove all black discoloration on off the exterior walls (Front/Back/Side/Rear) Also, remove black discoloration from windows (Left Side of Front door).

Compliance Date: 07/13/2023

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.

Cord Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520



Complied
09/10/2023
LSS

Courtesy Code Violation Notice

Case# _____
Date: 09/03/2023 Time: _____
Location: 3600 BIX DAVIS RD

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

Please address the listed code violations:

3600 BIX Vehicles

Remove inoperative blue Ford Taurus
(FLTAG# 6070GG) off the property

The R/O of the vehicle resides at
3637 Davis RD. The tenant drove the
vehicle inside the parking lot and
proved that the vehicle is operative.

Compliance Date: 09/13/2023
Thank you for your efforts to maintain your residence and property in excellent condition. We commend you for your continuing commitment to our community. Feel free to contact me if you have any questions.

Code Officer J. Sanders #211

Name I.D. #

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



Complied
09/12/2023
1555

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3600-BLK DAVIS RD

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

Please address the listed code violations:

31-914 Vehicles

-Remove Inoperative/Unregistered and

Chevy Seckin (Paper Tag # DDM5873)

off the property. Also, no major car

repairs may be performed on the property.

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT: 8525



Complied
09/27/2023
LJS

Courtesy Code Violation Notice

Case#

Date: 09/17/2023 Time: _____

Location: 3600-BLK DAVIS RD

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

Please address the listed code violations:

34-914 - Parking - Grey Acura Sedan
(FLTAG # NV 2473) observed parked
in the grass. All vehicles must be parked
on an impervious surface. Remove vehicle
off the grass.

Compliance Date: 09/27/2023

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

Code officer J. Sanders # 211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT: # 8525



Complied
09/01/2023
NOT

Courtesy Code Violation Notice

Case#

Date: 09/03/2023 Time:

Location: 3600 BLK DAWN 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:

34-921 - Vehicles

Remove inoperative/unregistered white
Lincoln Sedan (no tag attached)
off the property.

Compliance Date: 09/13/2023

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

Code officer J. Sanders #211

Name I.D. #

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

Ext: #6525



Completed
10/10/2023
HKS

Courtesy Code Violation Notice

Case#

Date:

07/03/2023

Time:

Location:

3600 BLK DAWN 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:

41-914 Vehicles

Remove inappropriate/unregistered
white Chevy SUV (No tag attached)
off the property.

Compliance Date:

09/13/2023

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

Code Officer J. Sanders, #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. 1825



Property Detail

Location Address : 3625 DAVIS RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-11-004-0091
Subdivision : LAKEWOOD GARDENS PL 1 IN
Official Records Book/Page : 07677 / 0740
Sale Date : APR-1993
Legal Description : LAKEWOOD GARDENS PLAT 1 E 330 FT OF N 1/2 OF TR 9 BLK 4

Owner Information**Owner(s)**

FERNANDEZ CARIDAD
 FERNANDEZ CARLOS &

Mailing Address

3557 GULFSTREAM RD
 LAKE WORTH BEACH FL 33461 3521

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
APR-1993	\$230,000	07677 / 00740	WARRANTY DEED	FERNANDEZ CARLOS &
JUL-1991	\$100	06958 / 00395	CERT OF TITLE	
JAN-1977	\$24,000	02767 / 00187		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 5
***Total Square Feet :** 4911
Acres : .60
Property Use Code : 0810—MFR 5 TO 9 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$517,774	\$414,364	\$334,661	\$241,859	\$302,994
Land Value	\$265,595	\$292,183	\$286,158	\$169,761	\$195,000
Total Market Value	\$783,369	\$706,547	\$620,819	\$411,620	\$497,994

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$413,812	\$376,193	\$341,994	\$310,904	\$282,640
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$413,812	\$376,193	\$341,994	\$310,904	\$282,640

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$10,374	\$9,503	\$8,666	\$7,093	\$7,379
NON AD VALOREM	\$1,524	\$1,505	\$1,417	\$1,242	\$1,237
TOTAL TAX	\$11,897	\$11,008	\$10,083	\$8,335	\$8,616

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00

CHECK OUT



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Account Information

Property Control Number:
70-43-44-19-11-004-0091

Mailing Address:
3557 GULFSTREAM RD
Lake Worth Beach, FL 33461-3521

Owner of Record:
FERNANDEZ CARLOS &

Property Type:
Real Property

Property Address:
3625 DAVIS RD
PALM SPRINGS, FL 33461

Second Owner:
FERNANDEZ CARIDAD

Status: Active

Legal Description:
LAKEWOOD GARDENS PLAT 1 E 330 FT
OF N 1/2 OF TR 9 BLK 4

Last updated: 10/26/2024 03:04:37 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



Payment Info - Select to Expand Payment History for PIN



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-68

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**CARLOS & CARIDAD FERNANDEZ
3625 DAVIS ROAD
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
CARLOS & CARIDAD FERNANDEZ
3557 GULFSTREAM ROAD
PALM SPRINGS, FL 33461 3521**

Respondent(s).

ORDER FINDING VIOLATION

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

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

SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.

SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.

SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.

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

SECTION 34-225: Fence maintenance. Repair or remove all broken fences.

SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.

Address: 3625 DAVIS ROAD
Legal Description: LAKEWOOD GARDENS PLAT 1 E 330 FT OF N 1/2 OF TR 9
BLK 4
PCN: 70-43-44-19-11-004-0091

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 21st day of November 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.

- ☐ Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:
- ☐ **SECTION 14-32: No residential rental permit. Obtain a rental permit for each unit.**
 - ☐ **SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.**
 - ☐ **SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.**
 - ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**
 - ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.**

- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ **SECTION 14-32: No residential rental permit. Obtain a rental permit for each unit.**
 - ☐ **SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.**
 - ☐ **SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.**
 - ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**
 - ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.**

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 **December 1st, 2024:**

- ☐ Administrative costs of **\$356.60**
 - ☐ 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 **December 1st, 2024**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 1st, 2024**.
- ☐ Administrative costs of **\$356.60**
 - ☐ 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 Joey Sanders** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[3557 Gulfstream Road](#)
[Palm Springs, FL 33461 3521](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-69

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Respondent(s).

70-43-44-19-11-004-0093

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 **October 15th, 2024**, the Respondent(s), **Carlos & Caridad Fernandez** owner(s) of the property at **3629 Davis RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.

SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.

These violations must be corrected on or before **November 19th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY November 21st, 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 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

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

Code Enforcement Officer 561-584-8300 ext. 8525

Joey Sanders
Printed Name of Officer

Date Issued: October 15th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-69

RETURN OF SERVICE

**CARLOS & CARIDAD FERNANDEZ
3557 GULFSTREAM RD
PALM SPRINGS, FL 33461 3521**
_____ /

Respondent

On the **15th Day of October 2024 at 11:56AM**, I served the attached NOV/NOH on the within named Respondent, **Carlos & Caridad Fernandez at 3629 Davis RD**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

_____ **SUBSTITUTE SERVICE:** By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: _____ and informing such person of their contents pursuant to F.S. 48.031.

_____ **XX** **POSTED BY:** Securely affixing a copy to a conspicuous place on the property described within. **PHOTO INCLUDED**

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders
Code Enforcement Officer

#211



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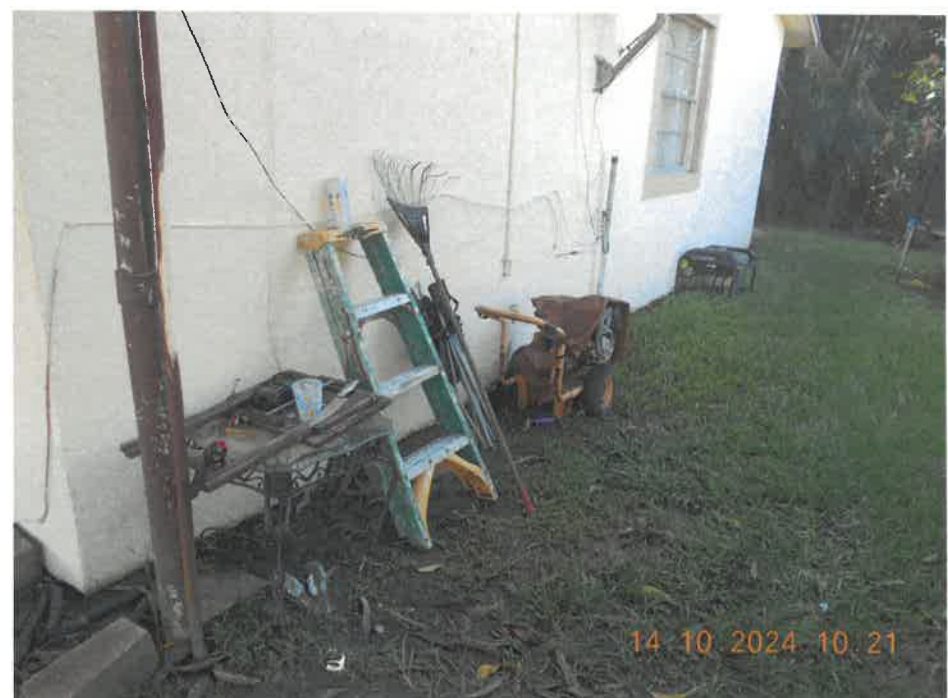
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Please call me or
email me.

Officer Joey Sanders
Code Enforcement



Very Important.

Palm Springs Police Department

230 Cypress Lane
Palm Springs, FL 33461
www.vpsfl.org

Cell: (561) 801-9290
(561) 584-8300, ext. 8525
jsanders@vpsfl.org

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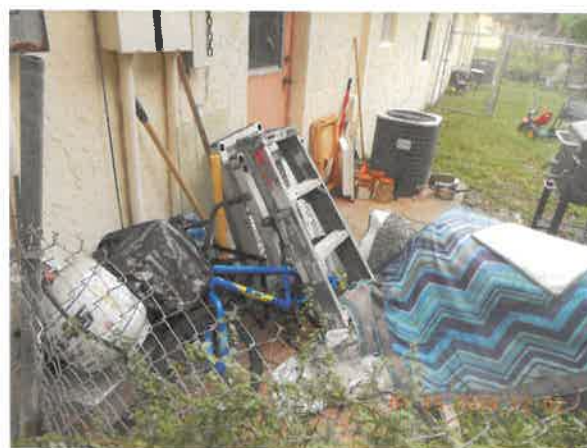
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PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461

CERTIFIED MAIL



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10/14/2024 ZIP 33480
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US POSTAGE

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461



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



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Palm Springs, FL 33461

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PALM SPRINGS POLICE DEPARTMENT

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

October 15th, 2024

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3629 Davis RD in Palm Springs, FL.**

PCN: 70-43-44-19-11-004-0093

VIOLATION/HEARING CASE 2024-69

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.

SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.

The options available include coming into voluntary compliance on or before **November 19th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday November 21st, 2024 at 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

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

Respectfully,

Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

230 Cypress Lane Palm Springs, FL 33461

Phone: 561-584-8300 Ext. 8525

Email: jsanders@vpsfl.org

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

- (a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- (b) *Exterior painting.* All wood and metal surfaces including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.
- (c) *Street numbers.* One address sign shall be required for each principal building or use on premises showing only the numerical address designation on the premises upon which they are maintained or multi-unit buildings which utilize a roadside marquee/signboard, the full building address shall be posted on such marquee/signboard. The address shall be posted in a color contrasting that of the marquee/signboard or building a minimum of four inches for residential and six inches for commercial structure, and of sufficient size to be plainly visible and legible from the roadway. When the building utilizes multiple addresses, such as multiple occupant mercantile buildings, the address range shall be posted as indicated above. Signs shall be plainly visible from the street or right-of-way providing access to the lot and shall be installed and maintained pursuant to the county building security code. This requirement shall apply to all new and existing structures.
- (d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- (e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.
- (f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- (g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.
- (h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (j)

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

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

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

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

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

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

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

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

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

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

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

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

(3)

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

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

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

Sec. 14-32. - Regulatory fee; application.

- (a) *Establishment of permit fee.* There is hereby established a regulatory fee of \$50.00 per year for the issuance of a business permit, payable in advance, for all persons or entities, engaged in a business, occupation, or profession within the village, unless exempted from same by the terms of this article, or as otherwise provided by law. Such fee shall be due and payable on or before October 1 of each year, and the fee shall be prorated to \$25.00 for those persons making an initial application on or after April 1 of the year in which first made.
- (b) *Permit application.* The business permit provided herein shall be issued upon the payment of the application fee and approval of the application by the village. The applicant must complete an application form provided by the village, which shall require at a minimum, the provision of valid information concerning the nature of the business to be operated, the business experience, qualifications, and competence of the employees and the individuals operating the business, number of employees of the business, the licenses, certifications and registrations held by the business operators, insurance coverage(s) maintained by the business, the criminal history of the business operators and employees, and the applicant's agreement not to engage in criminal activity. The applicant shall furnish the village with a copy of all occupational licenses held by the business with the completed application form.
- (c) *Multiple permits required for residential rental units.* Persons and/or entities engaged in the rental of dwellings for residential use, specifically including mobile homes and trailers, shall be required to obtain a separate business permit for each and every dwelling rented, regardless of whether the dwelling is for single or multi-family occupancy, or is located on the same or adjacent

lot or parcel of real property. For purposes of this section, a business permit shall not be required for the rental of dwelling units in a motel, hotel, boardinghouse, or a commercial apartment complex, for which an occupational license is required by this code.

(Code 1994, § 14-67; Ord. No. 2006-10, § 2, 2-23-2006)

State Law reference— Regulatory fees authorized, F.S. § 166.221.

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

- (a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.
- (b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.
- (c) *Removal by village.* Upon the failure, neglect or refusal of any owner or agent notified pursuant to subsection (b) of this section to remove and eliminate the conditions described in subsection (a) of this section within the time limit stated in the notice, the village manager is authorized, upon approval by the village council, to contract and pay for such maintenance and bill the property owner or his agent. The charges for such services shall be a lien against the property on which the nuisance is located.

(Code 1994, § 26-86)

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

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

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

(Code 1994, § 30-150)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster")) within any zoning district in the village, is subject to the following regulations:
 - (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
 - (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the

event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.

- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
 - (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:
- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
 - a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
 - (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.

- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
- (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
- (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
- (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

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

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

- (a) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air or water pollution, smoke or dust, uncontrolled or uncontained solid, liquid, or airborne waste or debris, or which involves unusual accumulation of stored materials not immediately and directly required for the normal operation of the permitted use present on the property.
- (b) No materials may be stored in an outside area visible from any adjacent or nearby street or property in any residential district. No inoperative wheeled vehicle may be stored for more than five days on any parcel in a residential district, except when stored in a completely enclosed structure.

(Code 1994, § 30-956)

Sec. 62-73. - Multifamily storage areas.

Recyclable material collection and storage areas shall be provided on the site of all multifamily developments that include ten or more dwelling units in accordance with the following standards, except that multifamily developments that receive curbside recyclable materials collection service on at least a weekly basis shall be exempt from the standards of this section:

- (1) *Location.* Recyclable material collection and storage areas shall be located within the building containing the multifamily dwelling units or within an accessory building, such as a parking structure, or within or adjacent to the disposable material dumpster area used by residents of the multifamily development.
- (2) *Access.* Access to such recyclable material collection and storage areas shall be designed so as not to require unnecessary turning or backing movements by pickup and removal vehicles.
- (3) *Setback.* The minimum setback for recyclable material collection and storage areas that are located on the exterior of buildings shall be 25 feet from residential districts or properties.
- (4) *Screenings.* All recyclable material collection and storage areas that are located on the exterior of buildings shall be screened on at least three sides by a solid opaque enclosure constructed of landscape or a block and stucco or decorative block wall consistent with the architectural character of the principal buildings. All block and stucco, and decorative block walls shall be landscaped with a hedge of shrubs spaced a maximum of 24 inches apart and 24 inches high immediately upon planting. The fourth side, if not screened, must not be visible to public view. If visible to public view, the fourth side must be accessible by an opaque gate. Sufficiency of access shall meet the reasonable dimension requirements established by the village and the collection firm. All screening shall be a minimum of six feet high upon installation. All construction shall be in conformity with the current edition of the Standard Building Code and a permit must be obtained from the building department prior to such construction.
- (5) *Standards.* The following minimum recyclable material storage area standards shall apply to multifamily developments:

Number of Dwelling Units	Minimum Storage (Floor) Area (square feet)
10—30	40
31—99	100
100—159	160
160—240	240
Over 240	240, plus one square foot per dwelling unit for each dwelling unit over 240 units

- (6) *Alternative plans.* Applicants shall be entitled to demonstrate that recyclable material storage space needs can be more effectively met through an alternative recyclable materials collection and storage plan. An alternative recyclable materials collection and storage plan shall be reviewed by the village and the solid waste authority, and, if approved, shall be substituted for a recyclable materials storage and collection plan meeting the express storage area standards of this section.
- (7) *Plan review and approval.* Recyclable material storage and collection area plans shall be reviewed by the village. Information necessary to evaluate proposed plans for compliance with the standards of this section shall be shown on and submitted with the site plan.

(Code 1994, § 50-22)

CASE PRESENTATION

CASE No. CASE 2024-69

1. Good morning. My name is **Joey Sanders** and I'm a code enforcement officer for the Village of Palm Springs and I've been sworn in.
2. **Case #2024-69** is concerning the property located at **3629 Davis RD** within the Village of Palm Springs.
3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is **Carlos & Caridad Fernandez.**
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for each unit.
SECTION 62-73: Multi-Family Storage Areas-Dumpster must be secured inside an enclosure.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 34-914: Vehicles-Remove all inoperative and/or unregistered vehicles off the property.
SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.
SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes/Remove prohibited tarps off the roof/Remove all black discoloration off the exterior of the property.
Photos are included in the file.

5. On 09/23/2023, I inspected the property and observed multiple code violations to include several inoperative/unregistered vehicles and a large quantity of trash, debris, materials and misc. items stored around the property. I issued a code courtesy violation notice and posted it at the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owner a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 05/19/2024 with a compliance date of 06/02/2024.

It should be noted that on 01/22/2024 the property owner's son/granddaughter and I walked the property together and I pointed out all of the existing code violations that needed to be corrected. I attempted to follow up with the property owner's son and granddaughter on numerous occasions via telephone but they have not returned any of my phone calls. On 07/02/2024, I made one last final good faith effort to make contact with the property owner by posting my business card on the front gate of the property owner's homesteaded property, which is located nearby within the Village of Palm Springs. As of this writing, all of my efforts to reach the property owner were unsuccessful and I have received no response from the property owner's son or granddaughter as of 03/2024.

6. On **October 15th, 2024**, Notice of Violation/ Notice of Hearing **2024-68** was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

CASE No. _____

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

8. The Village has also incurred costs in the amount of **\$356.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **December 1st, 2024**.

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



Case Administrative / Court Costs

November 21, 2024, 3629 Davis RD		Case 2024-69		
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	9.00	20.00	180.00
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 2024-69				356.60



PALM SPRINGS POLICE DEPARTMENT

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

May 19th, 2024

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3625 & 3629 Davis RD Palm Springs, FL 33461**

PCN: 70-43-44-19-11-004-0093 & PCN: 70-43-44-19-11-004-0091

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

SECTION 34-914

Vehicles/Parking: Remove all inoperative and/or unregistered vehicles off the property. This includes the gold Chevy sedan, dark-grey Honda sedan, white Chevy SUV and blue Ford station wagon (reference attached photos).

SECTION 14-32

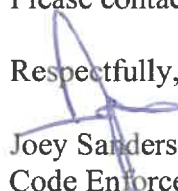
No Residential Rental Permit: No residential rental permit on file with the Village of Palm Springs. Obtain a rental permit for each unit by contacting the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

Compliance Date: June 2nd, 2024

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

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

Respectfully,


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

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

September 23rd, 2023

Carlos & Caridad Fernandez
3557 Gulfstream RD
Palm Springs, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at 3625, 3627, 3629, 3631, 3633, 3635, 3637, 3639, 3641, 3643 and all Common Areas Davis RD Palm Springs, FL 33461

PCN: 70-43-44-19-11-004-0091 and 70-43-44-19-11-004-0093

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

Section 10-8, 34-225 & 10-9

Exterior Property/Parking Lot/Windows/Walkways/Fence/Shutters/Holiday Lights:

- Remove all wood boards covering the windows.
- Repair all broken windows.
- Remove all black/green/orange discoloration off the exterior walls.
- Pressure wash the parking lot and all walkways located in front of the units.
- Repair or remove broken fence.
- Remove all holiday lights.

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

Overgrowth/Landscape Maintenance/Weeds:

- Mow all overgrown grass located throughout the property.
- Trim all overgrown trees/bushes/vegetation located throughout the property.
- Remove all weeds (rear).

Section 30-143, 34-1381 & 34-913

Trash/Debris/Rubbish/Materials/Open Storage/Construction Equipment: Remove all trash, debris, rubbish, materials, construction equipment and misc. items stored throughout the property.

Section 62-73

Multifamily Storage Areas: All recyclable material collection/dumpsters that are located on the exterior of buildings shall be screened on at least three sides by a solid opaque enclosure constructed of landscape or a block and stucco or decorative block wall consistent with the architectural character of the principal buildings. The fourth side, if not screened, must not be visible to public view. If visible to public view, the fourth side must be accessible by an opaque gate. All screening shall be a minimum of six feet high upon installation.

Section 34-914

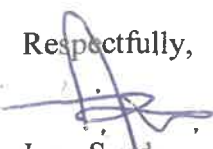
Vehicles: Remove all inoperative and/or unregistered vehicles off the property.

Compliance Date: October 7th, 2023

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

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

Respectfully,



Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence

Courtesy Code Violation Notice

Case#

Date:

09/23/2023

Time:

Location:

3625, 3627, 3629, 3631, 3633, 3635
3637, 3639, 3641, 3643 and all common areas. DAVIS RD

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

Please address the listed code violations:

10-8/34-805/10-9 - Exterior Property/Parking Lot/

Windows/Walkways/Fence/Sutters/Holiday Lights

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

Landscape Maintenance

30-143/34-138/34-913 - Trees/Debris/Rubbish/Materials/

Open Storage/Construction Equipment

62-73 - Multifamily Storage Areas

34-914 - VEHICLES

* Restore Attached Letter *

Compliance Date:

10/07/2023

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

Code Officer J. Sanders #211

Name

I.D. #

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

EXT: #8525



Complied
01/02/2024
FSS

note: All individual
car's were merged
into one case.
FSS

Courtesy Code Violation Notice

20-343/30-342-Overgrowth/Landscape Maintenance -
Trim all overgrowth bushes/vegetation (Right Side)
Case#

Date: 09/03/2023 Time: _____

Location: 3605 Davis RD

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

Please address the listed code violations:

10-9. Exterior Property/Windows/Holiday Lights -

Remove all green and multi-colored holiday lights (Rear)

Also, remove broken wood boards and repair broken windows (Right Side).

10-8/34-25 Fence - Repair or remove broken fence (Rear)

84-913/30-343/34-1382 Trash/Debris/Materials/Open Storage /

Construction Equipment - Remove all m.k. items stored

in the front, rear and right side of the property (Back Side

Table and chairs may stay).

Compliance Date: 09/13/2023

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

Code officer J Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. #8525



Complied
01/02/2024
APJS

Note: All individual
CCV's were
merged into
one case. JPS

Courtesy Code Violation Notice

Case#

Date:

07/03/2023

Time:

Location:

3627 DAVIS RD

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

Please address the listed code violations:

10-9 Exterior Property/Holiday Lights - Remove all

blue decorations on/off the exterior walls/Front door

(Front, left side and rear) ALSO remove all holiday

Lights (white light hanging in the front).

10-8 Garages - Remove all weeds attached to the

trim/fuchsia (Rear).

10-8/34-22 Force Repair or remove broken fence (Rear).

30-143/34-1361 Trash/Debris/Maintenance/Open Storage

Remove all items stored in the rear of the property (Exterior Storage Containers, Trash, etc.)

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT. #8525



Completed
07/06/2024
JWS

Note: All
individual CV's
were merged into
one case. JWS

Courtesy Code Violation Notice

Case#

Date: 07/09/2023 Time:

Location: 3609 Davis RD

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

Please address the listed code violations:

10-7 Exterior Property

Remove all black discoloration off the exterior walls (Front).

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

Remove all misc items stored in the rear of the property (Barbecue, table and chairs may stay).

Compliance Date: 07/19/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext: #8525



Completed
01/02/2024
AJS

Note: All individual
CCV's were
merged into one
case. AJS

Courtesy Code Violation Notice

Case# _____

Date: 09/09/2023 Time: _____

Location: 2612 DANA RD

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

Please address the listed code violations:

10-1 Exterior Property

Remove all black discoloration off the
exterior walls (Front, Rear and right side)

30-142/34-1381.11054/2611/11013/15/Open Storage

Remove all misc items stored in the
rear of the property.

Compliance Date: 09/19/2023

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.

Cite officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. # 6525



Completed
01/02/2024
JSS

Note: All
individual CV's
were merged
into one case. JSS

Courtesy Code Violation Notice

Case#

Date: 09/06/2023 Time:

Location: 3638 Davis RD

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

Please address the listed code violations:

10-9 - Exterior Paint / Shutters - Remove all black

discoloration off the exterior walls. Also, remove all

shutters/wood boards covering the windows (Rear).

30-341/30-342 Overgrowth/Landscaping Maintenance

Trim all overgrown trees/bushes/vegetation located

in the rear and left side of the property.

30-343/34-3363 Trash/Debris/Materials/Upon Storage.

Remove all misc. items stored in the rear of the

Property.

Compliance Date: 09/15/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext: #8525



Complicated
05/02/2024
JTS

Note: All individual
CCV's were
merged into one
case. JTS

Courtesy Code Violation Notice

Case#

Date: 07/06/2023 Time: _____

Location: 3635 Davis RD

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

Please address the listed code violations:

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

Weeds - Trim all overgrown trees/bushes/vegetation (Rec'd). Also, remove all weeds attached to the

Chain-Link Fence (Rec'd).

10-9 - Exterior Piping - Remove all black discoloration/

Orange stains off the exterior walls.

32-113/34-2303 - Trash/Debris/Storage - Per Storage

Remove all trash items stored in the rear of the

Property.

Compliance Date: 07/15/2023

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

Code Officer J. Sanders # 211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT # 8525



CCV's were merged into one case. $\frac{1}{2}$

ext. 8520
DUT. #8525



Complied
04/02/2024
fss

Note: All
individual COA's
were merged
into one case.
fss

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3639 Davis RD

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

Please address the listed code violations:

10-9-Exterior Property

-Remove all black discoloration on off the exterior wall (Right Side).

10-8/34-225- Fence- Repair broken fence / Right side. One piece of wood needs to be secured / Replaced.

34-225/30-143- Materials / Open Storage- Remove all junk items stored in the front / Ex. Pavers, garden etc. of the property.

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT. #8525



Complied
01/03/2024
JSS

Note: All individual
CCV's were
merged into
one case. JSS

Courtesy Code Violation Notice

Case#

Date:

07/03/2023

Time:

Location:

3613 Davis RD

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

Please address the listed code violations:

34-150 / 34-143 Trunk/Dr. in Area of / 400' Street
- Remove all trash items from in front of house / 100'
- Clean all the property / Enclosed with and under the house / 100'
- 0.9' Extra height / window
- Remove all blue discoloration on all the exterior wall / 100'
- (Trunk / 400' Street) / 100' / 100' / 100' / 100'
- Clear from sidewalk / (Left Side of front door)

Compliance Date:

07/12/2023

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.

Cord Officer J. [Signature] #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. 8520



Complied
09/10/2023
455

Courtesy Code Violation Notice

Case#

Date:

Time:

Location:

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:

34-24-Vehicles

Remove unpermitted blue Ford Transit
FL TAG # 6070GG) off the property

The P/O of the vehicle resides at
3637 Davis RD. The tenant drove the
vehicle inside the parking lot and
proved that the vehicle is operative.

Compliance Date:

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.

Name

I.D. #

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



Complied
09/12/2023
1555

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3600-BLK DAVIS RD

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

Please address the listed code violations:

STREET VEHICLES

-Remove Impervious (unregistered) gold

Chevy Sedan (Paper Tag # DDM5873)

off the property. Also, no major car

repairs may be performed on the property.

Compliance Date:

09/13/2023

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

Code officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

EXT. # 8525



Completed
09/24/2023
LPS

Courtesy Code Violation Notice

Case#

Date: 09/17/2023 Time:

Location: 3600 BLK DAVIS RD

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

Please address the listed code violations:

34-934 - Parking - Grey Lawn Sector
(FLTAG # NV 2473) observed parked
in the grass. All vehicles must be parked
on an impervious surface. Remove vehicle
off the grass.

Compliance Date:

09/27/2023

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

Code officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext: 8525



Complied
09/01/2023
NJS

Courtesy Code Violation Notice

Case#

Date:

09/03/2023

Time:

Location:

3600 BLK DAVIS RD

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

Please address the listed code violations:

34-424 Vehicles

Remove improper items/unregistered white
Lincoln Sedan (no tag attached)
off the property.

Compliance Date:

09/13/2023

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

Code Officer J. Sanders #211

Name

I.D. #

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

EXT: #8525



Complied
10/10/2023
Jas

Courtesy Code Violation Notice

Case#

Date:

01/03/2023

Time:

Location:

3000 BLK. DAWN 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:

41.914 Vehicle

Vehicle reported as unregistered

white Chevy SUV (No tag attached)
on the property

Compliance Date:

09/13/2023

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.

Write Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520

Ext. 18525



Property Detail

Location Address : 3629 DAVIS RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-11-004-0093
Subdivision : LAKEWOOD GARDENS PL 1 IN
Official Records Book/Page : 07677 / 0740
Sale Date : APR-1993
Legal Description : LAKEWOOD GARDENS PLAT 1 E 330 FT OF S 1/2 OF TR 9 BLK 4

Owner Information

Owner(s)	Mailing Address
FERNANDEZ CARIDAD	3557 GULFSTREAM RD
FERNANDEZ CARLOS &	LAKE WORTH BEACH FL 33461 3521

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
APR-1993	\$230,000	07677 / 00740	WARRANTY DEED	FERNANDEZ CARLOS &

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 5
***Total Square Feet :** 4911
Acres : .60
Property Use Code : 0810—MFR 5 TO 9 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$517,459	\$414,049	\$334,346	\$241,544	\$302,679
Land Value	\$265,595	\$292,183	\$286,158	\$169,761	\$195,000
Total Market Value	\$783,054	\$706,232	\$620,504	\$411,305	\$497,679

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$412,915	\$375,377	\$341,252	\$310,229	\$282,026
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$412,915	\$375,377	\$341,252	\$310,229	\$282,026

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$10,360	\$9,491	\$8,654	\$7,081	\$7,368
NON AD VALOREM	\$1,524	\$1,505	\$1,417	\$1,242	\$1,237
TOTAL TAX	\$11,883	\$10,995	\$10,071	\$8,323	\$8,605

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT



Return

New Search

Print Page

View Assessment Data



Account Information

Property Control Number:

70-43-44-19-11-004-0093

Mailing Address:

3557 GULFSTREAM RD

Lake Worth Beach, FL 33461-3521

Owner of Record:

FERNANDEZ CARLOS &

Property Type:

Real Property

Property Address:

3629 DAVIS RD

PALM SPRINGS, FL 33461

Second Owner:

FERNANDEZ CARIDAD

Status: Active

Legal Description:

LAKEWOOD GARDENS PLAT 1 E 330 FT
OF S 1/2 OF TR 9 BLK 4

Last updated: 10/26/2024 03:05:23 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



Payment Info - Select to Expand Payment History for PIN



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-69

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**CARLOS & CARIDAD FERNANDEZ
3629 DAVIS ROAD
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
CARLOS & CARIDAD FERNANDEZ
3557 GULFSTREAM ROAD
PALM SPRINGS, FL 33461 3521**

Respondent(s).

ORDER FINDING VIOLATION

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

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

SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.

SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.

SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.

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

SECTION 34-225: Fence maintenance. Repair or remove all broken fences.

SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.

Address: 3629 DAVIS ROAD

Legal Description: LAKEWOOD GARDENS PLAT 1 E 330 FT OF S 1/2 OF TR 9 BLK 4

PCN: 70-43-44-19-11-004-0093

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 21st day of November 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.

- ☐ Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:
- ☐ **SECTION 14-32: No residential rental permit. Obtain a rental permit for each unit.**
 - ☐ **SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.**
 - ☐ **SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.**
 - ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**
 - ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.**

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

- ☐ **SECTION 14-32: No residential rental permit. Obtain a rental permit for each unit.**
- ☐ **SECTION 62-73: Multi-family storage areas. Dumpster must be secured inside an enclosure.**
- ☐ **SECTION 30-143: Trash/Debris/Materials. Remove all trash/debris/materials stored around the property.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**
- ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
- ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged fascia, soffit, mailboxes, roofs, light fixtures and secure all exterior holes. Remove prohibited tarps off the roof. Remove all black discoloration off the exterior of the property.**

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 **December 1st, 2024:**

- ☐ Administrative costs of **\$356.60**
 - ☐ 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 **December 1st, 2024**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 1st, 2024**.
- ☐ Administrative costs of **\$356.60**
 - ☐ 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 Joey Sanders** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[3557 Gulfstream Road](#)
[Palm Springs, FL 33461 3521](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-72

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Tzonka Hristov
1030 Bimini LN
Riviera Beach, FL 33404

Respondent(s).

70-42-44-24-00-000-5312

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 **November 11th, 2024**, the Respondent(s), **Tzonka Hristov** owner(s) of the property at **3650 Almar RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles-Remove open trailer off the property.

SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.

SECTION 34-893: Canopies-Remove all prohibited canopies off the property.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3650" house ID numbers on the front of the property.

These violations must be corrected on or before **November 19th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY November 21st, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You

CE/ CEB Case No. _____

will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)584-8200 EXT 8430. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours prior to the hearing.

Code Enforcement Officer 561-584-8300 ext. 8525

Joey Sanders
Printed Name of Officer

Date Issued: _____ November 11th, 2024 _____

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-72

RETURN OF SERVICE

**TZONKA HRISTOV
1030 BIMINI LN
RIVIERA BEACH, FL 33404 2704**
_____ /

Respondent

On the **11th Day of November 2024 at 1:48PM**, I served the attached NOV/NOH on the within named Respondent, **Tzonka Hristov** at **3650 Almar RD**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

_____ **SUBSTITUTE SERVICE:** By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: _____ and informing such person of their contents pursuant to F.S. 48.031.

_____ **XX** **POSTED BY:** Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders #212
Code Enforcement Officer

11.11.2024 13:48



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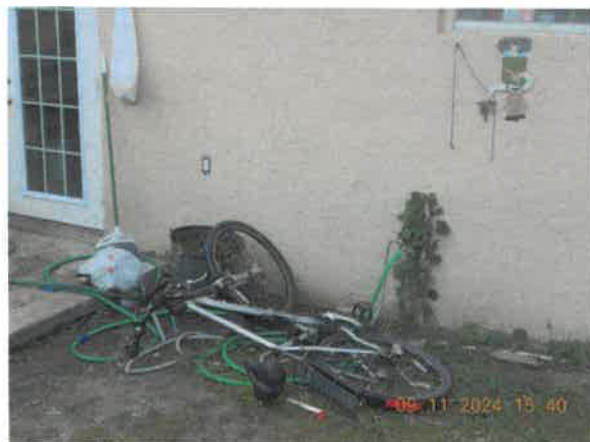
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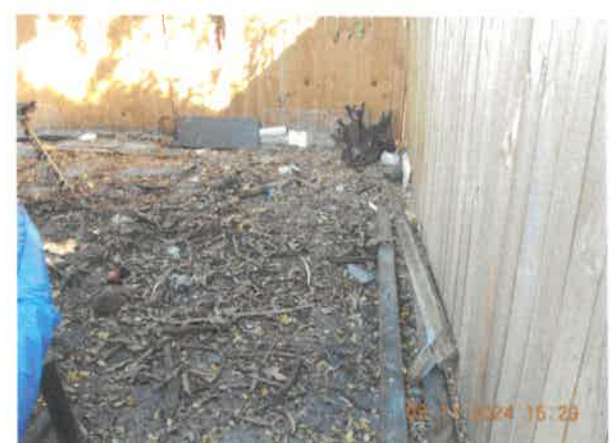
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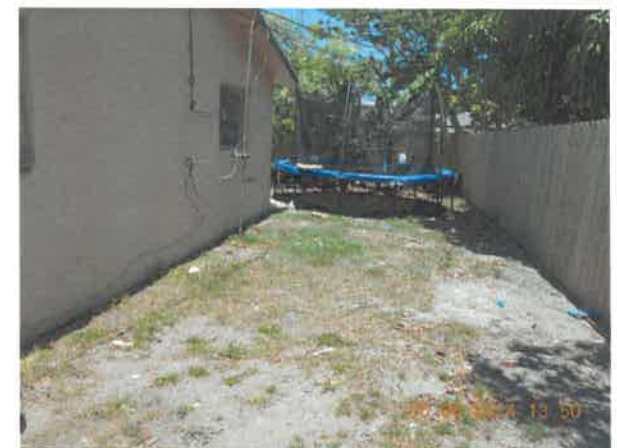
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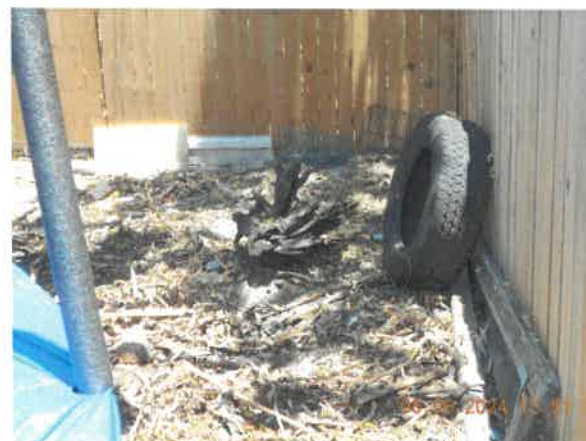
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PALM SPRINGS POLICE DEPARTMENT

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

November 11th, 2024

Tzonka Hristov
1030 Bimini LN
Riviera Beach, FL 33404

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 **3650 Almar RD in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5312

VIOLATION/HEARING CASE 2024-72

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles-Remove open trailer off the property.

SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.

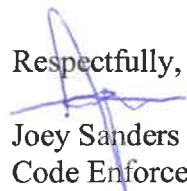
SECTION 34-893: Canopies-Remove all prohibited canopies off the property.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3650" house ID numbers on the front of the property.

The options available include coming into voluntary compliance on or before **November 19th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday November 21st, 2024 at 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

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



Respectfully,

Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

230 Cypress Lane Palm Springs, FL 33461

Phone: 561-584-8300 Ext. 8525

Email: jsanders@vpsfl.org

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Sec. 6-3. - Keeping animals, fowl and livestock.

- (a) It is deemed necessary and expedient for the preservation of the public health and the general welfare of the village that the keeping of animals and fowl within the corporate limits of the village as specified in this section shall be expressly prohibited and restricted.
- (b) No person shall keep any animal of the equine, bovine or swine class in the village, including, but not limited to, goats, sheep, mules, horses, hogs, cattle, ostriches and other grazing animals.
- (c) No person shall keep any livestock in the village.
- (d) There shall be no more than four domestic cats or four dogs, or a combination of domestic cats and dogs not exceeding eight, kept at a residence within the village at any one time.

(Code 1994, § 6-3)

Sec. 10-8. - Exterior property areas.

- (a) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which the occupant occupies or controls in a clean, neat, and sanitary condition.
- (b) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of subsection 10-10(g).
- (c) *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches, as set forth in chapter 30. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.
- (d) *Accessory structures.* All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair.
 - (1) *Water clarity in swimming pools.* Water clarity shall be maintained. When standing at the pool's edge at the deep end, the deepest portion of the swimming pool floor shall be visible.

(Ord. No. 2006-47, § 2, 11-9-2006)

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

- (a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- (b) *Exterior painting.* All wood and metal surfaces including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.
- (c)

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

- (d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- (e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.
- (f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- (g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.
- (h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (j) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch, balcony, railings and all other appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- (k) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- (l) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (m)

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

- (1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.
- (2) *Openable window.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
- (n) *Doors.* All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.
- (o) Holiday lights and decorations, erected during the appropriate holiday season, shall comply with all applicable building and electrical codes. Holiday lights and decorations may be erected no earlier than 30 days prior to the subject holiday, with the exception of the Christmas/Hanukkah holidays. Christmas/Hanukkah lights and decorations may be erected no earlier than October 15. All Christmas/Hanukkah lights and decorations must be removed within 30 days following the holiday. All other holiday lights and decorations shall be removed within 14 days following the holiday.
- (p) Protection from windborne debris is encouraged for all structures certified for occupancy in the village. Storm shutters, or hurricane protection devices, shall be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the building department.
- (q) It is prohibited to maintain any device (including but not limited to wood, aluminum, or approved hurricane shutters) used for securing property, which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated. In addition, it is prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:
 - (1) A hurricane occurs during the ten-day period, at which point the ten-day period begins anew the day after hurricane conditions have subsided; or
 - (2) Hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or
 - (3) The structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (1) and (2), above, shall still apply during periods when a person is in residence.
 - (4) Clerestory windows exempted under this section, shall be removed ten days after the official conclusion of the hurricane season.
- (r) The owner of an occupied structure shall promptly repair any broken door or window so that a temporary boarded up condition is limited. Any such repair, other than in the case of a natural disaster, shall be made within ten (10) consecutive days. Any means of securing property

including crime prevention devices shall be subject to review by the building official for safety and compliance with the Florida Building Code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Real property may be secured via boarding up windows, doors, or other openings upon the requirement of the building official provided a permit is issued by the village prior to securing a property.

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

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

- (a) The growth of weeds over 12 inches in height, or that which is conducive to harboring vermin, reptiles or other wild animal life, upon any lot, piece or parcel of land within the limits of the village, is hereby declared to be a nuisance and a violation of this article.
- (b) All lands in the village shall be kept free from debris, overgrowth, vegetation, including trees, or any other matter which by reason of height, proximity to neighboring structures, physical condition, disease such as, but not limited to, lethal yellowing of palms, or any other peculiar characteristics, might, in time of hurricane winds prevalent in the region, cause damage to life or property within the immediate area surrounding the region or which constitutes a hazard to health, safety or proper fire control. The existence of any debris, overgrowth, vegetation or other matter as shall create such a hazard is declared to be a nuisance.

(Code 1994, § 26-86)

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

- (a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.
- (b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.

(c)

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

(Code 1994, § 26-86)

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

Sec. 34-223. - Tree removal.

- (a) It shall be unlawful to remove or cut down any tree in any street or other public place without having first secured permission. Applications for such permission shall be made to the building official and shall be referred to the village manager for approval.
- (b) Unless otherwise provided within this chapter, land shall not be landscaped, cleared, altered, or grubbed within the village unless written permission is first obtained by site plan approval and/or a permit, as may be required. Furthermore, any tree, except as provided for in this division, shall not be cut down, destroyed, removed, or effectively destroyed as a result of damaging the tree or changing the natural grade within the drip line of a tree, without first obtaining site plan approval and/or a permit. The village may grant permission to remove, add to, relocate, or plant vegetation on land within the limits of the village through a land development application and/or permit. With the exception of requirements of sections 34-161(b)(1), 34-163 and 34-224, property owners of developed single-family lots and duplex lots are exempt from the provisions of this section. Approved landscape and tree protection plans may not be altered in any way, unless otherwise provided by this article.
- (c) In conjunction with development or redevelopment, trees/palms slated for removal and destruction shall be offered to the village for relocation to a public property. Property owners shall provide at least 60 days' notice to the village and grant the village permission to enter the property and relocate any trees approved for removal.

(Code 1994, § 30-148; Ord. No. 2015-12, § 7, 4-9-2015)

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

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

(Code 1994, § 30-150)

Sec. 34-893. - 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)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c)

The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster")) within any zoning district in the village, is subject to the following regulations:

- (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
- (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.
- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
- (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to

remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.

(d) Parking or storage locations for not more than the following:

(1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:

- a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
- b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.

(2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.

(e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.

(f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.

(g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.

(h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.

(i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.

(j)

Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

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

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

- (a) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air or water pollution, smoke or dust, uncontrolled or uncontained solid, liquid, or airborne waste or debris, or which involves unusual accumulation of stored materials not immediately and directly required for the normal operation of the permitted use present on the property.
- (b) No materials may be stored in an outside area visible from any adjacent or nearby street or property in any residential district. No inoperative wheeled vehicle may be stored for more than five days on any parcel in a residential district, except when stored in a completely enclosed structure.

(Code 1994, § 30-956)

Sec. 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— Graffiti, F.S. § 806.13.

CASE PRESENTATION

CASE No. CASE 2024-72

1. Good morning. My name is Joey Sanders and I'm a code enforcement officer for the Village of Palm Springs and I've been sworn in.
2. Case #2024-72 is concerning the property located at 3650 Almar RD within the Village of Palm Springs.
3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is Tzonka Hristov.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.
SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.
SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.
SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.
SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.
SECTION 34-914: Vehicles-Remove open trailer off the property.
SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.
SECTION 34-893: Canopies-Remove all prohibited canopies off the property.
SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3650" house ID numbers on the front of the property.
Photos are included in the file.

5. On 05/15/~~20~~24, I inspected the property and observed multiple code violations to include various property maintenance issues and a group of live chickens wandering around the property. I issued a code courtesy violation notice and posted it at the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owner one follow-up letter and also communicated with the property owner on numerous occasions via telephone. It should be noted that on 08/06/2024 Code Enforcement Officer Neonakis and I walked the property together with the property owner and I pointed out all of the existing code violations that needed to be corrected.

The property owner was receptive and advised that he will begin cleaning up the property right away. At some point, I began receiving several neighbor complaints in reference to large piles of misc. trash, bulk furniture and vegetative waste that was being dumped on the swale located in front of the property. I later verified the complaints to be valid and I photographed the area. As of this writing, the trash continues to grow, has not been removed and I've had no further contact with the property owner.

CASE No. _____

6. On **November 11th, 2024**, Notice of Violation/ Notice of Hearing **2024-72** was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

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

8. The Village has also incurred costs in the amount of **\$336.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **December 1st, 2024**.

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



Case Administrative / Court Costs

November 21, 2024, 3650 Almar RD		Case 2024-72		
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	8.00	20.00	160.00
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 2024-72				336.60



PALM SPRINGS POLICE DEPARTMENT

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

May 15th, 2024

Tzonka Hristov
1030 Bimini LN
Riviera Beach, FL 33404

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3650**

Almar RD Palm Springs, FL 33461

PCN: 70-42-44-24-00-000-5312

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

SECTION 14-32

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

SECTION 30-143 & 34-1381

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

SECTION 34-914

Vehicles/Parking: All vehicles must be parked on an impervious surface. Remove all vehicles parked on the grass.

SECTION 105.1 & 110.1

Work w/o Permits: Remove all unpermitted structures off the property.

SECTION 10-8, 30-141, 30-142 & 34-221

Weeds/Overgrowth/Landscape Maintenance:

- Remove all weeds off the property.
- Improve the appearance of all sections of dead grass.
- Trim all overgrown trees/bushes/vegetation. This includes any vegetation obstructing the windows' ingress/egress.

SECTION 34-225 & 46-3

Fence Maintenance/Graffiti:

- Remove all graffiti off the fence and exterior walls.
- Remove all existing unpermitted fences and broken fences.

SECTION 10-8

Driveways: Driveway needs to be pressure washed.

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Painting/Fascia/Shutters/Holiday Lights/Windows/Ripped Screens:

- Remove all holiday lights off the property.
- Repair all damaged/ripped screens.
- Remove all black discoloration and graffiti off the exterior walls and paint the property.
- Repair all broken/rotted wood sections of the fascia.
- Remove all wood boards covering the windows and repair all broken windows.
- Post "3650" house ID numbers on the front of the property. Must be clearly visible from the roadway and a minimum of 4" height. Also, each unit must be properly labeled.

SECTION 6-3

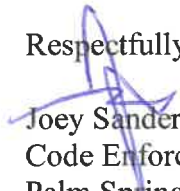
Keeping Animals, Fowl & Livestock: Remove all prohibited chickens/hens/roosters off the property.

Compliance Date: May 29th, 2024

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

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

Respectfully,


Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence

Courtesy Code Violation Notice

Case#

Date: 05/15/2024 Time:

Location: 3650 Almar 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:

Reference Attached Letter

Compliance Date:

05/29/2024

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

Code Officer J. Sanders #211

Name

I.D. #

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

Ext. # 8525



Record: **BT24-0300 Business Tax**

NOTICE ALERT: Address Violation
ADDRESS: 3650 ALMAR RD, PALM SPRINGS, FL 33404

Record #

BT24-0300

Status

New

Type

Rental Permit

Bus. Type

Limited Liability Corp.

Applicant

Dimiter Hristov

Type of Business

Residential rental

☐ Within City Limits

☐ Out of Area

Location

3650 Almar RD, Palm Springs, FL 33404

Folio

70424424000005312

Property Owner

HRISTOV TZONKA

Received

6/6/2024

Approved

Expires

09/30/2024

Closed

CRA

Homestead

No

Company

Hristov Holdings LLC

DBA

if appl. FEIN

84-1653879

State Issued

Florida

Notes

Drivers License / ID #

H623-162-57-444-0

Receipt Year to Print

Details Section

[Business Permit](#) [Business Tax 2](#) [Business Tax 3](#) [Business Tax 4](#) [Business Tax 5](#) [Business Tax 6](#)
[Business Tax 7](#) [Business Tax 8](#)

- Contacts (3)

	Type	Primary Contact	Primary Contractor	Person	Category	Details Stamp	Delete
--	------	-----------------	--------------------	--------	----------	---------------	--------

Property Detail

Location Address : 3650 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5312
Subdivision :
Official Records Book/Page : 26231 / 101
Sale Date : JUL-2013
Legal Description : 24-44-42, S 100 FT OF N 200 FTOF E 1/2 OF SE 1/4 OF NW 1/4 OF SE 1/4 (LESS W 150 FT)

Owner Information**Owner(s)**

HRISTOV TZONKA

Mailing Address
 1030 BIMINNI LN
 RIVIERA BEACH FL 33404 2704
Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2013	\$272,000	26231 / 00101	WARRANTY DEED	HRISTOV TZONKA
NOV-1999	\$160,000	11463 / 01347	WARRANTY DEED	SOLTES MICHAEL
FEB-1996	\$130,000	09155 / 00132	WARRANTY DEED	
MAR-1984	\$100	04196 / 01306	WARRANTY DEED	
JAN-1977	\$68,000	02632 / 00198		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 4
***Total Square Feet :** 4052
Acres : .42
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$437,602	\$355,316	\$290,834	\$210,118	\$259,172
Land Value	\$224,910	\$251,498	\$249,186	\$146,061	\$156,000
Total Market Value	\$662,512	\$606,814	\$540,020	\$356,179	\$415,172

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$474,075	\$430,977	\$391,797	\$356,179	\$349,628
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$474,075	\$430,977	\$391,797	\$356,179	\$349,628

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$10,401	\$9,579	\$8,812	\$7,332	\$7,720
NON AD VALOREM	\$1,229	\$1,214	\$1,144	\$1,004	\$1,000
TOTAL TAX	\$11,629	\$10,792	\$9,955	\$8,336	\$8,719

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT

- [Return](#)
- [New Search](#)
- [Print Page](#)
- [View Assessment Data](#)



Account Information

Property Control Number:
70-42-44-24-00-000-5312

Mailing Address:
1030 BIMINNI LN
Riviera Beach, FL 33404-2704

Owner of Record:
HRISTOV TZONKA

Property Type:
Real Property

Property Address:
3650 ALMAR RD
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
24-44-42, S 100 FT OF N 200 FTOF E 1/2
OF SE 1/4 OF NW 1/4 OF SE 1/4 (LESS
W 150 FT)

Last updated: 11/11/2024 04:12:22 PM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.
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: **\$11,164.19** [ADD ALL TO CART](#)

2024 | Bill Type: Original | Bill No: 101634216 | Roll: Annual |

Due **\$11,164.19** [ADD TO CART](#)

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date		Status	Payment Options
3/31/25	☒ \$11,164.19	\$0.00	☒ \$11,164.19		☒ Due	☐ \$11,164.19
	Net Tax: \$11,629.37		▶ 11/11/24	\$11,164.19		Clear all
	Interest: \$0.00		11/30/24	\$11,164.19		
	Penalty: \$0.00		12/2/24	\$11,164.19		
	Fees: \$0.00		12/31/24	\$11,280.48		
	Discount: -\$465.18					

Total: **\$0.00** [ADD TO CART](#)



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-72

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**TZONKA HRISTOV
3650 ALMAR ROAD
LAKE WORTH BEACH, FL 33461**

**MAILING ADDRESS:
TZONKA HRISTOV
1030 BIMINI LANE
RIVIERA BEACH, FL 33404 2704**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.

SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.

SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles. Remove open trailer off the property.

SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.

SECTION 34-893: Canopies. Remove all prohibited canopies off the property.

SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.

Address: 3650 ALMAR ROAD

Legal Description: 24-44-42, S 100 FT OF N 200 FT OF E ½ OF SE ¼ OF NW ¼ OF SE ¼ (LESS W 150 FT)

PCN:

70-42-44-24-00-000-5312

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 21st day of November 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.

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

- ☐ **SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.**
- ☐ **SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.**
- ☐ **SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.**
- ☐ **SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.**
- ☐ **SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.**
- ☐ **SECTION 34-914: Vehicles. Remove open trailer off the property.**
- ☐ **SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.**
- ☐ **SECTION 34-893: Canopies. Remove all prohibited canopies off the property.**
- ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.**

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

- ☐ **SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**

- ☐ SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.
- ☐ SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.
- ☐ SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.
- ☐ SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.
- ☐ SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.
- ☐ SECTION 34-914: Vehicles. Remove open trailer off the property.
- ☐ SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.
- ☐ SECTION 34-893: Canopies. Remove all prohibited canopies off the property.
- ☐ SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.

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 **December 1st, 2024:**
 - ☐ Administrative costs of **\$336.60**
 - ☐ 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 **December 1st, 2024.** If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 1st, 2024.**
 - ☐ Administrative costs of **\$336.60**
 - ☐ 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 Joey Sanders** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[1030 Bimini Lane](#)
[Riviera Beach, FL 33404 2704](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-73

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Dimitar B Hristov
1030 Bimini LN
Riviera Beach, FL 33404

Respondent(s).

70-42-44-24-00-000-5310

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 **November 11th, 2024**, the Respondent(s), **Dimitar B Hristov** owner(s) of the property at **3620 Almar RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles-Remove open trailer off the property.

SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.

SECTION 34-893: Canopies-Remove all prohibited canopies off the property.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3620" house ID numbers on the front of the property.

These violations must be corrected on or before **November 19th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY November 21st, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

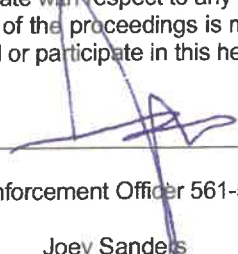
IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You

CE/ CEB Case No. _____

will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)584-8200 EXT 8430. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 584-8200 Ext 8430, at least 36 hours prior to the hearing.



Code Enforcement Officer 561-584-8300 ext. 8525

Joey Sanders

Printed Name of Officer

Date Issued: November 11th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-73

RETURN OF SERVICE

**DIMITER B HRISTOV
1030 BIMINI LN
RIVIERA BEACH, FL 33404 2704**
_____ /

Respondent

On the **11th Day of November 2024 at 1:45PM**, I served the attached NOV/NOH on the within named Respondent, Dimiter B Hristov at 3620 Almar RD, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

_____ **SUBSTITUTE SERVICE:** By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: ____ and informing such person of their contents pursuant to F.S. 48.031.

_____ **XX** **POSTED BY:** Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By:

Joey Sanders #211
Code Enforcement Officer

[illegible][illegible][illegible][illegible]

1995 and 1996. *Journal of Interpersonal Violence*, 10(2), 165-176.

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100



December 11th, 2024

Dr. David H. Jones
1400 Grand St N
Atlanta, GA 30309

A MESSAGE TO THE AFRICAN AMERICAN COMMUNITY has been issued by the United States Department of Justice, Office of the Inspector General, regarding the proposed **2010 Census** in the United States.

REGISTRATION INFORMATION: Case 2014-77

[illegible][illegible][illegible]

The authors declare no conflict of interest.

One has to admit that if you present some cases in this way, which you might not want to, then you are almost bound to be adding to the old case against a Catholicism that is not only

transmission, a per-hour \$250.00 to \$400.00.

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Figure 1. The effect of the concentration of the solution on the adsorption of the dye.

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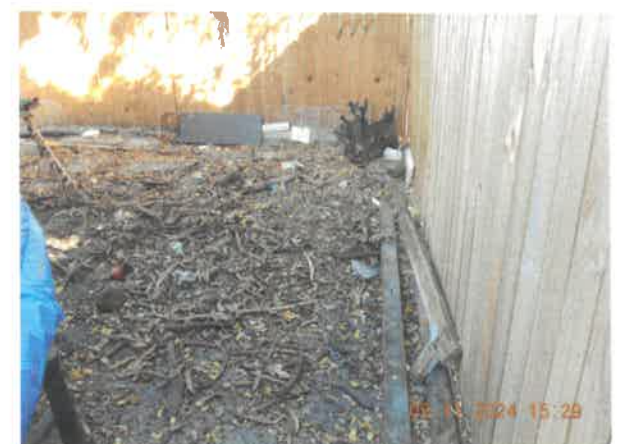
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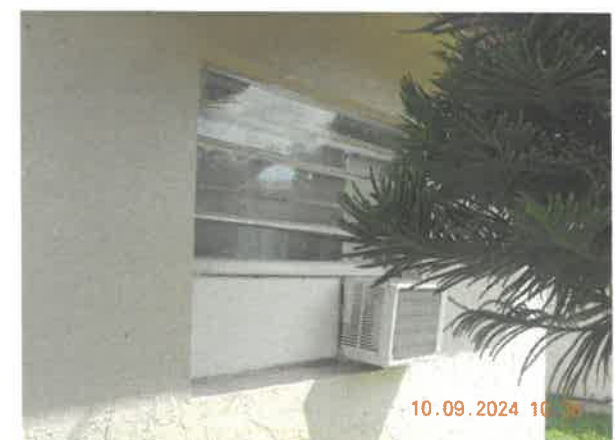
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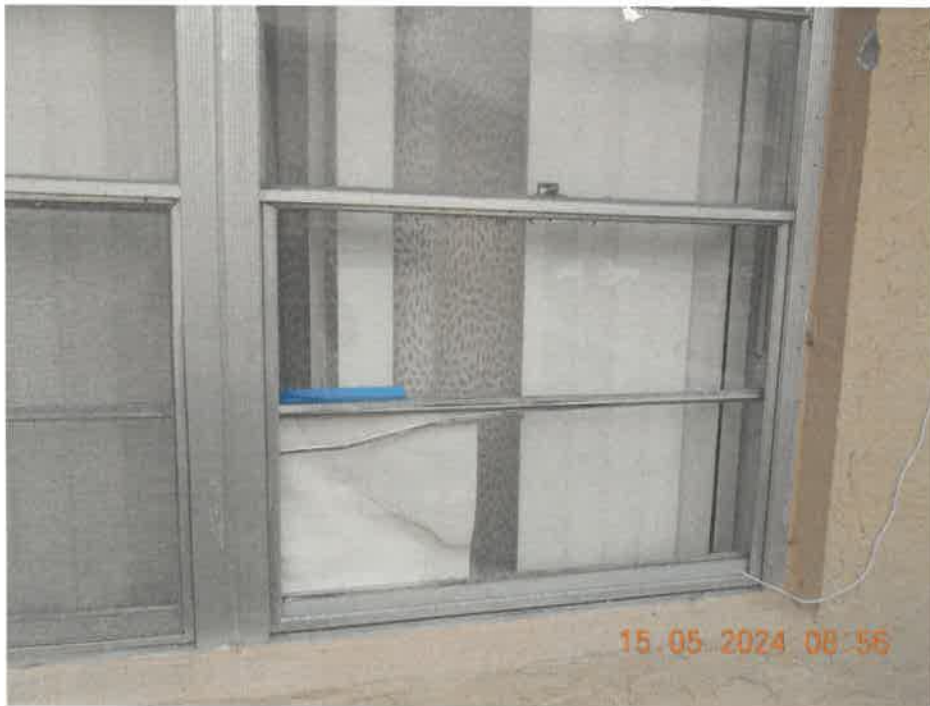
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PALM SPRINGS POLICE DEPARTMENT

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

November 11th, 2024

Dimitar B Hristov
1030 Bimini LN
Riviera Beach, FL 33404

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 **3620 Almar RD in Palm Springs, FL.**
PCN: 70-42-44-24-00-000-5310

VIOLATION/HEARING CASE 2024-73

SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.

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

SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles-Remove open trailer off the property.

SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.

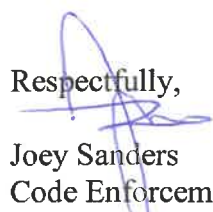
SECTION 34-893: Canopies-Remove all prohibited canopies off the property.

SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3620" house ID numbers on the front of the property.

The options available include coming into voluntary compliance on or before **November 19th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday November 21st, 2024 at 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

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



Respectfully,

Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

230 Cypress Lane Palm Springs, FL 33461

Phone: 561-584-8300 Ext. 8525

Email: jsanders@vpsfl.org

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Dimitar B Hristov
1030 Bimini LN
Riviera Beach, FL 33404



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Dimitar B Hristov
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Sec. 6-3. - Keeping animals, fowl and livestock.

- (a) It is deemed necessary and expedient for the preservation of the public health and the general welfare of the village that the keeping of animals and fowl within the corporate limits of the village as specified in this section shall be expressly prohibited and restricted.
- (b) No person shall keep any animal of the equine, bovine or swine class in the village, including, but not limited to, goats, sheep, mules, horses, hogs, cattle, ostriches and other grazing animals.
- (c) No person shall keep any livestock in the village.
- (d) There shall be no more than four domestic cats or four dogs, or a combination of domestic cats and dogs not exceeding eight, kept at a residence within the village at any one time.

(Code 1994, § 6-3)

Sec. 10-8. - Exterior property areas.

- (a) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which the occupant occupies or controls in a clean, neat, and sanitary condition.
- (b) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of subsection 10-10(g).
- (c) *Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches, as set forth in chapter 30. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.
- (d) *Accessory structures.* All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair.
 - (1) *Water clarity in swimming pool's:* Water clarity shall be maintained. When standing at the pool's edge at the deep end, the deepest portion of the swimming pool floor shall be visible.

(Ord. No. 2006-47, § 2, 11-9-2006)

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

- (a) *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- (b) *Exterior painting.* All wood and metal surfaces including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.
- (c)

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

- (d) *Structural members.* All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- (e) *Foundation walls.* All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.
- (f) *Exterior walls.* All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- (g) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.
- (h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (j) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch, balcony, railings and all other appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- (k) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- (l) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (m)

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

- (1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.
- (2) *Openable window.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
- (n) *Doors.* All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.
- (o) Holiday lights and decorations, erected during the appropriate holiday season, shall comply with all applicable building and electrical codes. Holiday lights and decorations may be erected no earlier than 30 days prior to the subject holiday, with the exception of the Christmas/Hanukkah holidays. Christmas/Hanukkah lights and decorations may be erected no earlier than October 15. All Christmas/Hanukkah lights and decorations must be removed within 30 days following the holiday. All other holiday lights and decorations shall be removed within 14 days following the holiday.
- (p) Protection from windborne debris is encouraged for all structures certified for occupancy in the village. Storm shutters, or hurricane protection devices, shall be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the building department.
- (q) It is prohibited to maintain any device (including but not limited to wood, aluminum, or approved hurricane shutters) used for securing property, which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated. In addition, it is prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:
 - (1) A hurricane occurs during the ten-day period, at which point the ten-day period begins anew the day after hurricane conditions have subsided; or
 - (2) Hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or
 - (3) The structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (1) and (2), above, shall still apply during periods when a person is in residence.
 - (4) Clerestory windows exempted under this section, shall be removed ten days after the official conclusion of the hurricane season.
- (r) The owner of an occupied structure shall promptly repair any broken door or window so that a temporary boarded up condition is limited. Any such repair, other than in the case of a natural disaster, shall be made within ten (10) consecutive days. Any means of securing property

including crime prevention devices shall be subject to review by the building official for safety and compliance with the Florida Building Code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Real property may be secured via boarding up windows, doors, or other openings upon the requirement of the building official provided a permit is issued by the village prior to securing a property.

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

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

- (a) The growth of weeds over 12 inches in height, or that which is conducive to harboring vermin, reptiles or other wild animal life, upon any lot, piece or parcel of land within the limits of the village, is hereby declared to be a nuisance and a violation of this article.
- (b) All lands in the village shall be kept free from debris, overgrowth, vegetation, including trees, or any other matter which by reason of height, proximity to neighboring structures, physical condition, disease such as, but not limited to, lethal yellowing of palms, or any other peculiar characteristics, might, in time of hurricane winds prevalent in the region, cause damage to life or property within the immediate area surrounding the region or which constitutes a hazard to health, safety or proper fire control. The existence of any debris, overgrowth, vegetation or other matter as shall create such a hazard is declared to be a nuisance.

(Code 1994, § 26-86)

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

- (a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.
- (b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.

(c)

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

(Code 1994, § 26-86)

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

Sec. 34-223. - Tree removal.

- (a) It shall be unlawful to remove or cut down any tree in any street or other public place without having first secured permission. Applications for such permission shall be made to the building official and shall be referred to the village manager for approval.
- (b) Unless otherwise provided within this chapter, land shall not be landscaped, cleared, altered, or grubbed within the village unless written permission is first obtained by site plan approval and/or a permit, as may be required. Furthermore, any tree, except as provided for in this division, shall not be cut down, destroyed, removed, or effectively destroyed as a result of damaging the tree or changing the natural grade within the drip line of a tree, without first obtaining site plan approval and/or a permit. The village may grant permission to remove, add to, relocate, or plant vegetation on land within the limits of the village through a land development application and/or permit. With the exception of requirements of sections 34-161(b)(1), 34-163 and 34-224, property owners of developed single-family lots and duplex lots are exempt from the provisions of this section. Approved landscape and tree protection plans may not be altered in any way, unless otherwise provided by this article.
- (c) In conjunction with development or redevelopment, trees/palms slated for removal and destruction shall be offered to the village for relocation to a public property. Property owners shall provide at least 60 days' notice to the village and grant the village permission to enter the property and relocate any trees approved for removal.

(Code 1994, § 30-148; Ord. No. 2015-12, § 7, 4-9-2015)

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

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

(Code 1994, § 30-150)

Sec. 34-893. - 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)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c)

The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster") within any zoning district in the village, is subject to the following regulations:

- (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
- (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.
- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
- (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to

remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.

(d) Parking or storage locations for not more than the following:

(1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:

- a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
- b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.

(2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.

(e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.

(f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.

(g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.

(h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.

(i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.

(j)

Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

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

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

- (a) No land use or land development activity may be conducted in a manner inconsistent from the normal manner of conduct of such activity and in a way which results in the unusual or extraordinary generation of noise, air or water pollution, smoke or dust, uncontrolled or uncontained solid, liquid, or airborne waste or debris, or which involves unusual accumulation of stored materials not immediately and directly required for the normal operation of the permitted use present on the property.
- (b) No materials may be stored in an outside area visible from any adjacent or nearby street or property in any residential district. No inoperative wheeled vehicle may be stored for more than five days on any parcel in a residential district, except when stored in a completely enclosed structure.

(Code 1994, § 30-956)

Sec. 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— Graffiti, F.S. § 806.13.

CASE PRESENTATION

CASE No. CASE 2024-73

1. Good morning. My name is Joey Sanders and I'm a code enforcement officer for the Village of Palm Springs and I've been sworn in.
2. Case #2024-73 is concerning the property located at 3620 Almar RD within the Village of Palm Springs.
3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is Dimitar B Hristov.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 6-3: Keeping Animals/Fowl/Livestock-Remove all chickens/hens/roosters off the property.
SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.
SECTION 46-3: Graffiti-Remove all graffiti off the exterior walls.
SECTION 10-8: Weeds/Parking Lot: Remove all weeds off the property and repair all broken sections of concrete within the parking lot.
SECTION 34-223: Tree Removal-Obtain a permit for all trees cut down and removed without permission.
SECTION 34-914: Vehicles-Remove open trailer off the property.
SECTION 34-225: Fence Maintenance-Repair all broken fences and remove all unpermitted fences.
SECTION 34-893: Canopies-Remove all prohibited canopies off the property.
SECTION 10-9: Exterior Property Maintenance-Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, doors and secure all open/exposed electrical and meter boxes/Remove all rugs, carpets and tarps on the ground/Remove all shutters covering the windows/Post "3620" house ID numbers on the front of the property.
Photos are included in the file.

5. On 05/15/2024, I inspected the property and observed multiple code violations to include various property maintenance issues and a group of live chickens wandering around the property. I issued a code courtesy violation notice and posted it at the property. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owner one follow-up letter and also communicated with the property owner on numerous occasions via telephone. It should be noted that on 08/06/2024 Code Enforcement Officer Neonakis and I walked the property together with the property owner and I pointed out all of the existing code violations that needed to be corrected.

The property owner was receptive and advised that he will begin cleaning up the property right away. At some point, I began receiving several neighbor complaints in reference to large piles of misc. trash, bulk furniture and vegetative waste that was being dumped on the swale located in front of the property. I later verified the complaints to be valid and I photographed the area. As of this writing, the trash continues to grow, has not been removed and I've had no further contact with the property owner.

CASE No. _____

6. On **November 11th, 2024**, Notice of Violation/ Notice of Hearing **2024-73** was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

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

8. The Village has also incurred costs in the amount of **\$336.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **December 1st, 2024**.

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



Case Administrative / Court Costs

November 21, 2024, 3620 Almar RD		Case 2024-73		
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	8.00	20.00	160.00
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 2024-73				336.60



PALM SPRINGS POLICE DEPARTMENT

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

May 15th, 2024

Dimiter B Hristov
1030 Bimini LN
Riviera Beach, FL 33404

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3620**

Almar RD Palm Springs, FL 33461

PCN: 70-42-44-24-00-000-5310

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

SECTION 14-32

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

SECTION 30-143 & 34-1381

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

SECTION 105.1 & 110.1

Work w/o Permits: Remove all unpermitted structures off the property.

SECTION 10-8, 30-141, 30-142 & 34-221

Weeds/Overgrowth/Landscape Maintenance:

- Remove all weeds off the property.
- Improve the appearance of all sections of dead grass.
- Trim all overgrown trees/bushes/vegetation. This includes any vegetation obstructing the windows' ingress/egress.

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Painting/Fascia/Shutters/Holiday

Lights/Windows/Ripped Screens/Decorative Shutters:

- Remove all holiday lights off the property.
- Repair all damaged/ripped screens.
- Repair or remove all broken decorative shutters.
- Remove all black discoloration off the exterior walls and paint the property.
- Repair all broken/rotted wood sections of the fascia.
- Remove all wood boards covering the windows and repair all broken windows.
- Post "3620" house ID numbers on the front of the property. Must be clearly visible from the roadway and a minimum of 4" height. Also, each unit must be properly labeled.

SECTION 34-225 & 46-3

Fence Maintenance/Graffiti:

- Repair, replace or remove all broken wood and chain-link fences.
- Remove all graffiti off the fence.

SECTION 10-8

Driveways: Driveway needs to be pressure washed.

Compliance Date: May 29th, 2024

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

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

Respectfully,

Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence

Courtesy Code Violation Notice

Case# _____
Date: 05/15/2024 Time: _____
Location: 3620 Alma 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:

Reference Attached Letter

Compliance Date: 05/29/2024

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

Code Officer J. Sanders #211

Name I.D. #

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



Record: **BT24-0301 Business Tax**

NOTICE ALERT: Address Violation

ADDRESS: 3620 ALMAR RD, PALM SPRINGS, FL 33404

Record #	BT24-0301	☐ Within City Limits	Location	3620 Almar RD, Palm Springs, FL 33404	Received	6/6/2024	
Status	New	☐ Out of Area	Folio		Approved		
Type	Rental Permit			70424424000005310	Expires	09/30/2024	
Bus. Type	Limited Liability Corp.	Property Owner	HRISTOV DIMITER B			Closed	
Applicant	Dimiter Hristov					CRA	
Type of Business	Residential rental					Homestead	No

Company	Hristov Holdings LLC		Receipt Year to Print	
DBA				
if appl. FEIN	84-1653879	Drivers License / ID #	H623-162-57-444-0	
State Issued	Florida			
Notes				

Details Section

[Business Permit](#) [Business Tax 2](#) [Business Tax 3](#) [Business Tax 4](#) [Business Tax 5](#) [Business Tax 6](#)
[Business Tax 7](#) [Business Tax 8](#)

-Contacts (3)

	Type	Primary Contact	Primary Contractor	Person	Category	Details Stamp	Delete
--	------	-----------------	--------------------	--------	----------	---------------	--------

Property Detail

Location Address : 3620 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5310
Subdivision :
Official Records Book/Page : 26245 / 1102
Sale Date : JUL-2013
Legal Description : 24-44-42, N 100 FT OF E 1/2 OF SE 1/4 OF NW 1/4 OF SE 1/4 (LESS W 150 FT)

Owner Information**Owner(s)**

HRISTOV DIMITER B

Mailing Address

1030 BIMINI LN
RIVIERA BEACH FL 33404 2704

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2013	\$261,330	26245 / 01102	WARRANTY DEED	HRISTOV DIMITER B
NOV-1999	\$160,000	11463 / 01376	WARRANTY DEED	SOLTES MICHAEL
FEB-1996	\$130,000	09155 / 00132	WARRANTY DEED	
MAR-1984	\$100	04196 / 01305	WARRANTY DEED	
JAN-1977	\$88,000	02644 / 00208		
JUN-1976	\$23,000	02557 / 01199	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 4
***Total Square Feet :** 4052
Acres : .42
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$437,602	\$355,316	\$290,834	\$210,118	\$259,172
Land Value	\$224,915	\$251,503	\$249,191	\$146,064	\$156,000
Total Market Value	\$662,517	\$606,819	\$540,025	\$356,182	\$415,172

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$474,078	\$430,980	\$391,800	\$356,182	\$349,628
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$474,078	\$430,980	\$391,800	\$356,182	\$349,628

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$10,401	\$9,579	\$8,812	\$7,332	\$7,720
NON AD VALOREM	\$1,229	\$1,214	\$1,144	\$1,004	\$1,000
TOTAL TAX	\$11,629	\$10,792	\$9,955	\$8,336	\$8,719

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT

[Return](#) [New Search](#) [Print Page](#) [View Assessment Data](#)

Account Information

Property Control Number:
70-42-44-24-00-000-5310

Mailing Address:
1030 BIMINI LN

Riviera Beach, FL 33404-2704

Owner of Record:
HRISTOV DIMITER B

Property Type:
Real Property

Property Address:
3620 ALMAR RD

LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:

24-44-42, N 100 FT OF E 1/2 OF SE 1/4
OF NW 1/4 OF SE 1/4 (LESS W 150 FT)

Last updated: 11/11/2024 04:13:05 PM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.

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: **\$11,164.26** [ADD ALL TO CART](#)

2024 | Bill Type: Original | Bill No: 101634505 | Roll: Annual |

Due \$11,164.26 [ADD TO CART](#)

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date		Status	Payment Options
3/31/25	☐ \$11,164.26	\$0.00	☐ \$11,164.26		Due	☐ \$11,164.26
	Net Tax: \$11,629.44		11/11/24	\$11,164.26		Clear all
	Interest: \$0.00		11/30/24	\$11,164.26		
	Penalty: \$0.00		12/2/24	\$11,164.26		
	Fees: \$0.00		12/31/24	\$11,280.55		
	Discount: -\$465.18					

Total: \$0.00 [ADD TO CART](#)



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-73

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**DIMITER B HRISTOV
3620 ALMAR ROAD
LAKE WORTH BEACH, FL 33461**

**MAILING ADDRESS:
DIMITER B HRISTOV
1030 BIMINI LANE
RIVIERA BEACH, FL 33404 2704**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.

SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.

SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.

SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.

SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.

SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.

SECTION 34-914: Vehicles. Remove open trailer off the property.

SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.

SECTION 34-893: Canopies. Remove all prohibited canopies off the property.

SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.

Address: 3620 ALMAR ROAD

Legal Description: 24-44-42, N 100 FT OF E 1/2 OF SE ¼ OF NW ¼ OF SE 1/4 (LESS W 150 FT)

PCN:

70-42-44-24-00-000-5310

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 21st day of November 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.

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

- ☐ **SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.**
- ☐ **SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.**
- ☐ **SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.**
- ☐ **SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.**
- ☐ **SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.**
- ☐ **SECTION 34-914: Vehicles. Remove open trailer off the property.**
- ☐ **SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.**
- ☐ **SECTION 34-893: Canopies. Remove all prohibited canopies off the property.**
- ☐ **SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.**

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

- ☐ **SECTION 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**

- ☐ SECTION 6-3: Keeping animals/fowl/livestock. Remove all chickens/hens/roosters off the property.
- ☐ SECTION 30-141: Overgrowth. Mow all the overgrown grass and trim all overgrown trees/bushes/vegetation.
- ☐ SECTION 46-3: Graffiti. Remove all graffiti off the exterior walls.
- ☐ SECTION 10-8: Weeds/parking lot. Remove all weeds off the property and repair all broken sections of concrete within the parking lot.
- ☐ SECTION 34-223: Tree removal. Obtain a permit for all trees cut down and removed without permission.
- ☐ SECTION 34-914: Vehicles. Remove open trailer off the property.
- ☐ SECTION 34-225: Fence maintenance. Repair all broken fences and remove all unpermitted fences.
- ☐ SECTION 34-893: Canopies. Remove all prohibited canopies off the property.
- ☐ SECTION 10-9: Exterior property maintenance. Repair or replace all damaged light fixtures, fascia (must be painted), windows, mailboxes, and doors. Secure all open/exposed electrical and meter boxes. Remove all rugs, carpets and tarps on the ground. Remove all shutters covering the windows. Post "3650" house ID numbers on the front of the property.

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 **December 1st, 2024:**
 - ☐ Administrative costs of **\$336.60**
 - ☐ 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 **December 1st, 2024.** If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 1st, 2024.**
 - ☐ Administrative costs of **\$336.60**
 - ☐ 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 Joey Sanders** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[1030 Bimini Lane](#)
[Riviera Beach, FL 33404 2704](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 -- 55 (Maintstar 24-00905)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST
2600 DONALD ROAD
WEST PALM BEACH FL 33406-7406
Respondent.

Notices
Certified 11-8-24
9489 0178 9820 3034 7920 52
Regular 11-8-24
Posting 11-8-24

PCN 70-42-44-13-05-005-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **SEPTEMBER 9, 2024**, the Respondent, **WILLIAM S. THOMAS JR, VIOLET O. ZANUTTI EST**, owner of the property at **2600 DONALD ROAD, PALM SPRINGS, FL, 33406** is in violation of local ordinances.

SECTION 34-914 PARKING VIOLATIONS; all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

These violations must be corrected on or before **NOVEMBER 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, **at 10:00 a.m., on THURSDAY NOVEMBER 21, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)965-4010. 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) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

TOM GEHRMAN
Printed Name of Officer

Date Issued: November 7, 2024

VILLAGE OF PALM SPRINGS, FLORIDA CODE
ENFORCEMENT SPECIAL MAGISTRATE Case No.
2024 -- 55 (Maintstar 24-00905)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST
2600 DONALD ROAD
WEST PALM BEACH FL 33406-7406
Respondent.

PCN 70-42-44-13-05-005-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **SEPTEMBER 9, 2024**, the Respondent, WILLIAM S. THOMAS JR, VIOLET O. ZANUTTI EST, owner of the property at 2600 DONALD ROAD, PALM SPRINGS, FL, 33406 is in violation of local ordinances.

SECTION 34-914 PARKING VIOLATIONS: all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.
SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

These violations must be corrected on or before **NOVEMBER 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, **at 10:00 a.m., on THURSDAY NOVEMBER 21, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)965-4010. 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) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

TOM GEHRMAN
Printed Name of Officer

Date Issued: November 7, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-55

RETURN OF SERVICE

**WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST.
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406**
_____ /

Respondent

On the **8th Day of November 8, 2024 at 2:02 pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondents, **William S. Thomas Jr & Violet O. Zanutti Est.** at **2600 DONALD ROAD**, Palm Springs, FL 33406 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: Tom Aeluman



POSTING 2600 DONALD Rd Case 2024-55
11-21-2024 HEARING



11/8/2024 11:04:35 AM

2600 Donald Rd
case 2024-55



11/8/2024 2:04:17 PM



11/8/2024 2:04:21 PM

2600 DONALDSON Rd.
Case 2024-55



11/8/2024 2:04:32 PM



11/8/2024 2:04:47 PM

2600 Dumas Rd.
Case 2024-55



2600 DONALD Rd Case 2024-55



9/9/2024 2:42:25 PM

2600 DONALD ROAD
CODE 2024-55



9/9/2024 2:42:29 PM



9/9/2024 2:42:32 PM

2600 DONALD ROAD
CASE 2024-55



9/9/2024 2:52:08 PM



9/9/2024 2:44:16 PM

2600 DONALD RD
Case 2024-55



9/9/2024 2:44:20 PM



9/9/2024 2:44:32 PM

2600 DOMAINS Rd
Case 2024-55



9/9/2024 2:44:26 PM



PALM SPRINGS POLICE DEPARTMENT

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

NOVEMBER 7, 2024

WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406

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 **2600 DONALD ROAD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

CASE 2024 -55 (Maintstar 24-00905)

Violations:

SECTION 34-914 PARKING VIOLATIONS; all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY NOVEMBER 21, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,

A handwritten signature in blue ink that reads "Tom Gehrman".

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-583-8300 ext. 8520
(cell) 561-814-3208
tgehrman@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE
230 CYPRESS LANE
PALM SPRINGS, FL 3346



UNITED STATES
POSTAL SERVICE

CERTIFIED MAIL®



9489 0178 9820 3034 7920 52

Label 890-QDT, March 2023

WILLIAM S. THOMAS JR
VIOLET O. ZANUTT EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

11/08/2024 ZIP 33480
043M31255277

US POSTAGE



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

WILLIAM S. THOMAS JR
VIOLET O. ZANUTT EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

11/08/2024 ZIP 33480
043M31255277

US POSTAGE

Sec. 34-914. - Parking in single-family residential land use districts; use of portable storage containers and roll-off dumpsters in all zoning districts. ** See Sections (2 + 1) (3rd Page)*

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,
 - (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster") within any zoning district in the village, is subject to the following regulations:
 - (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
 - (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the

event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.

- (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
 - (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:
- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
 - a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
 - (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.

- ★ (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
- (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
- ★ (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
- (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.

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

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

- (a) *Public nuisance declared.* The presence of new or used construction materials (without valid permit), debris, rubbish, trash, cans, paper, stagnant water, vines, underbrush, weeds, wild growth or grass in excess of 12 inches in height from the ground on any lot, tract or parcel of land within the village shall be unlawful and is hereby prohibited and declared to be a public nuisance to the extent that it constitutes a menace to life, property, the public health or the public welfare; creates a fire hazard; or provides a nest or breeding ground for sand flies, mosquitoes, rats, mice, other rodents, snakes or other types of pests and vermin.
- (b) *Notice.* The village manager, his designee or any code enforcement officer is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the village, or the agent of such owner, to cut, destroy, remove or alleviate conditions existing on such lot, place or area within the village as described in subsection (a) of this section. Such notice shall be by certified mail, addressed to the owner or the agent of the owner at such owner's or agent's last known address.
- (c) *Removal by village.* Upon the failure, neglect or refusal of any owner or agent notified pursuant to subsection (b) of this section to remove and eliminate the conditions described in subsection (a) of this section within the time limit stated in the notice, the village manager is authorized, upon approval by the village council, to contract and pay for such maintenance and bill the property owner or his agent. The charges for such services shall be a lien against the property on which the nuisance is located.

(Code 1994, § 26-86)

State law reference(s)—Nuisance abatement, F.S. § 60.05.

CASE PRESENTATION
CASE No. CASE 2024-55

1. GOOD MORNING, MY NAME IS TOM GEHRMAN, 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 2600 DONALD 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 OWNERS OF THE PROPERTY ARE William S. Thomas Jr & Violet O. Zanutti Est.

5. PERSUANT TO Complaints and my personal Observation there are VIOLATIONS OF ORDINANCES,
SECTION 34-914 PARKING VIOLATIONS; all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.
SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

2600 Donald Rd has been in violation of local ordinances for the recent past. Warning letters have been mailed, parking issues remain including inoperable vehicles, missing Registration tags and major auto repairs being done on site. Nuisance items stored and scattered on the property. See current photos of the property included in the case file.

5. On September 9, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-55 FOR THE VIOLATIONS THE NOTICE WAS mailed Certified and Regular the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall.

6. After Posting the Property Code Enforcement received a call from ~~from~~ William Thomas, Mr. Thomas reported that he received the Hearing Notice and had begun cleanup of the property. Removing trucks, cutting overgrowth and cleanup of nuisance items. The Case was continued from September 19th Hearing to today's hearing on November 21. Postings and Notices mailed as required. Compliance efforts had continued but not in compliance. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE BY DECEMBER 18, 2024.** Failure to GAIN COMPLIANCE with Village Requirements will result in a \$100.00 per day, per violation fine for non-compliance.

7. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF \$230.60 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, DECEMBER 18, 2024.

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



The Village of Palm Springs FLORIDA



Case Administrative Costs

NOVEMBER 21, 2024, 2600 DONALD ROAD

Case 2024- 55

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.00	35.00	105.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	2.00	20.00	40.00
6	Additional certified copies for hearing	1.00	8.16	8.16
7	Additional clerk time - 1 hour	1.00	28.00	28.00
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 2024-55				230.60

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL
MAGISTRATE Case No. 2024 – 55 (Maintstar
24-00905) VILLAGE OF PALM SPRINGS,
FLORIDA Petitioner,
v.
WILLIAM S. THOMAS JR &
VIOLET O. ZANUTTI EST
2600 DONALD ROAD
WEST PALM BEACH FL 33406-7406
Respondent.

Notices
Parties 9-9-2024
9489 0178 9820 3019 8763 33
Regular 9-9-2024
Posting 9-9-2024
PCN 70-42-44-13-05-005-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **SEPTEMBER 9, 2024**, the Respondent, WILLIAM S. THOMAS JR. VIOLET O. ZANUTTI EST., owner of the property at 2600 DONALD ROAD, PALM SPRINGS, FL, 33406 is in violation of local ordinances.

SECTION 34-914 PARKING VIOLATIONS: all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

Section 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

SECTION 10-9 Exterior structure / Building must be maintained in good repair. Includes cleaning and painting of the building.

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

These violations must be corrected on or before **SEPTEMBER 18, 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, **at 10:00 a.m., on THURSDAY SEPTEMBER 19, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561) 965-4010. 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) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

TOM GEHRMAN
Printed Name of Officer

Date Issued: September 9, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-55

RETURN OF SERVICE

**WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST.
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406**

Respondent

On the **9th Day of September, 2024 at 2:42 pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondents, **William S. Thomas Jr & Violet O. Zanutti Est. at 2600 DONALD ROAD**, Palm Springs, FL 33406 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: Tom Lehman

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 - 55 (Maintstar 24-00905)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST
2600 DONLD ROAD
WEST PALM BEACH FL 33406 7406
Respondent.

PCN 70-42-44-13-05-005-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **SEPTEMBER 9, 2024**, the Respondent, **WILLIAM S. THOMAS JR, VIOLET O. ZANUTTI EST**, owner of the property at **2600 DONALD ROAD, PALM SPRINGS, FL, 33406** is in violation of local ordinances.

SECTION 34-914 PARKING VIOLATIONS: all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

Section 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

SECTION 10-9 Exterior structure / Building must be maintained in good repair. Includes cleaning and painting of the building.

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

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Tom A. Hanna

Add a Caption

2600 DONALD Rd.

Monday • Sep 9, 2024 • 2:42 PM

Adjust

IMG_0542



PALM SPRINGS POLICE DEPARTMENT

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

SEPTEMBER 9, 2024

WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406

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 **2600 DONALD ROAD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

CASE 2024 -55 (Maintstar 24-00905)

Violations:

SECTION 34-914 PARKING VIOLATIONS: all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

SECTION 10-9 Exterior structure / Building must be maintained in good repair. Includes cleaning and painting of the building.

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

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY SEPTEMBER 19, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-583-8300 ext. 8520
(cell) 561-814-3208
tgehrman@vpsfl.org

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PALM SPRINGS POLICE
230 CYPRESS LANE
PALM SPRINGS, FL 3346

POSTAL SERVICE CERTIFIED MAIL



9489 0178 9820 3019 8763 33

Label 880-QDT, March 2023



quadiant
FIRST-CLASS MAIL
IMI
\$008.16⁰
09/09/2024 ZIP 33480
043M31255277

US POSTAGE

WILLIAM S. THOMAS JR
VIOLET O. ZANUTT EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406



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



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\$000.69⁰
09/09/2024 ZIP 33480
043M31255277

US POSTAGE

WILLIAM S. THOMAS JR
VIOLET O. ZANUTT EST
2600 DONALD ROAD
WEST PALM BEACH, FL 33406 7406

CASE PRESENTATION
CASE No. CASE 2024-55

1. GOOD MORNING, MY NAME IS TOM GEHRMAN, 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 2600 DONALD 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 OWNERS OF THE PROPERTY ARE William S. Thomas Jr & Violet O. Zanutti Est.

5. PERSUANT TO Complaints and my personal Observation there are VIOLATIONS OF ORDINANCES.

SECTION 34-914 PARKING VIOLATIONS: all vehicles must be operable with current registration and tag, no major auto repairs allowed & no parking on grass.

SECTION 30-143 Public Nuisance Violations. Debris & overgrowth visible on the property

SECTION 10-9 Exterior structure / Building must be maintained in good repair. Includes cleaning and painting of the building.

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

2600 Donald Rd has been in violation of local ordinances for the recent past. Warning letters have been mailed, parking issues remain including inoperable vehicles, missing Registration tags and major auto repairs being done on site. Nuisance items stored and scattered on the property. See current photos of the property included in the case file.

5. On September 9, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-55 FOR THE VIOLATIONS THE NOTICE WAS mailed Certified and Regular the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall.

6. After Posting the Property Code Enforcement received from William Thomas, Mr. Thomas reported that he received the Hearing Notice and had begun cleanup of the property. Removing trucks, cutting overgrowth and cleanup of nuisance items. Compliance efforts are continuing but not in complete compliance. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE BY OCTOBER 16, 2024.** Failure to GAIN COMPLIANCE with Village Requirements will result in a \$100.00 per day, per violation fine for non-compliance.

7. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$230.60** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **OCTOBER 16, 2024**.

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



PALM SPRINGS POLICE DEPARTMENT

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

AUGUST 21, 2024

**WILLIAM S THOMAS JR
VIOLET O. ZANUTTI EST.
2600 DONALD RD
WEST PALM BEACH, FL 33406 7406**

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 **2600 DONALD RD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

This property is in violation of local ordinances.

SECTION 34-914 PARKING

Parking violations: parking on grass. Parking on grass is not allowed. All vehicles must be operable with current registration tag. All vehicles must be parked on an approved driveway or paved surface.

SECTION 30-143

Public nuisance violations: debris visible on the property. Please kept your property neat and clean. Including mowing and trimming overgrowth.

SECTION 10-9

Exterior of Structure or Building

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary. Includes painting, cleaning of the building.

Compliance Date: SEPTEMBER 18, 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) 814-3208.

Respectfully,

A handwritten signature in blue ink that reads "Tom Gehrman". The signature is fluid and cursive.

Tom Gehrman
Palm Springs Police Department
Code Enforcement Officer
(T) 561-584-8300 ext.8522
(cell) 561-814-3208
tgehrman@vpsfl.org

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PALM SPRINGS POLICE DEPARTMENT

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

AUGUST 9, 2019

**WILLIAM S THOMAS
LINDA S THOMAS
2600 DONALD RD
WEST PALM BEACH, FL 33406 7406**

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 **2620 DONALD RD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0490

This property is in violation of local ordinances;

SECTION 34-914 PARKING

Parking violations: parking on grass. Parking on grass are not allowed. All vehicles must be operable with current registration tag. All currently licensed autos, trucks, vans, RVs must be parked on an approved driveway or paved surface.

SECTION 30-143

Public nuisance violations: debris visible on the property. Please kept your property neat and clean.

SECTION 30-141

OVERGROWN RESIDENTIAL LOT

Please have the lot mowed and maintained. Property must be kept neat and clean.

Compliance Date: AUGUST 20, 2019

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please call me if you have any questions at (561) 304-4820.

Respectfully,

Osvaldo Landa
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-304-4820
olanda@vpsfl.org

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PALM SPRINGS POLICE DEPARTMENT

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

FEBRUARY 12, 2020

WILLIAM S THOMAS JR
VIOLET O ZANUTTI EST
2600 DONALD RD
WEST PALM BEACH, FL 33406 7406

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 **2600 DONALD RD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

Violations on the property.

SECTION 14-32 Permit required for any business running in the village. No permit on file with the village for residential rental units.

Rental permit sign at front of the property.

**Contact the Village building Department in Village Hall for required permits with inspections.
Building Department phone number is 561-965-4016.**

Compliance Date: FEBRUARY 19, 2020

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

Respectfully,

Osvaldo Landa
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-304-4820
olanda@vpsfl.org



PALM SPRINGS POLICE DEPARTMENT

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

SEPTEMBER 29, 2020

WILLIAM S THOMAS JR
VIOLET O ZANUTTI EST
2600 DONALD RD
WEST PALM BEACH, FL 33406 7406

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 **2600 DONALD RD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

REPORTS HAVE BEEN RECEIVED REGARDING A TREE ON THE BACKYARD OF THIS PROPERTY HAVE NOT BEEN MAINTAINED AND NEED TO BE TRIMMED. ATTACHED TO THIS LETTER IS THE CODE REFERRING TO THE VIOLATION.

This property is in violation of local ordinances.

SECTION 30-141

Overgrown residential lot: trees and bushes are overgrown and need to be trimmed. They are causing a nuisance to your neighbor.

A tree in the backyard of this property is leaning over the house roof. Safety issue. In case the tree needs to be cut down, the Land Development Department should be contacted for the required permits.
Land Development Department phone number is 561-965-4016.

Compliance Date: OCTOBER 13, 2020

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

Respectfully,

Osvaldo Landa
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-304-4820
olanda@vpsfl.org

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PALM SPRINGS POLICE DEPARTMENT

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

AUGUST 21, 2024

WILLIAM S THOMAS JR
VIOLET O. ZANUTTI EST.
2600 DONALD RD
WEST PALM BEACH, FL 33406 7406

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 **2600 DONALD RD in Palm Springs, FL**
PCN: 70-42-44-13-05-005-0010

This property is in violation of local ordinances.

SECTION 34-914 PARKING

Parking violations: parking on grass. Parking on grass is not allowed. **All vehicles must be operable with current registration tag.** All vehicles must be parked on an approved driveway or paved surface.

SECTION 30-143

Public nuisance violations: debris visible on the property. Please keep your property neat and clean. Including mowing and trimming overgrowth.

SECTION 10-9

Exterior of Structure or Building

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary. Includes painting, cleaning of the building.

Compliance Date: SEPTEMBER 18, 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) 814-3208.

Respectfully,

A handwritten signature in blue ink that reads "Tom Gehrman".

Tom Gehrman
Palm Springs Police Department
Code Enforcement Officer
(T) 561-584-8300 ext.8522
(cell) 561-814-3208
tgehrman@vpsfl.org

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Parcel Records: 70424413050050010

Record #	Status	Type	Location	Case Manager	Description	Created
24-00905	Warned	Code Enf.	2600 DONALD RD, Palm Springs, FL 33406	tgehrman	34-914 parking, 30-143, debris, overgrowth, 10-9 building exterior maintenance	Aug 21
BT-5908-113276	Active	Business Tax	2600 N DONALD RD, b, Palm Springs, FL	1320jmat	BUSINESS PERMIT	
BT-5907-113275	Active	Business Tax	2600 N DONALD RD, A, Palm Springs, FL	1320jmat	BUSINESS PERMIT	
202001291	Closed	Permit	2610 DONALD ROAD, B, Palm Springs, FL 33461	1320mram	REPLACE 6 SQ SHINGLE AND 6 SQ FLAT	11/19/2020
202001290	Closed	Permit	2600 DONALD ROAD, B, Palm Springs, FL 33461	1320mram	REPLACE 3 TAB 26SQ SHINGLE 4/12	11/19/2020

Legend

Property Detail

Location Address : 2600 DONALD RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-13-05-005-0010
Subdivision : MILITARY HILL IN
Official Records Book/Page : 05757 / 0732
Sale Date : JUL-1988
Legal Description : MILITARY HILL LTS 1 & 2 BLK E

Owner Information**Owner(s)**

THOMAS WILLIAM S JR &
 ZANUTTI VIOLET O EST

Mailing Address

2600 DONALD RD
 WEST PALM BEACH FL 33406 7406

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-1988	\$100	05757 / 00732	WARRANTY DEED	THOMAS WILLIAM S JR &

Exemption Information

Applicant/Owner(s)	Year	Detail
THOMAS WILLIAM S JR &	2024	HOMESTEAD PARTIAL
THOMAS WILLIAM S JR &	2024	QUALIFIED EXEMPTION

Property Information

Number of Units : 3
***Total Square Feet :** 2900
Acres : .32
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$296,704	\$238,529	\$187,798	\$147,227	\$179,416
Land Value	\$162,834	\$182,012	\$186,070	\$92,585	\$99,000
Total Market Value	\$459,538	\$420,541	\$373,868	\$239,812	\$278,416

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$318,054	\$291,782	\$209,569	\$193,058	\$207,017
Exemption Amount	\$21,379	\$20,757	\$20,564	\$19,965	\$33,905
Taxable Value	\$296,675	\$271,025	\$189,005	\$173,093	\$173,112

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$6,522	\$6,013	\$4,718	\$3,885	\$3,595
NON AD VALOREM	\$1,106	\$1,093	\$1,030	\$904	\$897
TOTAL TAX	\$7,627	\$7,106	\$5,748	\$4,788	\$4,492

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

Property Detail

Location Address : 2600 DONALD RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-13-05-005-0010
Subdivision : MILITARY HILL IN
Official Records Book/Page : 05757 / 0732
Sale Date : JUL-1988
Legal Description : MILITARY HILL LTS 1 & 2 BLK E

*Memo
24-00905*

Owner Information**Owner(s)**

THOMAS WILLIAM S JR &
ZANUTTI VIOLET O EST

Mailing Address

2600 DONALD RD
WEST PALM BEACH FL 33406 7406

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-1988	\$100	05757 / 00732	WARRANTY DEED	THOMAS WILLIAM S JR &

Exemption Information

Applicant/Owner(s)	Year	Detail
THOMAS WILLIAM S JR &	2024	HOMESTEAD PARTIAL
THOMAS WILLIAM S JR &	2024	QUALIFIED EXEMPTION

Property Information

Number of Units : 3
*Total Square Feet : 2900
Acres : 0.3220
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$296,704	\$238,529	\$187,798	\$147,227	\$179,416
Land Value	\$162,834	\$182,012	\$186,070	\$92,585	\$99,000
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Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$6,522	\$6,013	\$4,718	\$3,885	\$3,595
NON AD VALOREM	\$1,106	\$1,093	\$1,030	\$904	\$897
TOTAL TAX	\$7,627	\$7,106	\$5,748	\$4,788	\$4,492

Account Information

Property Control Number: 70-42-44-13-05-005-0010	Property Type: Real Property	Status: Active
Mailing Address: 2600 DONALD RD West Palm Beach, FL 33406-7406	Property Address: 2600 DONALD PALM SPRINGS, FL 33406	Legal Description: MILITARY HILL LTS 1 & 2 BLK E
Owner of Record: THOMAS WILLIAM S JR &	Second Owner: ZANUTTI VIOLET O EST	

Last updated: 9/11/2024 11:59:35 AM

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

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

Tax Bills

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

Total Payable: \$0.00

Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	 \$6,821.53 Net Tax: \$7,105.75 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$284.22	11/28/23	-\$6,821.53	 Paid
3/31/23	 \$5,517.60 Net Tax: \$5,747.50 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$229.90	11/29/22	-\$5,517.60	 Paid
3/31/22	 \$4,596.89 Net Tax: \$4,788.43 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$191.54	11/30/21	-\$4,596.89	 Paid



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-55

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**WILLIAM S. THOMAS JR
VIOLET O. ZANUTTI EST.
2600 DONALD ROAD
WEST PALM BEACH, FL 33406-7406**

**MAILING ADDRESS:
(SAME AS ABOVE)**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 34-914: Parking violations. All vehicles must be operable with current registration and tag, no major auto repairs allowed, and no parking on grass.
SECTION 30-143: Public nuisance violations. Debris and overgrowth are visible on the property.

Address: 2600 DONALD ROAD
Legal Description: MILITARY HILL LTS 1 & 2 BLK E
PCN: 70-42-44-13-05-005-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 21st day of November 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.

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

☐ **SECTION 34-914: Parking violations. All vehicles must be operable with current registration and tag, no major auto repairs allowed, and no parking on grass.**

☐ **SECTION 30-143: Public nuisance violations. Debris and overgrowth are visible on the property.**

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

☐ **SECTION 34-914: Parking violations. All vehicles must be operable with current registration and tag, no major auto repairs allowed, and no parking on grass.**

☐ **SECTION 30-143: Public nuisance violations. Debris and overgrowth are visible on the property.**

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 **December 18, 2024:**

☐ Administrative costs of **\$230.60**

☐ 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 **December 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 **December 18, 2024**.

☐ Administrative costs of **\$230.60**

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

a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8522 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[2600 Donald Road](#)
[West Palm Beach, FL 33406 - 7406](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 – 67

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

Notices
Certified 11-8-24
9489 0178 9820 3034 7920 69
Regular 11-8-24
Posting 11-8-24

PCN 70-43-44-30-16-001-0000

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 **OCTOBER 10, 2024**, the Respondent, **CONGRESS POINTE INC.**, owner of the property at **4455 S CONGRESS AVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances. **4469 S Congress Ave, EL TORITO Units 107 & 109**

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

These violations must be corrected on or before OCTOBER 10, 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, at 10:00 a.m., on THURSDAY NOVEMBER 21, 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.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

CE/ CEB Case No. 2024-67

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)965-4010. 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) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

Date Issued: NOVEMBER 6, 2024 TOM GEHRMAN
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-67

RETURN OF SERVICE

**CONGRESS PONT INC.
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144**
_____ /

Respondent

On the 8th Day **NOVEMBER 2024** at **10:49 am pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **CONGRESS POINT INC.** at **4455 S CONGRESS AVENUE, Units 107 & 109**, 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: Thomas R. Ahern



PALM SPRINGS POLICE DEPARTMENT

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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 - 67

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

PCN 70-43-44-30-16-001-0000

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 OCTOBER 10, 2024, the Respondent, CONGRESS POINTE INC., owner of the property at 4455 S CONGRESS AVE, PALM SPRINGS, FL, 33461 is in violation of local ordinances. 4469 S Congress Ave, EL TORITO Units 107 & 109

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

These violations must be corrected on or before OCTOBER 10, 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, at 10:00 a.m., on THURSDAY NOVEMBER 21, 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.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

11/8/2024 10:49

CASE 2024-67

4455 Congress Ave
UNITS 107 & 109 EL TORITO

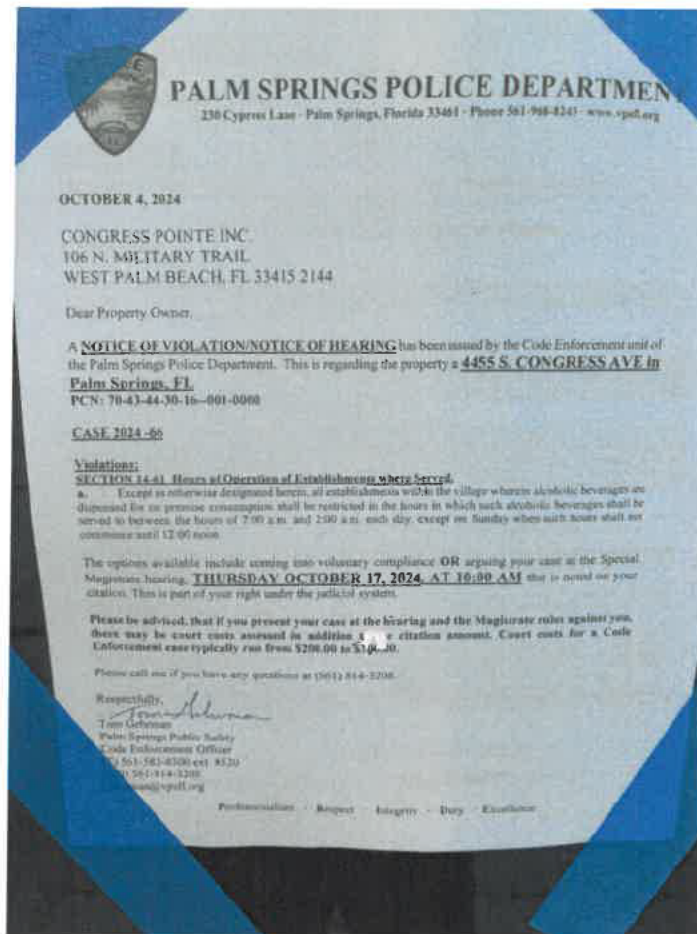


11/8/2024 10:49:20 AM

4455 S. Congress Ave
UNITS 107 + 109
El Torito



11/8/2024 10:49:35 AM



10/7/2024 3:02:16 PM

2024-66 (6772)

4455 S. Congress Ave (PCN 70-43-44-30-16-001-0000)

Congress Point Plaza

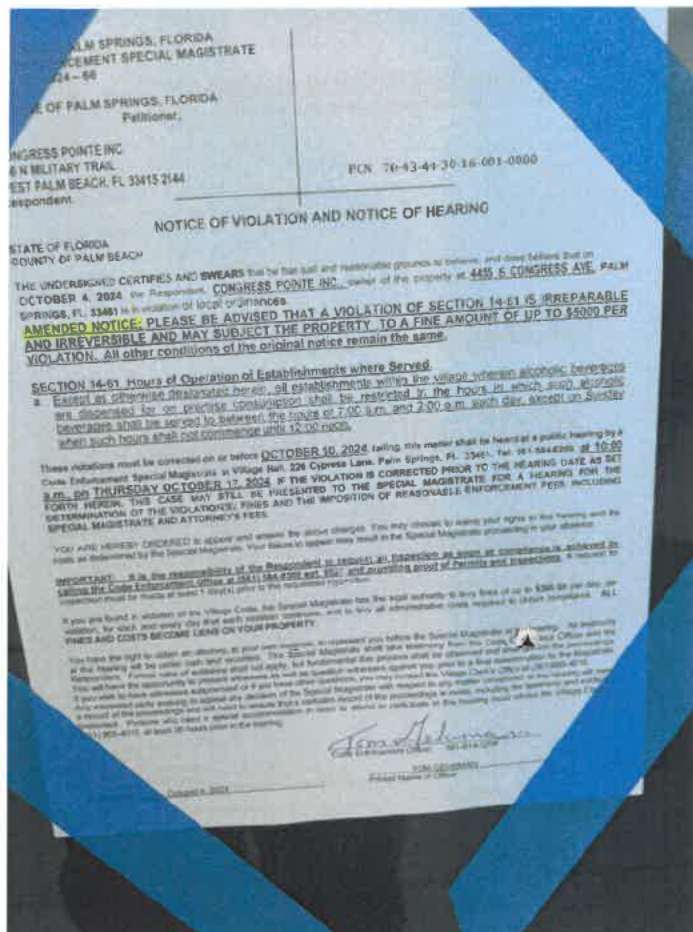
4469 S. Congress Ave
EL BRITO
(IN PLAZA)



10/7/2024 3:02:26 PM



10/7/2024 3:02:37 PM



10/11/2024 2:44:26 PM

2024-6767 (677A)

4455 S. Congress Ave (PCN 70-43-44-30-16-001-0000)
CONGRESS POINT PLAZA

IN PLAZA
4469 S. Congress Ave
EL TORITO



10/11/2024 2:44:38 PM



10/11/2024 2:44:48 PM



PALM SPRINGS POLICE DEPARTMENT

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

NOVEMBER 6, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

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 **4455 S. CONGRESS AVE in Palm Springs, FL**
PCN: 70-43-44-30-16-001-0000

CASE 2024 -67

AMENDED NOTICE; PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (EL TORITO, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY NOVEMBER 21, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,



Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

(T) 561-583-8300 ext. 8520 (cell) 561-814-3208 tgehrman@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE
250 CYPRESS LANE
PALM SPRINGS, FL 3346



UNITED STATES
POSTAL SERVICE®

CERTIFIED MAIL®



9489 0178 9820 3034 7920 69

Label 890-QDT, March 2023



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

11/08/2024 ZIP 33480
043M31255277

US POSTAGE

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WST PALM BEACH, FL 33415 2144



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

11/08/2024 ZIP 33480
043M31255277

US POSTAGE

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WST PALM BEACH, FL 33415 2144

Sec. 14-61. Hours of operation of establishments where served.

- (a) Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.
- (b) Establishments within the village designated as restaurants which serve alcoholic beverages, with or without a lounge, may remain open for business as late as 11:00 p.m. after which all restaurants serving alcoholic beverages within the village must close.
- (c) Package liquor stores shall be permitted to remain open for the sale of alcoholic beverages (off-premises consumption only) from 7:00 a.m. to 2:00 a.m.
- (d) Establishments located within 250 feet of a residential district shall not continue business activities later than 11:00 p.m. daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the establishment.
- (e) Any establishment desiring to operate later than these specified times may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (f) All establishments existing upon September 11, 2014 with effective business tax receipts from the village and alcoholic beverage licenses from the State of Florida, may continue to operate pursuant to the former hours of operation; however, upon closure of the establishment, change or transfer in ownership, change in the business name, and/or any change in a business tax receipt, all establishments shall comply with the hours of operation established herein. All existing establishments effectively annexed into the village limits after September 11, 2014 shall comply with the hours of operation established herein.

(Code 1994, § 14-26; Ord. No. 2010-05, § 3, 4-8-2010; Ord. No. 2014-20, § 2, 9-11-2014)

State law reference(s)—Hours, authority to regulate, F.S. §§ 562.14, 562.45.

Parking over/on a public sidewalk (immediate compliance required) - Third and Subsequent Offense	\$ 100.00	01003-35401	Code Citations
Maintenance of swale areas (days to comply - 10)	\$ 75.00	01003-35401	Code Citations
Damaged signs (days to comply - 30)	\$ 50.00	01003-35401	Code Citations
Unsafe damaged signs (days to comply - 10)	\$ 100.00	01003-35401	Code Citations
Prohibited Uses - Residential Single Family (days to comply - 5)	\$ 175.00	01003-35401	Code Citations
Failure to obtain building permit (days to comply - 10)	Varies per case	01003-35401	Code Citations
Code Enforcement Violations and Fines for Code Citations (continued)			
Permits for Residential Rental Units (days to comply - 5)	\$ 50.00	01003-35401	Code Citations
Noise ordinance violation (immediate compliance required)	\$ 50.00	01003-35401	Code Citations
Violation of Noise and/or Vibration Ordinance - First Offense	\$ 75.00	01003-35401	Code Citations
Appendix A			
Code Enforcement Violations and Fines for Code Citations			
Violation of Noise and/or Vibration Ordinance - Second Offense	\$ 150.00	01003-35401	Code Citations
Violation of Noise and/or Vibration Ordinance	\$ 250.00	01003-35401	Code Citations
Hazardous material/waste (days to comply 5 to 30)	\$ 250.00	01003-35401	Code Citations
Failure to maintain driveway (days to comply - 30)	\$ 25.00	01003-35401	Code Citations
Failure to maintain exterior of property (Sec. 10-8)	\$ 100.00	01003-35401	Code Citations
Failure to maintain exterior of structure or improvements (Sec. 10-7)	\$ 100.00	01003-35401	Code Citations
Failure to maintain basic occupancy requirements (Sec 10-6) (immediate compliance required)	\$ 100.00	01003-35401	Code Citations
Failure to maintain occupancy limitation (Sec. 10-5) (immediate compliance required)	\$ 100.00	01003-35401	Code Citations
Failure to utilize franchisee for construction dumpster (Sec. 62-40) (immediate compliance required)	\$ 100.00	01003-35401	Code Citations
Overloading commercial dumpster or creating health hazard (Sec 62-42) (immediate compliance required)	50.00 per offense	01003-35401	Code Citations
Failure to remove vegetative waste by professionals (Sec. 62-44) (immediate compliance required)	\$ 50.00 per offense	01003-35401	Code Citations
Local Business Tax Receipt required (days to comply - 5)	Up to \$250 / offense per Chapter 205, F.S.	01003-35400	Violations of Local Ordinances
Life Safety violation (usually requiring immediate compliance)	Varies per case	01003-35401	Code Citations
Irreparable or irreversible violation (compliance may vary. Fee is not to exceed)	\$ 5,000.00	01003-35400	Violations of Local Ordinances
Repeat Violation (compliance will vary depending on the violation. Fee not to exceed)	\$ 500.00	01003-35400	Violations of Local Ordinances
Improper placement of approved bulk trash for collection:			
1st Offense	\$ 25.00	01003-35401	Code Citations
2nd Offense	\$ 50.00	01003-35401	Code Citations
3rd Offense or repeat offenses	\$ 100.00	01003-35401	Code Citations
Planning, Zoning & Building - Permit, Development Application & Special Fees			
Permit Fees			
A permit fee shall be calculated by using the appropriate formula in Exhibit B (Tables 1.1 and 1.2)	\$75 minimum -- see fee calculation in Exhibit B (Deposit of 30% of est. value of construction / demolition)	01003-32200	Building Permits
Plan Review and Permit Processing Fees			
Plan Review	10% of the estimated permit fee or \$100 minimum.; whichever is greater. Third rejection of plans for the same comment shall incur a fee of four (4) times the plan review portion of the permit fee. Florida State Statutes SS 553.80(2)(b)	01003-34122	Building Permits
Minor Revision / post-permit	\$25 plus \$10 per sheet	01003-32200 01003-34122	Building Permits + Building Plan Review Fees
Major Revision / pre-permit	\$75 plus \$10 per sheet	01003-32200 01003-34122	Building Permits + Building Plan Review Fees
Major Revision / post-permit	\$75 plus \$10 per sheet	01003-32200 + 01003-34122	Building Permits + Building Plan Review Fees
Minor Revision / pre-permit	\$25 plus \$10 per sheet	01003-32200 + 01003-34122	Building Permits + Building Plan Review Fees
Revalidation / No Revisions	30% of original permit fee, but not less than \$75.00	01003-32200	Building Permits



PALM SPRINGS POLICE DEPARTMENT

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

NOVEMBER 6, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

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 **4455 S. CONGRESS AVE in Palm Springs, FL**
PCN: 70-43-44-30-16-001-0000

CASE 2024 -67

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (EL TORITO, Units 107 & 108)

- ✖ 10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
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11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00.

CASE PRESENTATION
CASE No. CASE 2024- 67

1. GOOD MORNING, MY NAME IS TOM GEHRMAN, 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 4455 S CONGRESS AVENUE 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 CONGRESS POINT INC.

5. PERSUANT TO Complaints and Observation there is an ongoing VIOLATION OF ORDINANCE **Section 14-61 at Units 107 & 109.**

SECTION 14-61 Hours of Operation of Establishments where Served.

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation of Section 14-61 is irreparable and irreversible and may subject the property to a fine amount of up to and not to exceed \$5000.00.

This is an ongoing violation of SECTION 14-61. Palm Springs Police have repeatedly advised the El Torito Club to Close at 2:00am warnings ignored. The Proprietor refuses to close the club.

5. On **NOVEMBER 6, 2024, Notice of Violation/Notice of Hearing 2024-67** was issued for the repeat violations the violation 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. Notice 2024-67 includes Fines for Irreparable-Irreversible Violations of Section 14-61 open after hours serving alcohol.

6. Section 14-61 Requires very specific "Hours of Operation of Establishments where Served(alcohol). Congress Point Plaza continues to have after-hour sales and consumption of alcoholic beverages in violation of Section 14-61. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE by NOVEMBER 22, 2024.** Failure to comply will continue to result in fines NOT To Exceed \$5000.00, per violation fine for non-compliance. **6 violations of Section 14-61 are included in this notice at \$5000.00 for each violation now totaling \$30,000 in accrued violations.**

7. **Village Council Denied** the El Torito and Congress Point Inc. request for a variance for hours of operation and Serving Alcohol. El Torito in Units 107 & 109 Continued to serve Alcohol and remain open after 2:00am. Palm Springs Police Officers are here today to testify as to the continuing violations.

8. Additional Violations of Section 14-61 occurred after the Notice of Violation/ Notice of Hearing was posted on November 8, 2024. Beginning on 11/8/24, 11/9/24,

CASE No. _____

11/16/24 and 11/17/24 in each case El Torito ignored warnings and remained open past 2:00am and continued to serve alcohol. Accruing another 4 Violations at \$5000.00 each adding an additional \$20,000.00 since this Notice and Case #2024-67 was Issued. Palm Springs Police Officers here to Testify as to the violations.

9. The Village has also incurred costs in the amount of **\$361.76** conducting this Hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than, **DECEMBER 18, 2024**.

10. Subject to any questions you might have, this concludes the Village testimony.



The Village of Palm Springs FLORIDA



Case Administrative Costs

November 21, 2024, 4455 S CONGRESS AVENUE

Case 2024-67

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	2.00	8.16	16.32
7	Additional clerk time - 1 hour	1.00	28.00	28.00
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	3.00	41.00	123.00
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 2024-67				361.76



Palm Springs Police Department Supervisor's Shift Report



Date 10/11/24 Shift Delta ☐ Supervisor Sgt Kubiak ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-24553 CFS# End 24-24613

Shift Calls Summary

Case #	Signal	Address	Brief of Case
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
24-24604	S-75	4469 S. Congress Ave. <i>4455 S. Congress Ave Congress Point Plaza</i>	Owner: Tiburcio, Nelson W/M DOB: 05/21/64 Tiburcio was advised that the nightclub was had restricted operating hours til 02:00. He refused to close the club and continued operating after the detail officers left.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



Palm Springs Police Department Supervisor's Shift Report



Date 10/12/24 Shift Delta ☐ Supervisor Sgt Kubiak

☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-24682 CFS# End 24-24735

Shift Calls Summary

Case #	Signal	Address	Brief of Case
--------	--------	---------	---------------

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-24725 S-75 4469 S. Congress Ave.

→ E. Talero
4455 S. Congress Ave
Congress Point Plaza

Owner: Tiburcio, Nelson W/M DOB: 05/21/64
Tiburcio refused to close the club after 02:00 after being advised to shut down.



**Palm Springs Police Department
Supervisor's Shift Report**



Date 10/18/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-25461 CFS# End 24-25522

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-25505 S-75 4469 S. Congress Ave.

Subject: Tiburcio, Nelson (05/21/64) W/M
El Torito nightclub stayed open past 2AM and continued to serve patrons.

• 4455 S. Congress
• Congress Point Plaza

[REDACTED]

[REDACTED]



**Palm Springs Police Department
Supervisor's Shift Report**



Date 10/25/24 Shift Delta ☐ Supervisor Sgt Kubiak ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26115 CFS# End 24-26155

Shift Calls Summary

Case # Signal Address

Brief of Case

24-26140 S-75 4469 S. Congress Avenue

Manager: Tartaro, Sal W/M DOB: 11/27/66

Contact was made with the manager, who stated that the nightclub was staying open until 05:00. Alcohol was still being served.



Palm Springs Police Department Supervisor's Shift Report



Date 11/2/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26820 CFS# End 24-26874

Shift Calls Summary

Case #	Signal	Address
24-26872	S-75	4469 S. Congress Ave.

Brief of Case

Subject: Tiburcio, Nelson (05/21/64) W/M
Tiburcio was advised that he was in violation of the hours of operation ordinance. The club remained open.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Palm Springs Police Department Supervisor's Shift Report



Date 11/3/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26919 CFS# End 24-26956

Shift Calls Summary

Case # Signal Address
24-2695
~~24-26872~~ S-75 4469 S. Congress Ave.

Si Brito
4455 S. Congress (Congress Blvd)

Brief of Case

Subject: Tartano, Salvatore F. (11/27/66) W/M
Tartano was advised that he was in violation of the hours of
operation ordinance. The club remained open.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Outlook

FW: Special Magistrate Docket - November 21, 2024

From Christy Goddeau <christy@torcivialaw.com>**Date** Mon 11/18/2024 10:15 AM**To** Ruth A. Holmes <rholmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>**Cc** Thomas Ceccarelli <tceccarelli@vpsfl.org>; Thomas Gehrman <tgehrman@vpsfl.org>

1 attachment (261 KB)

November 21, 2024.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, Just so you know, on Thursday, the Village Council denied El Toritos' request for a variance for the hours of serving alcohol. I don't know if they remained open after 2am this weekend and continued to serve alcohol. If so, I recommend having the police department show up to testify if there are additional days of non-compliance.

→ Nov. 14, 2024

If you have any questions, please let me know.

Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407
(561) 686-8700
(561) 686-8764 fax
christy@torcivialaw.com
www.torcivialaw.com

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Palm Springs Police Department Supervisor's Shift Report



Date 11/8/24 Shift Delta ☐ Supervisor Sgt Kubiak

☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-27464 CFS# End 24-27545

*NOT ON
CASE 2024-67*

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

24-27536 S-75 4469 S. Congress Avenue

Manager: Tartaro, Salvatore W/M DOB: 11/27/66
El Torito's stayed open, without a detail present and was found to be
serving alcohol past allowed time.



Palm Springs Police Department Supervisor's Shift Report



Date 11/9/24 Shift Delta ☐ Supervisor Sgt Kubiak

☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-27600 CFS# End 24-27667

NOT on
Case 24-24-67

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

24-27661 S-75 4469 S. Congress Avenue

Manager: Tartaro, Salvatore W/M DOB: 11/27/66
El Toritos

The nightclub was found operating past 02:00 and the manager was advised of the ordinance.

4455 S. Congress
Congress Point

[Redacted]

[Redacted]



Palm Springs Police Department Supervisor's Shift Report



Date 11/16/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-28249 CFS# End 24-28291

*Not on
Case 2024-67*

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-28282 S-75 4469 S. Congress Ave.

El Torrito's violated the ordinance for hours of operation.

[REDACTED]

[REDACTED]



Palm Springs Police Department
Supervisor's Shift Report



Date 11/17/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-28331 CFS# End 24-28378

NOT ON
CASE 2024-67

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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[REDACTED]			
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[REDACTED]			
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24-28377	S-75	4469 S. Congress Ave.	
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24-28377	S-75	4469 S. Congress Ave.	Subject: Tartano, Salvatore F. (11/27/66) W/M El Torito was in violation of the hours of operation and stayed open past 2:00 a.m.
----------	------	-----------------------	--

[REDACTED]			
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[REDACTED]			
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[REDACTED]			
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[REDACTED]			
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[REDACTED]			
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[REDACTED]			
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Outlook

RE: Timeline for El Toritos

From Christy Goddeau <christy@torcivialaw.com>**Date** Thu 11/14/2024 12:44 PM**To** Thomas Ceccarelli <tceccarelli@vpsfl.org>; Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>**Cc** Ruth A. Holmes <rhomes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>

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I think that may be another issue to address in terms of what their compliance looks like whether granted the variance or not. Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

Northpoint Corporate Center
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From: Thomas Ceccarelli <tceccarelli@vpsfl.org>**Sent:** Thursday, November 14, 2024 12:39 PM**To:** Christy Goddeau <christy@torcivialaw.com>; Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>**Cc:** Ruth A. Holmes <rhomes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>**Subject:** RE: Timeline for El Toritos

Thanks

During the weekend of 10/25, they had a band and a line out the door.

They never requested a special event permit.



Chief Thomas Ceccarelli

Palm Springs Police Department
230 Cypress Lane
Palm Springs, Florida 33461
561-584-8300 ext. 8511

From: Christy Goddeau <christy@torcivialaw.com>

Sent: Thursday, November 14, 2024 12:10 PM

To: Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>

Cc: Thomas Ceccarelli <tceccarelli@vpsfl.org>; Ruth A. Holmes <rholfmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>

Subject: RE: Timeline for El Toritos

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.

Just FYI, according to their Instagram page, they have had and have planned the following band events despite the October 10 deadline:

October 11, 12, 13, 18, 19, 20, 25, 26, and 27

November 1, 2, 3, 8, 9, 10, 16, 17, 22 and 27.

Like the attached ad, it advertises to be open from 10pm to 5am.

Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

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From: Christy Goddeau
Sent: Thursday, November 14, 2024 11:29 AM
To: Michael Bornstein <mbornstein@vpsfl.org>; icabrera@vpsfl.org
Cc: Thomas Ceccarelli <tceccarelli@vpsfl.org>; Ruth A. Holmes <rholfmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>
Subject: Timeline for El Toritos

Just so we are all on the same page tonight – below is the timeline with this issue.

Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

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701 Northpoint Parkway, Suite 209
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From: Christy Goddeau
Sent: Monday, September 30, 2024 2:07 PM
To: Ciklin, Alan J. <ACiklin@jonesfoster.com>; Iramis Cabrera <icabrera@vpsfl.org>; Kimberly K. Glas-Castro <kglas-castro@vpsfl.org>
Cc: Michael Bornstein <mbornstein@vpsfl.org>
Subject: RE: Please see the attached letter.

Dear Alan, Thank you for your September 23, 2024 letter. I have reviewed your letter with the Village. Your letter seeks another time extension for El Toritos to comply with (or obtain a variance to) the Village Code's hours of operation for

alcohol sales. As you may know, the following timeline exists with regards to this matter:

December 2016: Village involuntarily annexes the property without an annexation agreement;

- El Toritos owner claims the prior Village Manager agreed to allow El Toritos to continue to operate in violation of the Village's hours of operation for alcohol sales
- Prior Village Manager had no authority to waive Village Code requirements
- Village Police provided after hours detail without knowing the property lacked an annexation agreement (like other after hour establishments) to allow for after-hours alcohol sales

December 13, 2023: New/Current Village Manager Bornstein sends letter to El Toritos affording it four (4) months to come into compliance with the Village Code's hours of operation for alcohol sales

February 13, 2024: Meeting at Village Hall between representatives of Village and representatives of El Toritos to discuss compliance issue

April 17, 2024: Village Attorney sends letter to El Toritos Attorney affording El Toritos until May 9th to comply with Village Code's hours of operation for alcohol sales or obtain a variance from Village Council for same

May 9, 2024: Deadline extended to July 12th based on Village comments to application for variance and El Toritos' request for assistance on comments

July 12, 2024: Deadline extended to September 12th to account for El Toritos' need for a photometric lighting plan to accompany variance application (which requirement was identified by the Village at the outset)

September 12, 2024: Deadline extended to October 10th due to El Toritos' attorney not being available for hearing and needing more time to complete application

Based on the foregoing, it appears that El Toritos has had almost eight (8) years of operation in violation of the Village's Code and over six (6) months of time extensions to come into compliance. Accordingly, the Village is requiring compliance no later than **October 10, 2024**. If El Toritos fails to comply thereafter, the Village will commence code enforcement proceedings.

If El Toritos is not ready to move forward with its variance application on October 10, 2024, please advise Iramis Cabrera and she may move the hearing date on the application to a date that works for El Toritos.

Thank you,

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
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christy@torcivialaw.com
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From: Ciklin, Alan J. <ACiklin@jonesfoster.com>

Sent: Monday, September 23, 2024 3:58 PM

To: Iramis Cabrera <icabrera@vpsfl.org>; Kimberly K. Glas-Castro <kglas-castro@vpsfl.org>; Christy Goddeau <christy@torcivialaw.com>

Cc: nelson tiburcio <neltib106@yahoo.com>; lrmi@bellsouth.net

Subject: Please see the attached letter.



Alan J. Ciklin
JONES FOSTER Shareholder



D 561 650 0431 O 561 659 3000

aciklin@jonesfoster.com

505 South Flagler Drive, Suite 1100 West Palm Beach, FL 33401
jonesfoster.com

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Alan J. Ciklin
Shareholder
JONES FOSTER

D 561 650 0431 O 561 659 3000

ACiklin@jonesfoster.com



505 South Flagler Drive, Suite 1100, West Palm Beach, FL 33401
jonesfoster.com

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PERMIT NO.

N/A

VIOLATION DO NOT REMOVE

**CORRECTIONS MUST BE
MADE AS NOTED BELOW**

4455 S Congress Ave, (Congress Pointe Plaza)
4469 S Congress Ave ADDRESS (Tacos Al Carbon)

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLBG. ☐

14-61- Hours of Operation of Establishments:

On 08/24/2024, officers responded to the business in reference to an unwanted guest (Reference PSPD Case # 24-6698). Officers observed the business open after 6AM still serving food and alcohol. This notice will serve as a written warning and any future violations may result in a citation fine and/or a referral to the Special Magistrate hearing.

☐ **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 434-5032 FOR REINSPECTION~~

My contact info:

561-584-8300

EXT: 8525

VILLAGE OF PALM SPRINGS, FLORIDA

DATE

08/26/2024 Code officer J. Sanders ID #211

INSPECTOR

Palm Springs Police Department



INCIDENT REPORT VILLAGE OF PALM SPRINGS

Case Number **24-006698** ORI **FL0502700** Call Type **S75 ORDINANCE VIOLATION**
How Reported **Officer Initiated** Reported Date **3/24/2024** Juvenile Incident ☐

INCIDENT INFORMATION

Date Occurred **3/24/2024** to **3/24/2024** Day of Week **Sunday** Time Occurred **06:26 AM** to **06:26 AM**
Assigned **3/24/2024 06:26 AM**
Dispatched Location **TACOS AL CARBON** Arrived **3/24/2024 06:26 AM**
Actual Location Cleared **3/24/2024 06:41 AM**
Incident Address **4469 S CONGRESS AVE** Beat Zone **ZONE 4**
City, ST Zip **PALM SPRINGS, FL 33461** Sub-Beat

INCIDENT SYNOPSIS

REPORTING PARTY 1

Reporting Party Sex Birth Date Age ☐ Juvenile
Eye Color Hair Color Race Ethnicity Height Weight
DL # Other ID # Other ID Type

PERMANENT ADDRESS

Address City State Zip
Local Phone # Cell Phone # Work Phone #

Notes

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 - 66 ⁶⁷⁵

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

Notices
Certified 10-7-24

9589 0710 5270 1045 6817 01

Regular 10-7-24

Posting 10-7-24

PCN 70-43-44-30-16-001-0000

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 **OCTOBER 4, 2024**, the Respondent, **CONGRESS POINTE INC.**, owner of the property at **4455 S CONGRESS AVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

These violations must be corrected on or before **OCTOBER 10, 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, **at 10:00 a.m., on THURSDAY OCTOBER 17, 2024.** IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584-8300 ext. 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)965-4010. 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) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

TOM GEHRMAN
Printed Name of Officer

Date Issued: October 4, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-67

RETURN OF SERVICE

**CONGRESS PONT INC.
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144**
_____ /

Respondent

On the 7th Day **OCTOBER 2024 at 3:02 pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **CONGRESS POINT INC.** at **4455 S CONGRESS AVENUE**, 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: Tom Ahmann



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 4, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

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 **4455 S. CONGRESS AVE in Palm Springs, FL**

PCN: 70-43-44-30-16-001-0000

CASE 2024 - 66 *677**
AMENDED NOTICE; PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY OCTOBER 17, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,

Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

(T) 561-583-8300 ext. 8520 (cell) 561-814-3208 tgehrman@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 4, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

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 **4455 S. CONGRESS AVE in Palm Springs, FL**

PCN: 70-43-44-30-16--001-0000

CASE 2024 -06 67 *TK*

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY OCTOBER 17, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,

Tom Gehrman

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-583-8300 ext. 8520
(cell) 561-814-3208
tgehrman@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



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



9589 0710 5270 1045 6817 01



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

10/07/2024 ZIP 33480
043M31255277

US POSTAGE

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WST PALM BEACH, FL 33415 2144



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

10/07/2024 ZIP 33480
043M31255277

US POSTAGE

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WST PALM BEACH, FL 33415 2144

OTHER PERSON 1

Name	Type of Person	Sex	Date of Birth	Age	☐ Juvenile
TACOS AL CARBON	MISC				☐ Will Testify
Eye Color	Hair Color	Race	Ethnicity	Height	Weight
DL #	Other ID #	Other ID Type			

PERMANENT ADDRESS

Address	City	State	Zip
4469 S CONGRESS AVE	PALM SPRINGS	FL	33461
Local Phone #	Cell Phone #	Work Phone #	
(561) 432-8474			

Notes

OTHER PERSON 2

Name	Type of Person	Sex	Date of Birth	Age	☐ Juvenile
					☐ Will Testify
Eye Color	Hair Color	Race	Ethnicity	Height	Weight
DL #	Other ID #	Other ID Type			

PERMANENT ADDRESS

Address	City	State	Zip
Local Phone #	Cell Phone #	Work Phone #	

Notes

STATUSExceptional Clearance **Not applicable**

Officer	Responsibility
GERALD, BEETHOVIN 235	Reporting Officer
MCCLUSKEY, RYAN 160	Assisting Officer

Exceptional Clearance Date	
Case Status	Active
CFS #	24-006698
Accident	
Reviewed By	
Date	
Reviewed By	HOEWING, MATTHEW
Date	3/24/2024 05:18 PM

Reviewed By

Narrative # 1**REPORTING OFFICER: GERALD, BEETHOVIN 235**

ORI: FL0502700

CASE NUMBER: 24-006698

DATE:

RELEASE TO PUBLIC: NO

On 03/22/24 (Sunday), at approximately 6:04 a.m., Officer McCluskey #160 and I, Officer Gerald #235, responded to an unwanted guest at the Tacos Al Carbon restaurant at 4469 S. Congress Ave., Palm Springs, FL. The complainant was Tacos Al Carbon Security

Officer Fransisco. Officer Pope #203 responded as backup. Our body-worn cameras were activated to record statements and the scene.

Upon arrival, we saw that the Tacos Al Carbon restaurant was open and serving food and alcohol with many patrons inside (approximately 20-30).

We made contact with the Tacos Al Carbon Security Officer, Fransisco. SO Fransisco stated he had an intoxicated subject (Case #24-006697) who was refusing to leave the restaurant. SO Fransisco wanted the subject to leave, but he did not want the subject trespassed. Officer Pope instructed the subject to leave and he left.

We observed that the restaurant was in violation of the following ordinance:

1. Hours of operation of establishments where served, Sec. 14-61

Sgt. Annunziata was notified and provided the additional information in regard to the ordinance violation.

"All establishments within the village wherein alcoholic beverages are dispensed for on-premises consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day".

I made contact with Tacos Al Carbon Waitress, Danae Resendiz (W/F, DOB: 06/06/04). Resendiz stated that they were serving food and alcohol until 6:00 a.m. Resendiz stated that she was in charge and that the Manager, Alicia (unknown last name), was not present. Resendiz was advised of the ordinance and provided with a case card. Resendiz stated they would close.

Property Detail

Location Address : 4455 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-16-001-0000
Subdivision : CONGRESS POINT PLAZA
Official Records Book/Page : 22129 / 1647
Sale Date : SEP-2007
Legal Description : CONGRESS POINT PLAZA PAR A

Owner Information**Owner(s)**

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 36933
Acres : 3.78
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,073,975	\$3,152,275	\$3,051,458	\$2,492,335	\$2,570,191
Land Value	\$1,913,926	\$1,913,926	\$1,823,413	\$1,563,396	\$1,563,396
Total Market Value	\$4,987,901	\$5,066,201	\$4,874,871	\$4,055,731	\$4,133,587

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$96,913	\$97,170	\$92,029	\$83,491	\$85,839
NON AD VALOREM	\$25,489	\$24,607	\$23,357	\$22,106	\$21,701
TOTAL TAX	\$122,402	\$121,777	\$115,385	\$105,598	\$107,540

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

Property Detail

Location Address : 4455 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-16-001-0000
Subdivision : CONGRESS POINT PLAZA
Official Records Book/Page : 22129 / 1647
Sale Date : SEP-2007
Legal Description : CONGRESS POINT PLAZA PAR A

Owner Information**Owner(s)**

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
 WEST PALM BEACH FL 33415 2144

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SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

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

Property Detail

Location Address : 4455 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-16-001-0000
Subdivision : CONGRESS POINT PLAZA
Official Records Book/Page : 22129 / 1647
Sale Date : SEP-2007
Legal Description : CONGRESS POINT PLAZA PAR A

Owner Information**Owner(s)**

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 36933
Acres : 3.7780
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,073,975	\$3,152,275	\$3,051,458	\$2,492,335	\$2,570,191
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Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$96,913	\$97,170	\$92,029	\$83,491	\$85,839
NON AD VALOREM	\$25,577	\$24,607	\$23,357	\$22,106	\$21,701
TOTAL TAX	\$122,489	\$121,777	\$115,385	\$105,598	\$107,540

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

Property Detail

Location Address : 4455 S CONGRESS AVE
 Municipality : PALM SPRINGS
 Parcel Control Number : 70-43-44-30-16-001-0000
 Subdivision : CONGRESS POINT PLAZA
 Official Records Book/Page : 22129 / 1647
 Sale Date : SEP-2007
 Legal Description : CONGRESS POINT PLAZA PAR A

RETURNED IS IN THIS PARCEL

Owner Information

Owner(s)

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
 WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
 *Total Square Feet : 36933
 Acres : 3.7780
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 Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

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TOTAL TAX	\$122,489	\$121,777	\$115,385	\$105,598	\$107,540

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

Account Information

Property Control Number: 70-43-44-30-16-001-0000	Property Type: Real Property	Status: Active
Mailing Address: 106 N MILITARY TRL West Palm Beach, FL 33415-2144	Property Address: 4455 CONGRESS LAKE WORTH, FL 33461	Legal Description: CONGRESS POINT PLAZA PAR A
Owner of Record: CONGRESS POINTE INC	Second Owner:	

Last updated: 10/11/2024 01:53:36 AM

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

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

Tax Bills

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

Total Payable: \$0.00

Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	\$116,905.82 Net Tax: \$121,776.90 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$4,871.08	11/29/23	-\$116,905.82	Paid
3/31/23	\$110,770.07 Net Tax: \$115,385.49 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$4,615.42	11/29/22	-\$110,770.07	Paid
3/31/22	\$101,373.61 Net Tax: \$105,597.51 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$4,223.90	11/24/21	-\$101,373.61	Paid



Office of the Village Manager
226 Cypress Lane
Palm Springs, FL 33461
(561) 584-8200
www.vpsfl.org

December 14, 2023

Mr. Nelson Tiburcio, President
Palm Beach Toro, Inc./El Torito Sports Pub & Cantina
4469 S. Congress Avenue
Suite 107/108
Lake Worth Beach, FL 33461

Re: El Torito Sports Pub & Cantina - Hours of Operation

Dear Mr. Tiburcio:

I am writing to address an issue that has come to my attention concerning your business, El Torito Sports Pub & Cantina ("El Torito"). During the past year, there have been multiple police calls to the location during the early morning hours, including disturbance calls related to El Torito, a stabbing that occurred outside Mr. Pizza in the same plaza, and other calls where it appeared alcohol was being consumed at Mr. Pizza. As a result, the Village has looked into Mr. Pizza and the plaza's hours of operation, including the hours of operation for El Torito. It is my understanding that, on days when the establishment is open, El Torito serves customers from 10:00 p.m. until 5:00 a.m., which is in violation of the Village Code provision regarding hours of operation.

Section 14-61 of the Village of Palm Springs Code (copy attached) addresses the permitted hours of operation for establishments where alcohol is served. This code section provides that all establishments where alcohol sold for on-site consumption may be open only between the hours of 7:00 a.m. until 2:00 a.m., except on Sunday, where the hours shall not commence before noon.

Village code section 14-61(f) further provides that all establishments annexed into the village limits after September 11, 2014, shall comply with these hours of operation. As you know, the property located at 4469 S. Congress Avenue was annexed into the Village of Palm Springs in 2016. Thus, even if El Torito had been permitted to remain open past 2:00 a.m. prior to annexation, upon annexation it was required to comply with the Village Code. You have the option to apply for a variance from the hours of operation, as provided in section 14-61(e); however, the decision whether to grant or deny such variance is within the discretion of the Village Council.

Accordingly, this letter serves as notification that the Village of Palm Springs intends to enforce the hours of operation set forth in code section 14-61 with respect to El Torito. The Village understands that this will represent a significant change for your business. As a courtesy, the Village will refrain from enforcement for a period of four (4) months from the date of this letter, to allow time for you to prepare for this change.

While I do not anticipate the Village changing its position, I will be happy to meet with you to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bornstein", with a long horizontal flourish extending to the right.

Michael Bornstein
Village Manager

Enclosures

cc: Thomas Ceccarelli, Chief of Police
Glen J. Torcivia, Village Attorney

Sec. 14-61. Hours of operation of establishments where served.

- (a) Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.
- (b) Establishments within the village designated as restaurants which serve alcoholic beverages, with or without a lounge, may remain open for business as late as 11:00 p.m. after which all restaurants serving alcoholic beverages within the village must close.
- (c) Package liquor stores shall be permitted to remain open for the sale of alcoholic beverages (off-premises consumption only) from 7:00 a.m. to 2:00 a.m.
- (d) Establishments located within 250 feet of a residential district shall not continue business activities later than 11:00 p.m. daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the establishment.
- (e) Any establishment desiring to operate later than these specified times may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (f) All establishments existing upon September 11, 2014 with effective business tax receipts from the village and alcoholic beverage licenses from the State of Florida, may continue to operate pursuant to the former hours of operation; however, upon closure of the establishment, change or transfer in ownership, change in the business name, and/or any change in a business tax receipt, all establishments shall comply with the hours of operation established herein. All existing establishments effectively annexed into the village limits after September 11, 2014 shall comply with the hours of operation established herein.

(Code 1994, § 14-26; Ord. No. 2010-05, § 3, 4-8-2010; Ord. No. 2014-20, § 2, 9-11-2014)

State law reference(s)—Hours, authority to regulate, F.S. §§ 562.14, 562.45.



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-67

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**CONGRESS POINTE INC.
4455 SOUTH CONGRESS AVENUE
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
CONGRESS POINTE INC.
106 NORTH MILITARY TRAIL
WEST PALM BEACH, FL 33415-2144
Respondent(s).**

ORDER FINDING VIOLATION

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

SECTION 14-61: Hours of operation of establishments where served.

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Address: 4455 SOUTH CONGRESS AVENUE
Legal Description: CONGRESS POINT PLAZA PAR A
PCN: 70-43-44-30-16-001-0000

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **21st** day of **November 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.

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

☐ **SECTION 14-61: Hours of operation of establishments where served.**

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation.
(El Torito, Units 107 & 109).

10/11/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-24604.

10/12/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-24725.

10/18/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD case # 24-25505.

10/25/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-26140.

11/2/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PO Case # 24-26872.

11/3/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PO Case # 24-26951.

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00.

PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

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

☐ **SECTION 14-61: Hours of operation of establishments where served.**

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109).

10/11/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-24604.

10/12/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-24725.

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VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00.

PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

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 **December 18, 2024:**
- ☐ Administrative costs of **\$361.76**
 - ☐ Citation fine of **\$ 30,000.00**
 - ☐ 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 **November 22, 2024**. If Respondent fails to comply within the time given, a fine of **not to exceed \$5000.00 (Irreparable or Irreversible violation) 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 **December 18, 2024.**
- ☐ Administrative costs of **\$361.76**
 - ☐ Citation fine of **\$ 30,000.00**
 - ☐ Re-inspection fee of **\$ N/A**

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Tom Gehrman** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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. 8522 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of November 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[4455 South Congress Avenue](#)
[Palm Springs, FL 33461](#)



Office of the Village Manager
226 Cypress Lane
Palm Springs, FL 33461
(561) 584-8200
www.vpsfl.org

December 14, 2023

Mr. Nelson Tiburcio, President
Palm Beach Toro, Inc./El Torito Sports Pub & Cantina
4469 S. Congress Avenue
Suite 107/108
Lake Worth Beach, FL 33461

Re: El Torito Sports Pub & Cantina - Hours of Operation

Dear Mr. Tiburcio:

I am writing to address an issue that has come to my attention concerning your business, El Torito Sports Pub & Cantina ("El Torito"). During the past year, there have been multiple police calls to the location during the early morning hours, including disturbance calls related to El Torito, a stabbing that occurred outside Mr. Pizza in the same plaza, and other calls where it appeared alcohol was being consumed at Mr. Pizza. As a result, the Village has looked into Mr. Pizza and the plaza's hours of operation, including the hours of operation for El Torito. It is my understanding that, on days when the establishment is open, El Torito serves customers from 10:00 p.m. until 5:00 a.m., which is in violation of the Village Code provision regarding hours of operation.

Section 14-61 of the Village of Palm Springs Code (copy attached) addresses the permitted hours of operation for establishments where alcohol is served. This code section provides that all establishments where alcohol sold for on-site consumption may be open only between the hours of 7:00 a.m. until 2:00 a.m., except on Sunday, where the hours shall not commence before noon.

Village code section 14-61(f) further provides that all establishments annexed into the village limits after September 11, 2014, shall comply with these hours of operation. As you know, the property located at 4469 S. Congress Avenue was annexed into the Village of Palm Springs in 2016. Thus, even if El Torito had been permitted to remain open past 2:00 a.m. prior to annexation, upon annexation it was required to comply with the Village Code. You have the option to apply for a variance from the hours of operation, as provided in section 14-61(e); however, the decision whether to grant or deny such variance is within the discretion of the Village Council.

Accordingly, this letter serves as notification that the Village of Palm Springs intends to enforce the hours of operation set forth in code section 14-61 with respect to El Torito. The Village understands that this will represent a significant change for your business. As a courtesy, the Village will refrain from enforcement for a period of four (4) months from the date of this letter, to allow time for you to prepare for this change.

While I do not anticipate the Village changing its position, I will be happy to meet with you to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bornstein", with a long horizontal flourish extending to the right.

Michael Bornstein
Village Manager

Enclosures

cc: Thomas Ceccarelli, Chief of Police
Glen J. Torcivia, Village Attorney

Sec. 14-61. Hours of operation of establishments where served.

- (a) Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.
- (b) Establishments within the village designated as restaurants which serve alcoholic beverages, with or without a lounge, may remain open for business as late as 11:00 p.m. after which all restaurants serving alcoholic beverages within the village must close.
- (c) Package liquor stores shall be permitted to remain open for the sale of alcoholic beverages (off-premises consumption only) from 7:00 a.m. to 2:00 a.m.
- (d) Establishments located within 250 feet of a residential district shall not continue business activities later than 11:00 p.m. daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the establishment.
- (e) Any establishment desiring to operate later than these specified times may apply for a variance and request alternative hours of operation and the reasons for deviations from the provisions of this section. The village council, in its discretion, may vary the hours from those set forth in this section.
- (f) All establishments existing upon September 11, 2014 with effective business tax receipts from the village and alcoholic beverage licenses from the State of Florida, may continue to operate pursuant to the former hours of operation; however, upon closure of the establishment, change or transfer in ownership, change in the business name, and/or any change in a business tax receipt, all establishments shall comply with the hours of operation established herein. All existing establishments effectively annexed into the village limits after September 11, 2014 shall comply with the hours of operation established herein.

(Code 1994, § 14-26; Ord. No. 2010-05, § 3, 4-8-2010; Ord. No. 2014-20, § 2, 9-11-2014)

State law reference(s)—Hours, authority to regulate, F.S. §§ 562.14, 562.45.



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT
SPECIAL MAGISTRATE

Case No. : 2024-71

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.

3595 SECOND AVENUE HOLDINGS LLC
2552 18TH STREET
HOMWOOD, AL 35209 1922
Respondent.

PCN: 70-43-44-19-11-002-0210

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just reasonable grounds to believe, and does believe that on November 07, 2024, **3595 SECOND AVENUE HOLDINGS LLC**, owners of the property at **3595 2ND AVENUE NORTH**, Palm Springs, FL 33461 is in violation of local ordinances.

Section 70-124 - Use and occupancy certificates and inspections required and enforcement.

It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the village at a given location or premises without a use and occupancy inspections and certificate.

Section 70-125 - Application for use and occupancy certificate for new businesses; inspection; and fees.

Before the village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the village.

Section 70-94 - Application; local business tax receipt required.

An application for a new business tax receipt or the renewal of an existing business tax receipt shall be accompanied by payment of the appropriate application fee. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.

Section 34-823 - Accessory uses.

Outdoor storage is not permitted on the property. For further reference please see Section 34-822 Permitted Uses within the Palm Springs Land Development Regulations.

These violations must be corrected on or before November 15, 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 November 21, 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.

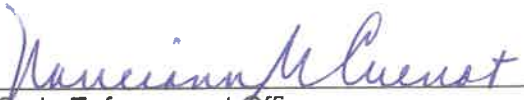
YOU ARE HEREBY ORDERED to the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

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.

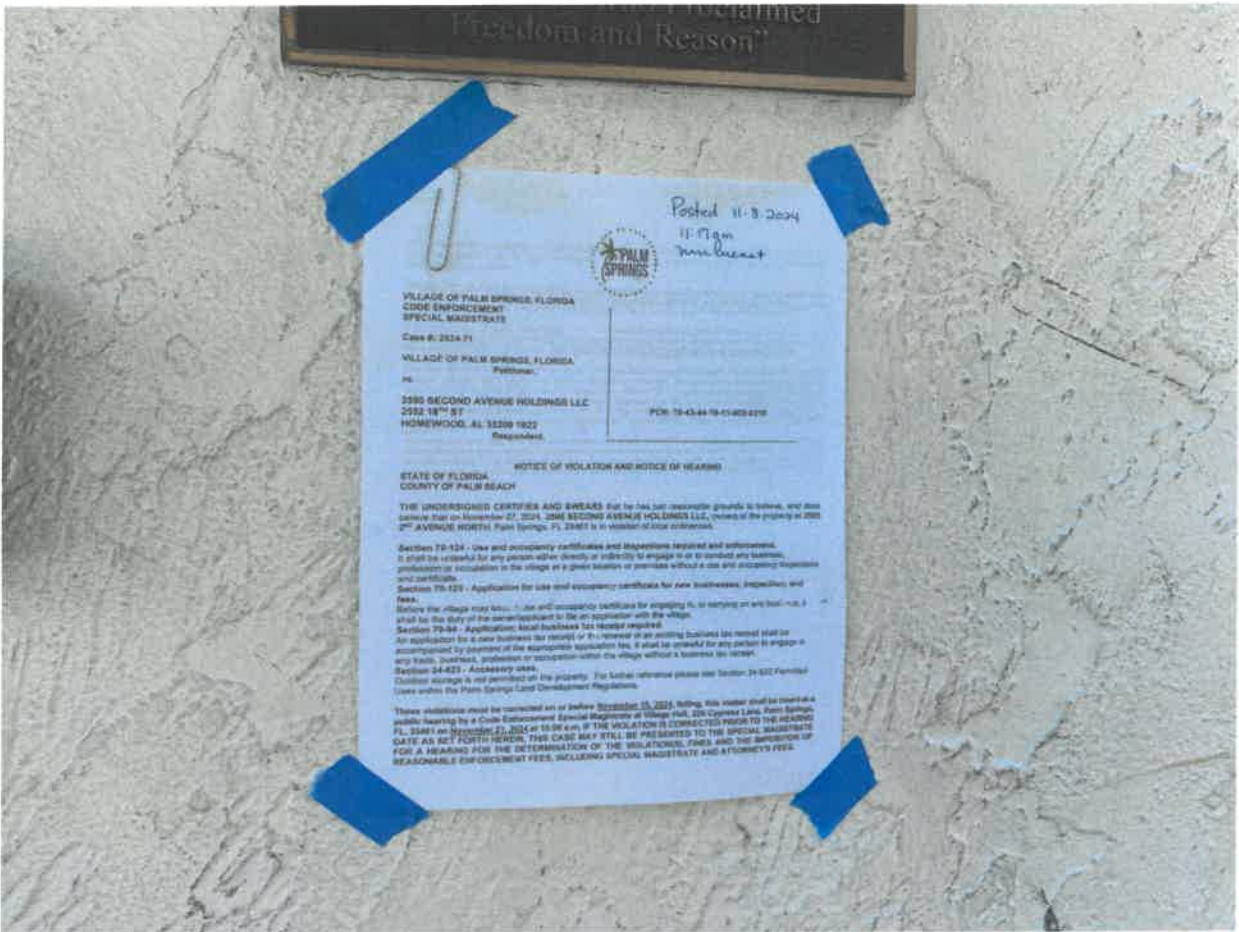
Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who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

November 07, 2024

Date Issued



11/8/2024 11:29:14 AM



11/8/2024 11:28:50 AM



CODE ENFORCEMENT SPECIAL MAGISTRATE
VILLAGE OF PALM SPRINGS, FLORIDA

VILLAGE OF PALM SPRINGS,
FLORIDA,

Petitioner

Case No. 2024-71

RETURN OF SERVICE

3595 SECOND AVENUE HOLDINGS LLC
3595 2nd AVENUE N
LAKE WORTH BEACH, FL 33461
Respondent

On the **8th Day of NOVEMBER 2024 at 11:30 pm**, I served the attached Notice of Violation / Notice of Hearing Letter on the within-named Respondents, **3595 SECOND AVENUE HOLDINGS LLC** at **3595 2ND Avenue N** 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.

XX 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: **Christian Barcero** 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. Also mailed regular & certified mail. PHOTOS INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: 
Ofc. Nanciann Cuenot



PALM SPRINGS POLICE D
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



9489 0178 9820 3034 7920 45

Label 890-QDT, March 2023



quadiant
FIRST-CLASS MAIL
IMI
\$008.16⁰
11/08/2024 ZIP 33480
043M31255277

US POSTAGE

3595 SECOND AVENUE HOLDINGS LLC
2552 18TH ST
HOMWOOD, AL 35209 1922

ATTN: RON KENT



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



9489 0178 9820 3034 7920 38

Label 890-QDT, March 2023



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FIRST-CLASS MAIL
IMI
\$008.16⁰
11/08/2024 ZIP 33480
043M31255277

US POSTAGE

3595 SECOND AVENUE HOLDINGS LLC
C/O CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301



**PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT**



quadiant
FIRST-CLASS MAIL
IMI
\$000.69⁹
11/08/2024 ZIP 33480
043M31255277

US POSTAGE

**3595 SECOND AVENUE HOLDINGS LLC
2552 18TH ST
HOMWOOD, AL 35209 1922**



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



quadiant
FIRST-CLASS MAIL
IMI
\$000.69⁹
11/08/2024 ZIP 33480
043M31255277

US POSTAGE

**3595 SECOND AVENUE HOLDINGS LLC
C/O Jim Frogner
3402 SE Clubhouse Place
Stuart, FL 34997**



10/4/2024 9:34:52 AM



11/5/2024 11:45:44 AM



11/5/2024 11:52:06 AM



10/4/2024 9:37:20 AM



10/4/2024 9:35:07 AM



11/5/2024 11:46:23 AM



11/5/2024 11:46:11 AM



10/4/2024 9:35:01 AM



11/5/2024 11:45:59 AM



11/5/2024 11:45:53 AM



11/5/2024 11:45:47 AM



11/5/2024 11:46:51 AM



11/5/2024 11:46:31 AM



10/4/2024 9:34:03 AM

June 11, 2024

Zoning confirmation request from the Village of Palm Springs, Florida for the site address below.

3595 2nd Avenue N Lake Worth, FL

The subject lot is located in the General Commercial (CG) zoning district within the municipality of the Village of Palm Springs, Florida.

The existing site is intended for the new home of Communications Unlimited Contracting Services, Inc. (CUCS). The site is in the CG zoning district. The majority (89%) of the 11,200 SF structure will be a mix of offices, employee lounge, restrooms, etc. and 11% (1,200 SF) will be indoor storage for their cable material.

A new overhead door will be installed on the rear of the building (N elevation) to allow forklift loading/unloading. The proposed overhead bay doors will not face public streets and will be screened from view. There will not be any outdoor storage of material.

Please confirm the proposed use is a professional office as depicted in the Code of Ordinances Sec. 34-822 - Permitted uses and not a Flex Unit. A professional Office only requires a new Business Tax Receipt (BTR) to operate within the Village of Palm Springs.



Frogner Consulting, LLC.
Planning and Zoning Consultants
3402 SE Clubhouse Place Stuart FL 34997
Ph: (561) 386-3035 jfrogner@comcast.net



June 14, 2024

Jim Frogner

3402 SE Clubhouse Place
Stuart, FL 34997

RE: Zoning Confirmation Letter for:
3595 2nd Avenue North
Parcel# 70-43-44-19-11-002-0210

Dear Mr. Frogner:

The purpose of this letter is to advise you that the subject property located at 3595 2nd Avenue North ("the Property") has a land use designation of Commercial. The zoning classification is Commercial General ("CG").

The Property was voluntarily annexed into the Village of Palm Springs in October, 2004 and since the annexation took place, the Property has been used by the non-profit charitable organization United Cerebral Palsy which provide support services to ensure a life without limits for people with a spectrum of disabilities.

The existing CG zoning designation permits the use of the Property for professional and business office purposes. Office business is defined as any commercial activity primarily conducted in an office, not involving the sale of goods or commodities available in the office and not dispensing personal services, including such businesses as real estate brokers, insurance offices, consultant or any similar use. Therefore, a contractor's office with interior space for a storage is permitted as professional office.

Please be aware that no outdoor storage is permitted on the property. For further reference, please visit Sec. 34-822 "Permitted Uses" within the Palm Springs Land Development Regulations, which is available online at: www.vpsfl.org. Additionally, the existing business must maintain a valid business license that requires annual renewal.

If you need further assistance, please do not hesitate to contact me.

Sincerely,

Iramis Cabrera
Planning Zoning & Building Director.



July 3, 2024

Jim Frogner
3402 SE Cluett House Place
Stuart, FL 34997

RE: Zoning Confirmation Letter for:
3595 2nd Avenue North
Parcel# 70-43-44-19-11-002-0210

Dear Mr. Frogner:

The purpose of this letter is to advise you that the subject property located at 3595 2nd Avenue North ("the Property") has a land use designation of Commercial. The zoning classification is Commercial General ("CG").

The Property was voluntarily annexed into the Village of Palm Springs in October, 2004 and since the annexation took place, the Property has been used by the non-profit charitable organization United Cerebral Palsy which provide support services to ensure a life without limits for people with a spectrum of disabilities.

The existing CG zoning designation permits the use of the Property for professional and business office purposes. Office business is defined as any commercial activity primarily conducted in an office, not involving the sale of goods or commodities available in the office and not dispensing personal services, including such businesses as real estate brokers, insurance offices, consultant or any similar use. Therefore, a contractor's office with interior space for storage is permitted as professional office.

Please be aware that, currently, no outdoor storage is permitted on the property. If outdoor storage is proposed, then a Site Plan Amendment shall be submitted showing the location and how it is going to be screened from view according to Sec. 34-828 (a). For further reference, please visit Sec. 34-822 "Permitted Uses" within the Palm Springs Land Development Regulations, which is available online at: www.vpsfl.org. Additionally, the existing business must maintain a valid business license that requires annual renewal.

If you need further assistance, please do not hesitate to contact me.

Sincerely,


Chris Melendez
Planning Zoning & Building Department.

June 24, 2024

3595 2nd Avenue N Lake Worth, FL

Zoning confirmation request for

OUTDOOR STORAGE

This request is to clarify the **outdoor storage** standards in Sec 34-828 Supplemental Regulations of the Village of Palm Springs code regulations are applicable to the area depicted on the graphic (Exh 2 attached) to this request.

The Village previously issued a zoning confirmation letter dated June 14, 2024 that determined the proposed use (as described in the request) as a professional office and met the standards in the Village code for that use. The June 14th response from the village stated “No outdoor storage on the property.” The owner has indicated they will from time-to-time have material storage on site. Any proposed storage on site will be screened from public view on 2 Avenue, Coconut Road and the adjoining property by an existing 6 foot solid barrier (wood fence) and mature landscape buffer.

EXHIBIT 2



Example of outdoor storage Material

Village of Palm Springs, FL- Municode: Sec 34-828 (a) *Outdoor storage.* All *outdoor storage* shall be screened by a solid barrier and not visible from public view. All equipment vehicles must be stored with booms, ladders, truck beds, or any other portion of the vehicle in the non-extended or non-elevated position.

Please confirm the above standard allows outdoor storage of material as described in the Code of Ordinances Sec. 34-828(a), Supplemental Regulations.

Frogner Consulting, LLC

Planning and Zoning Consultants

3402 SE Clubhouse Place Stuart FL 34997

Ph: (561) 386-3035 jfrogner@comcast.net

November 4, 2024

Nanciann Cuenot, Code Enforcement Officer
Palm Springs Police Department
Village of Palm Springs
230 Cypress Lane
Palm Springs, FL 33461

**RE: Code Violation Courtesy Notice
3595 Second Avenue Holding, LLC**

Dear Ms. Cuenot:

I represent the owner of the property stated above in correcting their code violations and obtaining their zoning certificate of use and Business Tax Receipt (BTR).

Based on our conversations that occurred on October 17th, 2024 with the Village Team including Kim Glas-Castrol and Village Manager Michael Bornstein, we intend to submit the required documents and applications for the site plan approval process in the later part of this month or early December. The process requires a traffic statement, drainage statement, site plans, landscape plans, etc, thus we cannot achieve compliance and resolve the code violations by the November 4th deadline.

Our first step would be the pre-application process which generally takes two weeks to schedule the meeting once the site plans are completed-which take up to four weeks.

Therefore I am requesting a 60 day extension on the deadline to accommodate the submittal of documents necessary to abate the violation until such time our approval is final.

Please respond in writing or via email at your earliest convenience.

Sincerely,



Jim Frogner

JF/enf

Cc: Ron Kent, General Counsel to the Owner
Client File

Sec. 70-124. Use and occupancy certificates and inspections required and enforcement.

- (a) It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the village at a given location or premises without a use and occupancy inspection as required herein.
- (b) A use and occupancy inspection shall be required of persons or businesses:
 - (1) Upon the application for a new use and occupancy certificate; or
 - (2) Upon request of law enforcement, fire prevention, code enforcement or building official who has reasonable cause to believe the given location or premises is in violation of the life safety requirements; or
 - (3) Upon a new owner obtaining title to a property on which a business, profession or occupation is conducted without a valid Village of Palm Springs business license;
 - (4) Every third year after the continuous renewal of a use and occupancy certificate for all existing commercial and industrial properties;
 - (5) Every third year after the continuous renewal of a use and occupancy certificate for single-family, multiple family, townhome or condominium unit(s) or other dwelling unit(s) being rented as residential dwelling units; or
 - (6) Upon re-location of a business or transfer of a local business tax receipt to a new location.
- (c) If the inspector is denied access to the premises to conduct the use and occupancy inspection, a use and occupancy certificate shall not be issued, shall not be renewed, and/or may be suspended or revoked.
- (d) In the event a person who has authority over the premises does not consent to the inspection of the interior and/or curtilage at the time of the inspection, the person who has authority over the premises shall be given an opportunity to reschedule the inspection within ten days of the initial inspection. Failure of the person who has authority over the premises to reschedule and thereafter consent to an inspection shall be sufficient grounds and cause for the village to seek a warrant from a court of competent jurisdiction for the purpose of inspecting the interior and curtilage of the business place or premises. The village reserves the right to conduct a use and occupancy inspection of the interior and/or curtilage of the business place or premises without seeking a warrant if emergency conditions exist which threaten the immediate harm to the public health, safety and welfare.
- (e) The requirement herein for a use and occupancy inspection shall be read in concert with F.S. §§ 933.20—933.30, requiring warrants for administrative searches.

(Ord. No. 2018-03 , § 2, 4-12-2018)

Sec. 70-125. Application for use and occupancy certificate for new businesses; inspection; and fees.

- (a) Before the village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the village.
- (b) An application shall be filed on a standard application form supplied by the village and shall not be considered complete until the application satisfies the requirements of this section.
- (c) *Contents.* In addition to other information as may be required, the application shall contain the following information and shall be accompanied by the following documents:

-
- (1) *Identity.* An owner/applicant shall provide its legal name, any aliases, and date of birth or formation, if the owner/applicant is a partnership or corporation. A partnership shall provide the full and complete name of the partnership and the name and addresses of all partners. A corporation shall provide the exact and complete corporate name, the date of its incorporation, the name and address of the registered corporate agent for service of process, and the names and addresses of all corporate officers.
 - (2) *Address.* The application shall list the current local and legal domiciliary, a residential address of the owner/applicant and the name and address of an agent authorized to receive notice for purposes of this article.
 - (3) *Business name.* If the owner/applicant intends to conduct the business under a name other than that of the applicant, the applicant shall state the establishment's fictitious name and copy of its registration with the division of corporations of the department of state.
 - (4) *License/receipt history.* Whether the owner/applicant has had a previous license/receipt suspended or revoked, as well as the date of the suspension or revocation, and the location of the establishment for which the license/receipt was suspended or revoked, as well as the date of the suspension or revocation.
 - (5) *Operational information.*
 - a. Location of the proposed business, including the legal street address, and the owner/applicant's mailing address.
 - b. The name, phone number and email address of the individual who has authority over the premises for the inspector to contact to schedule the use and occupancy inspection.
 - c. The telephone number of the business.
 - d. A copy of any license, registration, or certification required for the profession or occupation; or a copy of all applications for such license, registration, or certification. A use and occupancy certificate shall not be issued until copies of the final license, registration, or certification are provided to the village.
 - (d) *Affidavit.* A notarized, signed and sworn statement by the owner/applicant or their authorized agent verifying that the information within the application is truthful, independently verifiable, and complete. The owner/application or their authorized agent must provide a valid Florida driver's license, registration or other valid form of identification along with the affidavit.
 - (e) *Fees.* Each application shall be accompanied by the application fee established by village resolution. If the application is denied, the village shall retain the application fee to cover the administrative costs of processing the application. The application fees required for obtaining a use and occupancy certificate (new or renewal) are based on one certificate for each individual tenant or business space and/or for each individual piece of real property as described by the county property appraiser's office through the provision of a property control number and recorded deed. In addition to the application fee, the owner/applicant shall pay at the time of application the inspection fee established by village resolution. No additional inspection fee shall be required for the first re-inspection. If a use and occupancy certificate is not granted after the initial re-inspection, the inspection fee (as established by village resolution) shall be charged for each additional inspection of the location or premises.
 - (f) For each new certificate issued between October 1 and April 1, the full application fee for one year shall be paid, except as provided in this article. For each new certificate issued between April 1 and July 1, one-half of the full application fee for one year shall be paid, except as provided in this article. For each new certificate issued between July 1 and September 30, one-fourth of the full amount of application fee for one year shall be paid, except as provided in this article.

-
- (g) If any of the information required in the application changes prior to any subsequent annual renewal date, the owner/applicant shall provide updated information within 30 days of such change.

(Ord. No. 2018-03 , § 2, 4-12-2018)

Sec. 70-94. - Application; local business tax receipt required; exemptions.

- (a) An application for a new business tax receipt or the renewal of an existing business tax receipt shall be accompanied by payment of the appropriate application fee. The amount of these fees shall be established and may be periodically revised through a resolution of the village commission. These fees are intended to cover the costs associated with the processing of applications and renewals by village staff. A business tax receipt must be obtained from the village within 30 days of the opening or establishment of the business, profession or occupation in the village. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt or upon a business tax receipt issued upon false statements made by any person or in their behalf.
- (b) It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or occupation, or use in connection therewith, any vehicle, premises, machine or device, in whole or in part, for which a local business tax receipt or permit is required by any law or ordinance of the village without a local business tax receipt or permit being first procured and kept in effect at all times as required by this article or other laws or ordinances of the village.

Local business taxes shall be required of the following:

- (1) Any person who maintains a permanent business location or branch office within the municipality for the privilege of engaging in or managing any business within its jurisdiction.
 - (2) Any person who maintains a permanent business location or branch office within the municipality for the privilege of engaging in or managing any profession or occupation within its jurisdiction.
 - (3) Any person who does not qualify under the provisions of subsections (a)(1) or (a)(2) of this section and who transacts any business or engages in any occupation or profession in interstate commerce if the business tax is not prohibited by Article 1, Section 8 of the United States Constitution.
- (c) Religious, charitable, fraternal, service, youth or civic organizations, disabled veterans, confirmed physically or mentally challenged individuals, persons 65 years of age or older, or otherwise exempt by state statute shall be allowed the same exemptions as such persons are or shall be entitled to by law in connection with state and county licenses. Any person entitled to an exemption by this subsection shall, upon application and furnishing necessary proof, be issued a certificate of registration which shall have the reason for such exemption plainly written or typed across the face thereof.
 - (d) The tax provided in the business tax schedule for architects, auditors or accountants, dentists, engineers, lawyers, physicians and surgeons, real estate salesmen, or other professions shall be construed to mean that each individual shall pay the tax, whether practicing individually or in partnership or association with other individuals.

- (e) The person applying for the business tax receipt shall attest and certify in affidavit form on the application, the type and nature of all businesses, professions and/or occupations being conducted at the location for which the receipt is being requested. Any person applying for a receipt based upon stock of merchandise must also attest and certify that full and complete information has been furnished relative to the stock that has been provided with the application. The village's land development director or finance director may require the applicant to disclose such other relevant information as the applicant's full name, address, and the applicant's relationship to the business for which the business tax receipt is requested.
- (f) As a prerequisite to receiving a local business tax receipt or transferring a business license under section 70-98, the applicant or new owner must present to the village either:
 - (1) A copy of the applicant's or new owner's current fictitious name registration, issued by the division of corporations of the department of state; or
 - (2) A written statement, signed by the applicant or new owner, which sets forth the reason that the applicant or new owner need not comply with the Fictitious Name Act.
- (g) Any person applying for a local business tax receipt to practice any profession regulated by the department of business and professional regulation, or any board or commission thereof, must produce an active state certificate, registration, or license, or proof of copy of the same, before a business tax receipt may be issued. Thereafter, only persons applying for the first time for a receipt must exhibit such certification, registration, or license.
- (h) Any person applying for a business tax receipt to operate a pharmacy must produce a current permit issued by the board of pharmacy; however, no such receipt is required to practice the profession of pharmacy.
- (i) Any person applying for a business tax receipt to operate an assisted living facility pursuant to F.S. ch. 400, pt. III, must produce a current license issued by the agency for health care administration to operate such facility at the specified location or locations.
- (j) Any person applying for a business tax receipt to operate a pest control business regulated under F.S. ch. 482, must produce a current license issued by the department of agriculture and consumer services for each of its business locations in the village.
- (k) Any person applying for a business tax receipt to operate a health studio pursuant to F.S. §§ 501.012—501.019 or ballroom dance studio pursuant to F.S. § 501.143, must produce a current license, registration, or letter of exemption from the department of agriculture and consumer services.
- (l) Any person applying for a business tax receipt to engage in business as a seller of travel pursuant to F.S. ch. 559, pt. XI, must produce a current registration or letter of exemption from the department of agriculture and consumer services.
- (m)

Any person applying for a business tax receipt to operate a telemarketing business under F.S. §§ 501.604 and 501.608, must produce a current license or registration from the department of agriculture and consumer services or a current affidavit of exemption.

- (n) A receipt may not be issued unless the federal employer identification number or social security number is obtained from the person to be taxed.
- (o) First time applicants must present, when applicable, a current village-issued zoning confirmation letter that certifies the premises conforms to the appropriate zoning regulations and that the business operator has obtained all necessary permits, approvals, and licenses needed to operate. The confirmation letter shall include but is not limited to, certification by the village that the premises has passed all required fire inspections, building inspections, and zoning reviews, and other village-conducted reviews and inspections, in order to demonstrate that the business, occupation, or profession is operational and actively engaged in the business for which the business tax receipt has been requested and that the premises is in compliance with the Village Code.
- (p) Whenever any occupation, business, profession or privilege shall fall into more than one of the classifications contained in the business tax schedule, such occupation, business, profession or privilege shall comply with the business tax requirements of each such classification or privilege.

(Code 1994, § 58-79; Ord. No. 2007-01, § 6, 1-11-2007)

Sec. 34-823. - accessory uses.

No accessory uses shall be permitted in the CG commercial general land development district.

(Code 1994, § 30-563)

Sec. 34-822. - Permitted uses.

Permitted uses within the CG commercial general land development district shall be limited to the following:

- (1) All permitted uses in the CN commercial neighborhood land development district.
- (2) Financial institutions.
- (3) Retail sales and services.
- (4) Personal services.
- (5) Commercial Planned Developments.

(Code 1994, § 30-562; Ord. No. 2007-08, § 6, 4-26-2007; Ord. No. 2014-06, § 6, 5-8-2014)

CASE PRESENTATION
CASE No. CASE 2024-71

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 No. 2024-71** concerns the property at 3595 2nd Avenue N in the Village of Palm Springs, FL.
4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector's records the current owner of the property is 3595 Second Avenue Holdings LLC
5. Pursuant to complaints and my observation, there are violations of local ordinances:

Section 70-94 – Application for local business tax receipt is required.

A new business tax receipt accompanied by the payment of the appropriate application fee must be obtained. It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the Village of Palm Springs without a business tax receipt.

Section 34-823 - Accessory uses -

Accessory uses are not allowed in the CG zoning designation.

No outdoor storage is permitted on the property.

Section 70-124 - Use and occupancy certificates and inspections required.

It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession, or occupation in the village at a given location or premises without a use and occupancy inspection and certificate.

Section 70-125 - Application for use and occupancy certificate for new businesses; inspection; and fees.

Before the village may issue a use and occupancy certificate for engaging in or carrying on any business, it shall be the duty of the owner/applicant to file an application with the village.

6. This property was voluntarily annexed into the Village of Palm Springs in October 2004, and its Use was Educational. It was occupied by the non-profit charitable organization United Cerebral Palsy which provided support services to ensure a life without limits for people with a spectrum of disabilities.

The property was recently purchased in July 2024 by the current owner. Before the purchase, on June 11, 2024, Mr. Frogner, the Respondent's planning and zoning consultant, who is present at this Hearing, reached out to the Village by letter for zoning confirmation and noted a change of use to Office. The letter from Mr. Frogner is included in this Case File. He states that Communications Unlimited Contracting Services Inc. intended to occupy the building and premises and that the structure would be used for office and indoor storage for their cable material and "There will not be any outdoor storage of material". He asked the Village to confirm the proposed use of a professional office.

On June 14, 2024, the Village Planning Zoning Building Director, Iramis Cabrera, who is present at this hearing responded by letter, which is included in the file, noting the

CASE No. _____

existing CG zoning, permits the use of the property for professional and business office purposes with interior space for storage. However, she went on to write "Please be aware that no outdoor storage is permitted on the property."

In early October, Code received complaints, and I observed that Communications Unlimited occupied the premises. They are using a large section of the property for outdoor storage as a principal use. They said they moved in early September and have been working without obtaining a valid Local Business Tax Receipt or Certificate of Use and Inspections.

7. On **November 7, 2024**, I wrote **Notice of Violation/Notice of Hearing 2024-71** for the violations. The Notice was mailed certified and regular to the respondent's address of record, to hand-delivered to Christian Barcero, Project Manager of Communications Unlimited who was present in the building when I posted at the property. Delivery confirmation was also made with the Registered Agent.

8. Photos of the violations and letters referenced are included in the file. The property remains in violation.

9. I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE with actions to correct the violations and gain compliance on **Section 34-823 - Accessory uses by removing the cable and other related materials stored outside within 14 days or by December 5, 2024, Submitting Site Plan and Change of Occupancy within 60 days or by January 20, 2025, complete Site Plan and Change of Occupancy processing by April 20, 2025; and complete construction to comply with Section 70-124 - Use and occupancy certificates and inspections; Section 70-125 - Application for use and occupancy certificate for new businesses; inspection; and fees required and Section 70-94 - Application for local business tax receipt is required by September 20, 2025.** If not in compliance by the stated dates a \$75.00 per day, per violation FINE shall commence.

10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$405.45** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **December 5, 2024**.

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



Case Administrative / Court Costs

November 21, 2024, 3595 2nd Ave N - 3595 Second Avenue Holdings LLC		Case 2024-50		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	4.50	35.00	157.50
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	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	4.00	20.00	80.00
6	Additional certified copies for hearing	2.00	8.16	16.32
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
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	0.50	35.00	17.50
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 2024-50				405.45



PALM SPRINGS POLICE DEPARTMENT

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

9489 0178 9820 3034 7920 38

NOVEMBER 7, 2024

9489 0178 9820 3034 7920 45

3595 SECOND AVENUE HOLDINGS LLC
2552 18TH ST
HOMWOOD, AL 35209 1922

Dear owner(s),

A **NOTICE OF VIOLATION / NOTICE OF HEARING** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the property at:
3595 2ND AVENUE NORTH, in Palm Springs, FL. PCN: PCN: 70-43-44-19-11-002-0210

VIOLATION / HEARING CASE 2024-71

Section 70-124 - Use and occupancy certificates and inspections required and enforcement.

It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the village at a given location or premises without a use and occupancy inspections and certificate.

Section 70-125 - Application for use and occupancy certificate for new businesses; inspection; and fees.

Before the village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the village.

Section 70-94 - Application; local business tax receipt required.

An application for a new business tax receipt or the renewal of an existing business tax receipt shall be accompanied by payment of the appropriate application fee. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.

Section 34-823 - Accessory uses.

Outdoor storage is not permitted on the property. For further reference please see Section 34-822 Permitted Uses within the Palm Springs Land Development Regulations.

The options available include coming into voluntary compliance on or before **November 15, 2024 OR** arguing your case at the Special Magistrate Hearing on **Thursday, November 21, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL.** 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 and/or a Citation cost. Court costs for a Code Enforcement case typically run from \$200.00 to \$300.00.

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

Respectfully,



Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org



PALM SPRINGS POLICE DEPARTMENT

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

October 03, 2024

3595 SECOND AVENUE HOLDINGS LLC
C/O Jim Frogner
3402 SE Clubhouse Place
Stuart, FL 34997

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 3595 2ND AVE N, Palm Springs, FL 33125.

PCN: 70434419110020210

This property is in violation of local ordinances:

Section 70-94 - Application for local business tax required

Section 34-822 - Permitted Uses - limited

Sec 34-823 - No Accessory Uses - Outdoor storage is not a permitted use in CG commercial general land development district. Application for Site Plan Amendment is required.

Section 70-124 - No required Certificate of Occupancy Certificates or Required Inspections on File with the Village PZB Department, includes no required PB County Fire Inspections.

FORM + Application

Section 70-125 - no required application for Use and Occupancy for the Property. Includes No Required Payment of Fees owed.

Compliance Date: November 04, 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,

Nanciann Cuenot
Palm Springs Police Department
Code Enforcement Officer
561 584-8300 Ext. 8524
561 307-7157
ncuenot@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence

Tracking Number:

Remove X

9489017898203034792038

Copy

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

Latest Update

Your item was picked up at a postal facility at 7:18 am on November 12, 2024 in TALLAHASSEE, FL 32303.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

TALLAHASSEE, FL 32303

November 12, 2024, 7:18 am

See All Tracking History

Feedback

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®



Product Information



See Less ^

Tracking Number:

Remove X

9489017898203034792045

Copy

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

Latest Update

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Moving Through Network

In Transit to Next Facility, Arriving Late

November 13, 2024

Arrived at USPS Regional Destination Facility

BIRMINGHAM AL DISTRIBUTION CENTER

November 11, 2024, 7:43 am

Arrived at USPS Regional Origin Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

November 8, 2024, 8:01 pm

Accepted at USPS Origin Facility

LAKE WORTH, FL 33461

November 8, 2024, 6:46 pm

Hide Tracking History

Feedback

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

Property Detail

Location Address : 3595 2ND AVE N
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-11-002-0210
Subdivision : LAKEWOOD GARDENS PL 1 IN
Official Records Book/Page : 35178 / 43
Sale Date : JUL-2024
Legal Description : LAKEWOOD GARDENS PLAT 1 TRS 21 & 22 BLK 2

Owner Information**Owner(s)**

3595 SECOND AVENUE HOLDINGS LLC

Mailing Address

2552 18TH ST
HOMWOOD AL 35209 1922

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2024	\$2,775,000	35178 / 00043	WARRANTY DEED	3595 SECOND AVENUE HOLDINGS LLC
MAY-2000	\$590,000	11816 / 01302	WARRANTY DEED	UNITED CEREBRAL PALSY ASSN OF MIAMI INC
AUG-1999	\$1,000	11285 / 01951	CERT OF TITLE	SOUTHTRUST BANK
JUN-1983	\$180,000	03980 / 01548	WARRANTY DEED	

Exemption Information**Applicant/Owner(s)**

Year
2024

Detail**Property Information**

Number of Units : 0
***Total Square Feet :** 11248
Acres : 3.28
Property Use Code : 1700—OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$1,293,252	\$1,319,868	\$1,227,534	\$1,017,902	\$1,032,133
Land Value	\$1,143,704	\$1,143,704	\$1,000,741	\$857,778	\$857,778
Total Market Value	\$2,436,956	\$2,463,572	\$2,228,275	\$1,875,680	\$1,889,911

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$2,436,956	\$2,269,573	\$2,063,248	\$1,875,680	\$1,889,911
Exemption Amount	\$2,436,956	\$2,269,573	\$2,063,248	\$1,875,680	\$1,889,911
Taxable Value	\$0	\$0	\$0	\$0	\$0

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$0	\$0	\$0	\$0	\$0
NON AD VALOREM	\$2,931	\$2,856	\$2,744	\$2,631	\$2,575
TOTAL TAX	\$2,931	\$2,856	\$2,744	\$2,631	\$2,575



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
3595 SECOND AVENUE HOLDINGS LLC

Filing Information

Document Number	L24000277260
FEI/EIN Number	NONE
Date Filed	06/18/2024
Effective Date	06/18/2024
State	FL
Status	ACTIVE

Principal Address

2552 18TH STREET
HOMEWOOD, AL 35209 UN

Mailing Address

2552 18TH STREET
HOMEWOOD, AL 35209 UN

Registered Agent Name & Address

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301

Authorized Person(s) Detail

Name & Address

Title GC

KENT, RON
2552 18TH STREET
HOMEWOOD, AL 35209 UN

Title MGR

MILLER, JOSEPH
2552 18TH STREET
HOMEWOOD, AL 35209 UN

Title MGR

 Account Information

Property Control Number:
70-43-44-19-11-002-0210

Mailing Address:
2552 18TH ST
Homewood, AL 35209-1922

Owner of Record:
3595 SECOND AVENUE HOLDINGS LLC

Property Type:
Real Property

Property Address:
3595 2ND AVE N
PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
LAKEWOOD GARDENS PLAT 1 TRS 21 & 22
BLK 2

Last updated: 11/15/2024 11:00:11 AM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.
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: \$2,813.60 [ADD ALL TO CART](#)

2024 | BILL TYPE: ORIGINAL | BILL NO: 101542683 | ROLL: ANNUAL |
DUE \$2,813.60

[ADD TO CART](#)

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
3/31/25	☐ \$2,813.60	☐ \$0.00	☐ \$2,813.60	Due	☐ \$2,813.60
	Net Tax: \$2,930.83		▶ 11/15/24 \$2,813.60		Clear all
	Interest: \$0.00		11/30/24 \$2,813.60		
	Penalty: \$0.00		12/2/24 \$2,813.60		
	Fees: \$0.00		12/31/24 \$2,842.91		
	Discount: -\$117.23				
Total: \$0.00					ADD TO CART

[+](#) Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	☐ \$2,741.87	11/16/23		Paid
	Net Tax: \$2,856.11			
	Interest: \$0.00			
	Penalty: \$0.00			
	Fees: \$0.00			
	Discount: -\$114.24			

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/23	☐ \$2,633.89 Net Tax: \$2,743.64 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$109.75	11/30/22	-\$2,633.89	Paid
3/31/22	☐ \$2,525.92 Net Tax: \$2,631.17 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$105.25	11/19/21	-\$2,525.92	Paid
3/31/21	☐ \$2,471.93 Net Tax: \$2,574.93 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$103.00	11/19/20	-\$2,471.93	Paid
3/31/20	☐ \$2,547.51 Net Tax: \$2,653.66 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$106.15	11/30/19	-\$2,547.51	Paid

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



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-71

**VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,**

**3595 SECOND AVENUE HOLDINGS LLC
3595 2nd AVENUE NORTH
LAKE WORTH BEACH, FL 33461**

**MAILING ADDRESS:
3595 SECOND AVENUE HOLDINGS LLC
2552 18TH STREET
HOMEWOOD, AL 35209 1922
Respondent(s).**

ORDER FINDING VIOLATION

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

SECTION 70-124: Use and occupancy certificates and inspections required and enforcement. It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the Village at a given location or premises without a use and occupancy inspection and certificate.

SECTION 70-125: Application for use and occupancy certificate for new businesses, inspection, and fees. Before the Village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the Village.

SECTION 70-94: Application. Local business tax receipt required. An Application for a new business tax receipt or the renewal of an existing business tax receipt shall be accompanied by payment of the appropriate application fee. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the Village without a business tax receipt.

SECTION 34-823: Accessory uses. Outdoor storage is not permitted on the property. For further reference please see section 34-822: Permitted uses within the Palm Springs land development regulation.

Address: 3595 2ND AVENUE NORTH
Legal Description: LAKEWOOD GARDENS PLAT 1 TRS 21 & 22 BLK 2
PCN: 70-43-44-19-11-002-0210

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 **21st** day of **November 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.

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

☐ **SECTION 70-124: Use and occupancy certificates and inspections required and enforcement. It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the Village at a given location or premises without a use and occupancy inspections and certificate.**

☐ **SECTION 70-125: Application for use and occupancy certificate for new businesses, inspection, and fees. Before the Village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the Village.**

☐ **SECTION 70-94: Application. Local business tax receipt required. An Application for a new business tax receipt or the renewal of an existing business tax receipt or shall be accompanied by payment of the appropriate application fee. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the Village without a business tax receipt.**

☐ **SECTION 34-823: Accessory uses. Outdoor storage is not permitted on the property. For further reference please see section 34-822: Permitted uses within the Palm Springs land development regulation.**

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

☐ **SECTION 70-124: Use and occupancy certificates and inspections required and enforcement. It shall be unlawful for any person either directly or indirectly to engage in or to conduct any business, profession or occupation in the Village at a given location or premises without a use and occupancy inspections and certificate.**

☐ **SECTION 70-125: Application for use and occupancy certificate for new businesses, inspection, and fees. Before the Village may issue a use and occupancy certificate for engaging in, or carrying on any business, it shall be the duty of the owner/applicant to file an application with the Village.**

☐ **SECTION 70-94: Application. Local business tax receipt required. An Application for a new business tax receipt or the renewal of an existing business tax receipt or shall be accompanied by payment of the appropriate application fee. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the Village without a business tax receipt.**

☐ **SECTION 34-823: Accessory uses. Outdoor storage is not permitted on the property. For further reference please see section 34-822: Permitted uses within the Palm Springs land development regulation.**

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 **December 05, 2024:**
- ☐ Administrative costs of **\$405.45**
 - ☐ 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:
- ☐ **Section 34-823: Accessory uses by removing the cable and other related materials stored outside within 14 days or by December 5, 2024.**
 - ☐ **Submitting site plan and change of occupancy within 60 days or by January 20, 2025.**
 - ☐ **Completing site plan and change of occupancy processing by April 20, 2025.**
 - ☐ **Section 70-124: Use and occupancy certificates and inspections. Section 70-125: Application for use and occupancy certificate for new businesses, inspection, and fees. Section 70-94: Application for local business tax receipt is required by completing construction by September 20, 2025.**

If Respondent fails to comply within the time given, a fine of **\$75.00 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 **December 05, 2024.**
- ☐ Administrative costs of **\$405.45**
 - ☐ 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. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this **21st** day of **November 2024**.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

Special Magistrate

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

[3595 2nd Avenue North](#)
[Lake Worth Beach, FL 33461](#)



**VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CASE NO: CITATION 2018-2364

CITATION 2022-58

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: **EMJO 66 INC. JOSE RODRIGUEZ, PRESIDENT**

Property Address: **3133 LAKE WORTH RD., PALM SPRINGS FL 33461**

Telephone number where you can be reached during the day: _____

Is the property now in compliance: Yes: **X** No: _____ (If no, explain in detail)

Are you requesting an extension of time to make repairs: Yes: _____ No: **X**

If yes, until what date: _____

Date you called The Village of Palm Springs Code Enforcement Division for a re-inspection:
compliance achieved at different times, when possible _____

Compliance date specified by Special Magistrate: **see orders**

Are you claiming a financial hardship: Yes: **X see narrative**

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, JOSE RODRIGUEZ, 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:

PLEASE SEE ATTACHED NARRATIVE STATEMENTS FOR EACH CITATION

Date:

11/7/2024

Signature:

[Signature]

State of:

Florida

County of:

Palm Beach

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF November 20 24, BY Jose Rodriguez WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FLDL R235-544-88-600-0 AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

[Signature]
SIGNATURE OF NOTARY PUBLIC

NANCIANN M. CUENOT
PRINT NAME OF NOTARY PUBLIC

(OFFICIAL SEAL)





VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT06620

Application Date: 09/18/24

Receipt Date 11/04/24 Permit Number 24-01036

Payee MOREL CLARITZA

Address 3133 LAKE WORTH RD, Palm Springs, FL 33461

Permit Type All other Violations

Payment Method Online Payment *****4284

Confirmation # 48368Z

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 #: PT06620

Application Date: 09/18/24

Receipt Date 11/04/24 Permit Number 24-01036

Payee MOREL CLARITZA

Address 3133 LAKE WORTH RD, Palm Springs, FL 33461

Permit Type All other Violations

Payment Method Online Payment *****4284

Confirmation # 48368Z

CE Application Fee for Fine Reduction Request	\$250.00
---	----------

Comments:

Amount \$250.00

Total Paid \$250.00

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

CITATION 2018-2364

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

EMJO 66 INC.
3133 LAKE WORTH RD.
LAKE WORTH, FL. 33461
Respondent

PROPERTY OWNER'S MITIGATING FACTORS FOR FINE REDUCTION

Property Owner, EMJO 66 INC. (hereinafter referred to as the "Respondent"), requests a reduction in the fine, imposed against it with regard to the above-referenced citation, on the grounds set forth as follows:

With regard to the 2018-2364 citation/violation, Petitioner only recently on September 18, 2024, *some 6 year later*, recorded its Order Finding Violation in the public records of Palm Beach County. Petitioner in recent correspondence, dated October 29, 2024, asserted that there is an outstanding fine of \$10,000.00. The record should show that Respondent paid the Administrative Fees of \$182.42 (Village of Palm Springs Receipt #PT05268). Petitioner's Affidavit of Compliance establishes a compliance date of October 16, 2018, which is *50 days* from the date Respondent was to bring all violations into compliance-- on August 27, 2018. The 2 violations involve prohibited signs and the parking of a shipping containers on the commercial property.

Prohibited Signs.

Petitioner is aware that this commercial property, prior to Respondent's purchase of the abandoned food market, had been in a serious state of disrepair; and had been overrun by a large group of homeless individuals maintaining temporary residence in and around the property and across the street in a park. Respondent asserts that the market

had been completely vandalized, with even the electrical wiring being stripped and removed from the property. Respondent invested a substantial amount of time, effort and money to rebuild and re-vitalize this market. As Petitioner is aware, as a result of the steady improvements made, and hard work invested into this property by the Respondent, the area in proximity to the store ultimately improved, which overall benefitted the Village of Palm Springs. In the early stages of opening the market in early 2018, Respondent retained a sign company to design and build a permanent sign to be placed on the property. That process from design to approval, to installation of the signs, took time to do so. In the interim, the Respondent reasonably thought that the only way to make the public aware of the re-opening of this market was to place temporary signs on the property, to attract customers. Respondent acknowledges that it did not believe it had any other means to establish its commercial presence, under the circumstances at that time.

Portable Shipping Containers.

In re-building the food market that had been completely vandalized, Respondent purchased shelving and other equipment necessary to operate the market, which was stored in portable shipping containers it has rented for this purpose. Respondent submits that it had no choice but to store the equipment in such containers until it received the approval from Petitioner to transfer and install those items on the property in the market. The Respondent also asserts that in properly safekeeping the equipment in the interim, it had no other reasonable option but to store the items in locked trailers, as there was still a large presence in the area of homeless individuals and others who may have criminal intentions with regard to stealing, or destroying the items. Respondent asserts that it stands to reason that the Respondent was working as expeditiously and diligently as possible, to move the equipment from the trailers into the market space so that the Respondent could return the trailers and not be further charged for daily rental costs for using them. Respondent acknowledges that the Petitioner was made aware of this situation at the time. Respondent thought that it was always being communicative to the Village representatives during this process but asserts that perhaps there may have been some level of mis-communication between the representatives of the Village and the Respondent.

The situation here involving the Respondent's actions, which led to the successful rehabilitation of this commercial property, is quite different than the situations with other property owners who may simply choose to ignore the mandates of Village with regard to code enforcement issues. Here Respondent engaged in significant effort to completely turn around a commercial property that had been abandoned and was in a state of severe deterioration. Respondent has converted such property into a thriving, ongoing business that employs local individuals at the food market and provides the local community with another food source for their food needs; all of which, ultimately improves the community of the Village of Palm Springs.

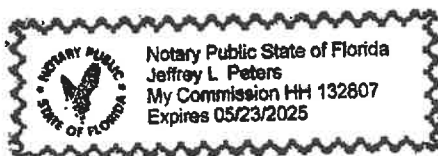
Respectfully, the Respondent seeks to have the Magistrate consider the totality of the circumstances involving these code violations, which were resolved as practically as possible, while the Respondent re- vitalized a property that continues to benefit the local community. Respondent requests that the amount of the fine be significantly reduced to a nominal amount, taking the above actions into primary consideration.



Jose Rodriguez, President
Emjo 66, Inc.

STATE OF FLORIDA
COUNTY OF PALM BEACH

On this 6th day of November, 2024, before me by means of ☒ physical presence or ☐ online notarization, the undersigned, a Notary Public in and for said County and State, appeared JOSE RODRIGUEZ, ☒ personally known to me to be the person whose name is subscribed to this Narrative Statement (2018-2364), or who ☐ has produced _____ as identification, and who acknowledged before me the execution of this document for the purposes therein expressed.



Notary Public



DOROTHY JACKS

CFA, AAS
Palm Beach County Property Appraiser

Homestead Exemption **E-file**



Location Address 3133 LAKE WORTH RD

Municipality PALM SPRINGS

Parcel Control Number 70-43-44-19-39-000-0010

Subdivision C & D PRODUCE SOUTH

Official Records Book 29428

Page 369

Sale Date AUG-2017

Legal Description C & D PRODUCE SOUTH LT 1 K/A ALL OF PLAT

Owners

EMJO 66 INC

Mailing address

3233 LAKE WORTH RD
LAKE WORTH FL 33461 3635

Sales Date	Price	OR Book/Page	Sale Type	Owner
AUG-2017	\$1,700,000	29428 / 00369	WARRANTY DEED	EMJO 66 INC

No Exemption Information Available.

Number of Units	*Total Square Feet 13320	Acres 2.5053
Use Code 1100 - STORES	Zoning CG - Commercial General (70-PALM SPRINGS)	

Tax Year	2017	2016	2015
Improvement Value	\$1,110,326	\$1,003,835	\$880,042
Land Value	\$670,079	\$555,579	\$528,893
Total Market Value	\$1,780,405	\$1,559,414	\$1,408,935

All values are as of January 1st each year

Tax Year	2017	2016	2015
Assessed Value	\$1,704,812	\$1,549,829	\$1,408,935
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$1,704,812	\$1,549,829	\$1,408,935

Tax Year	2017	2016	2015
Ad Valorem	\$36,257	\$33,824	\$31,622
Non Ad Valorem	\$14,849	\$14,086	\$14,361
Total tax	\$51,106	\$47,910	\$45,983

VILLAGE OF PALM SPRINGS
Code Enforcement Magistrate Hearing

Case No. 2018-2364



VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

EMJO 66 INC
3133 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

PCN: 70-43-44-19-39-000-0010

FINE REDUCTION ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **November 21, 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: 3133 LAKE WORTH ROAD; Legal Description: C & D PRODUCE SOUTH LT 1 K/A ALL OF PLAT; PCN: 70-43-44-19-39-000-0010
2. On **August 16, 2018**, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of **Section(s):34-916 Parking on Commercial Property** -Trailer engaging in food sales and being stored on property; **Section 34-262 Prohibited signs.** of the Village of Palm Springs Code of Ordinances. The Respondent(s) was given until **August 27, 2018**, within which to comply with the code, failing which a fine of \$100.00 per day per violation was assessed against the Respondent(s). The fines continued for 50 days and totaled \$10,000.00.
3. Administrative costs in the amount of \$182.42 were levied against the Respondents(s) and have been paid in full.
4. On **October 16, 2018**, the Respondent(s) complied with the cited violations.
5. The Respondent has submitted an application for 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 **\$2,000.00** and costs in the amount of **\$-0-** on or before **December 21, 2024**. If the reduced fine is not paid within the specified time, the fine shall revert to the original accrued amount of **\$10,000.00** before the reduction, of **\$2,000.00**.

DONE AND ORDERED this 21st day of November 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: November 21, 2024

Case No.: 2018-2364

Respondent(s): EMJO 66 INC.

Violation Address (Subject Property): 3133 LAKE WORTH ROAD

BACKGROUND

On August 16th, 2018 the above-referenced case was adjudicated by the Special Magistrate as being in violation of Code **Section(s):34-916 Parking on Commercial Property** -Trailer engaging in food sales and being stored on property; **Section 34-262 Prohibited signs.** The Respondent was given a violation and fine commencing on August 27, 2018, and continued to accrue at the rate **of \$100.00 per day per violation** for every day not in compliance. To date, the fine has accumulated for 50 days, for a total fine of **\$10,000.00** as of the compliance date of October 16, 2018. 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 **\$2,000.00** within Thirty (30) days of the date of the Magistrate's Final Order on the Request or on or before **December 21, 2024.** If the reduced fine is not paid within the time specified, the original fine in the amount of **\$10,000.00** shall be reinstated.
- B. ☐ That based upon the criteria of Section 162.09(b), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for a Reduction of Fine.

STAFF JUSTIFICATION FOR RECOMMENDATION

The 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 the Staff's recommendation is set forth as follows: There has been an Order Finding Violation for 6 years and a lien placed on the property. The length of time to address the fines has been excessive. I have issued multiple courtesy code violation notices to the owner for similar offenses. The Village recommends reducing the fine amount in this case to 20% of the total lien amount.

Dated: November 21, 2024

By: Nanciann Cuenot
Code Enforcement Officer

**VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT**

CIT CODE CASE: 2018-2364

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

EMJO 66 INC.
3133 LAKE WORTH RD
PALM SPRINGS, FL 33461

MAILING ADDRESS:

EMJO 66 INC.
3233 LAKE WORTH RD
LAKE WORTH, FL 33461

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of Section(s) 34-914 - Portable shipping containers, 34-262 - Prohibited Signs, 34-916 - Parking on commercial property

Address: 3133 Lake Worth Road
Legal Description: C & D PRODUCE SOUTH LT 1 K/A ALL OF PLAT
PCN: 70-43-44-19-39-000-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 16th day of August, 2018, 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, EMJO 66 INC., owner or occupant of the above described property or responsible party for the violation(s), was/was not present at the hearing, however, there was a finding of proper notice.
2. The Village of Palm Springs Code Inspector/Officer testified to and/or produced photographs of the violation(s).

CONCLUSIONS OF LAW

 Respondent ~~is/is not~~ in violation of Section(s) 34-914 - Portable shipping containers, 34-262 - Prohibited Signs, 34-916 - Parking on commercial property, of the Village of Palm Springs Code of Ordinances as charged.

ORDER

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

☒ Respondent is not in compliance with the code violation section(s) 34-914 - Portable shipping containers, 34-262 - Prohibited Signs, 34-916 - Parking on commercial property Respondent must bring all violations into compliance by August 27, 2018. If Respondent fails to comply within the time given, a fine of

\$100.00 per day per violation, 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 \$200.00
- ✓ Re-inspection fee of \$30.00
- ✓ Administrative costs of \$182.42

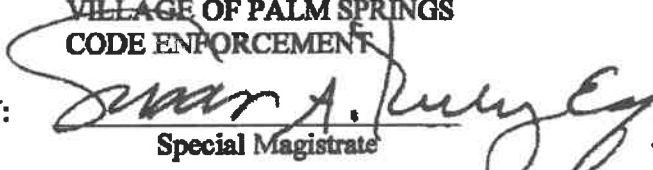
-Respondent must pay all Citation Fines, Administration Costs by August 27, 2018.
All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

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 Gayla Hill 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.

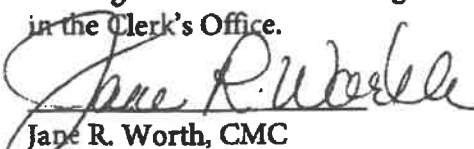
Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 304-4820 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of August, 2018.

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 CIT Code Case 2018-2364 Order Finding Violation and the original is on file in the Clerk's Office.


Jane R. Worth, CMC
Deputy Village Clerk



A copy of this order has been furnished to the respondent at the following statutory address:
3133 Lake Worth Road
Palm Springs, FL 33461

ADMINISTRATION COSTS CASE # 2018-2364



VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT05268

Application Date: 09/18/24

Receipt Date 09/18/24 Permit Number 24-01036
Payee JOSE RODRIGUEZ
Address 3133 LAKE WORTH RD, Palm Springs, FL 33461
Permit Type All other Violations
Payment Method Credit Card Payment *****0588
Confirmation # 000000018291

CE Hearing Administrative Cost	\$182.42
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Comments:

Amount \$182.42
Total Paid \$182.42



VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT05268

Application Date: 09/18/24

Receipt Date 09/18/24 Permit Number 24-01036
Payee JOSE RODRIGUEZ
Address 3133 LAKE WORTH RD, Palm Springs, FL 33461
Permit Type All other Violations
Payment Method Credit Card Payment *****0588
Confirmation # 000000018291

CE Hearing Administrative Cost	\$182.42
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Comments:

Amount \$182.42
Total Paid \$182.42

VILLAGE OF PALM SPRINGS, FLORIDA CODE CITATION

CITATION NO. 2364

DAY OF WEEK <u>Thursday</u>	MONTH <u>07</u>	DAY <u>19</u>	YEAR <u>2018</u>	TIME <u>11:51am</u>
FIRST NAME <u>Victoria</u>	MID INT. <u>Green</u>	LAST NAME <u>Market</u>		
STREET ADDRESS <u>3133 Lake Worth Rd</u>				
CITY <u>Palm Springs</u>	STATE <u>FL</u>	ZIP CODE <u>33461</u>		
TAG NO. <u>Emj066 IN</u> DESCRIPTION <u>3233 Lake Worth Rd</u> <u>Lake Worth, FL 33461</u>				
VIOLATION CODE SECTION(S) & DESCRIPTION: <u>34-914 Portable Shipping Containers</u> <u>34-262 Prohibited Signs</u> <u>34-916 Parking on Commercial Property-Trailer</u> <u>engaging in food sales and being stored</u> <u>on property</u>				
☐ REPEAT VIOLATION				

Gayla Hill

Code Enforcement Officer

143

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 August 16, 2018 at 10:00am
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 \$200.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$230.00. 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 7/31/18, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

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

Not T
Respondent Signature

Printed
Printed Name

MISCELLANEOUS PAYMENT RECP# : 4183030
Village of Palm Springs
226 Cypress Lane
Palm Springs FL 33461

DATE: 08/16/18 TIME: 15:10
CLERK: 1320cru DEPT:
CUSTOMER#: 0

COMMENT:

CHG: 35400 Violations of L 230.00

AMOUNT PAID: 230.00

PAID BY: JOCLA 7/10
PAYMENT METH: CHECK

REFERENCE: CIT 2364
1702

AMT TENDERED: 230.00
AMT APPLIED: 230.00
CHANGE: .00

Paid Citation Fine

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2018-2364

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

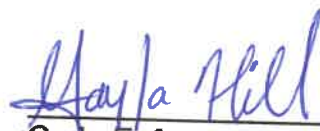
VS.

EMJO 66 INC
3233 LAKE WORTH RD
LAKE WORTH, FL 33461

Respondent

The property at 3133 LAKE WORTH RD described in the Code Enforcement CITATION dated JULY 7th, 2018, in the above mentioned case, has been re-inspected and, I Gayla Hill state that said property is **NOW** in compliance 34-262 PROHIBITED SIGNS, 34-916 PARKING ON COMMERCIAL PROPERTY (TRAILER) of the Ordinance Codes of the Village of Palm Springs on the **SIXTEENTH (16th) day of OCTOBER 2018.**

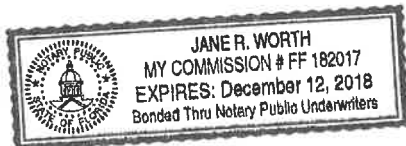
CITATION PAID
ADMIN COSTS NOT PAID

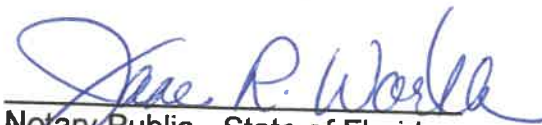

Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 16th day of October, 2018 by Gayla Hill, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

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




Notary Public - State of Florida
My Commission Expires:

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2018-2364

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

VS.

EMJO 66 INC
3233 LAKE WORTH RD
LAKE WORTH, FL 33461

Respondent

The property at **3133 LAKE WORTH RD** described in the Code Enforcement CITATION dated JULY 7th, 2018, in the above mentioned case, has been re-inspected and, I Gayla Hill state that said property is **NOT** in compliance **34-262 PROHIBITED SIGNS, 34-916 PARKING ON COMMERCIAL PROPERTY(TRAILER)** of the Ordinance Codes of the Village of Palm Springs on the **Fifth (5th) day of September 2018**.

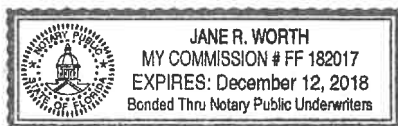
CITATION PAID
ADMIN COSTS NOT PAID


Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 5th day of September, 2018 by Gayla Hill, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

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




Notary Public - State of Florida
My Commission Expires:



**VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT SPECIAL MAGISTRATE**

**CASE NO: CITATION 2018-2364
CITATION 2022-58**

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: **EMJO 66 INC. JOSE RODRIGUEZ, PRESIDENT**

Property Address: **3133 LAKE WORTH RD., PALM SPRINGS FL 33461**

Telephone number where you can be reached during the day: _____

Is the property now in compliance: Yes: **X** No: _____ (If no, explain in detail)

Are you requesting an extension of time to make repairs: Yes: _____ No: **X**

If yes, until what date: _____

Date you called The Village of Palm Springs Code Enforcement Division for a re-inspection:
compliance achieved at different times, when possible _____

Compliance date specified by Special Magistrate: **see orders**

Are you claiming a financial hardship: Yes: **X see narrative**

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

MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR POSITION.

I, JOSE RODRIGUEZ, 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:

PLEASE SEE ATTACHED NARRATIVE STATEMENTS FOR EACH CITATION

Date: 11/7/2024 Signature: [Signature]

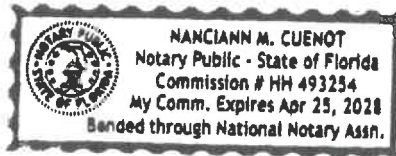
State of: Florida County of: Palm Beach

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF November 20 24, BY Jose Rodriguez WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FL DL R235-544-88-600-0 AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

[Signature]
SIGNATURE OF NOTARY PUBLIC

NANCIANN M. CUENOT
PRINT NAME OF NOTARY PUBLIC

(OFFICIAL SEAL)





VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT06620

Application Date: 09/18/24

Receipt Date 11/04/24 Permit Number 24-01036

Payee MOREL CLARITZA

Address 3133 LAKE WORTH RD, Palm Springs, FL 33461

Permit Type All other Violations

Payment Method Online Payment *****4284

Confirmation # 48368Z

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 #: PT06620

Application Date: 09/18/24

Receipt Date 11/04/24 Permit Number 24-01036

Payee MOREL CLARITZA

Address 3133 LAKE WORTH RD, Palm Springs, FL 33461

Permit Type All other Violations

Payment Method Online Payment *****4284

Confirmation # 48368Z

CE Application Fee for Fine Reduction Request	\$250.00
---	----------

Comments:

Amount \$250.00

Total Paid \$250.00

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

CITATION 2022-58

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

EMJO 66 INC.
3133 LAKE WORTH RD.
LAKE WORTH, FL. 33461
Respondent

PROPERTY OWNER'S MITIGATING FACTORS FOR FINE REDUCTION

Property Owner, EMJO 66 INC. (hereinafter referred to as the "Respondent"), requests a reduction in the lien with regard to the above-referenced citation on the basis of the mitigating factors set forth as follows:

With regard to this particular 2022 citation/violation, Petitioner filed/recorded its January 19, 2023 Order Finding Violation in the public records of Palm Beach County on March 6, 2023. Respondent was to come into compliance involving 2 violations of nuisance/trash debris and the parking of commercial vehicles on the property. Petitioner's Affidavit of Compliance shows compliance with public nuisance, trash, debris on September 24, 2024; and compliance with parking commercial vehicles on commercial property on October 28, 2024. Based upon the dates asserted in the Affidavit of Compliance, Petitioner asserts that there is an outstanding fine of \$120,700.00, consisting of a fine of \$100.00/day for 587 days on the public nuisance, trash and debris in the amount of \$58,700.00; and a fine of \$100.00/day, for 620 days on the parking of commercial vehicles on commercial property in the amount of \$62,000.00. Petitioner's Affidavit also shows that Respondent paid the Administrative Fees of \$271.71 (Village of Palm Springs Receipt #INV24-6254). It stands to reason, as a owner of a commercial retail operation, the last thing it would want to not be in proper alignment with, would be the Village within it operates and must maintain relationship therewith. Respondent must only assume that there was a significant mis-communication situation that existed between it and the Village officials, as there is absolutely no way it would have allowed any fines to

accrue as long as they apparently did.

Public Nuisance, Trash and Debris.

As to the violation of public nuisance, trash and debris, Respondent objects to the extensive amount of days that have been accumulated together and used in the calculation of the total fine for this violation. Petitioner should remember the abandoned status and severely deteriorated state of the commercial property; as well as the immediate surrounding area prior to Respondent purchasing the property. Respondent asserts that the amount of work that it has done and continues to do, in maintaining and improving the commercial property, should be considered in reducing this fine to a nominal amount. Petitioner is reminded that this is an operating food and produce market that must maintain clean standards, which is evidenced by its 5.0 rating on Facebook and Yelp that it has received by its customers since the market began operating under the ownership of the Respondent.

Respondent asserts that as with the operation of any food market, there will be packaging materials and other trash associated with food product deliveries during the normal course of operation, which will accumulate before the scheduled trash pick ups occur on the property. Respondent has worked diligently to maintain and contain that debris and trash, generally into one designated area. Respondent was able to order a larger size trash receptacle that became available when the Village changed waste management companies from Republic Service to Waste Pro. Additionally, as to the back and side portions of the property, Respondent fenced in the areas to effectively eliminate and discourage homeless individuals and others, who had contributed to trash and debris on the property while congregating on the perimeters of the backside of the property. Respondent continues to monitor the back portion of the property to ensure that there is proper clean-up of debris in areas on the property from any occasional trespassers that enter therein. Respondent has diligently tried to work with the Petitioner to resolve all trash and debris issues that may result during the course of business operation. Respondent submits that since its ownership, the property continues to be maintained in far better condition than it was prior to the Respondent taking over ownership of this neglected property.

Parking of Commercial Vehicles

As to the violation regarding the parking of commercial vehicles on the property, Respondent objects to the excessive amount of days that have been accumulated together in the calculation of the total fine for this particular violation. Petitioner fails to appreciate the fact that there have been a series of separate incidents of vehicles that were parked on the property at various times and then removed as required, and as reasonable time had afforded to be able to do so. Respondent asserts that the Village had objected to a food truck being parked and used on the commercial property of the market. Respondent had thought that it went through the proper channels to try to establish a food truck operation on the property. Once the Village denied the use of such, sufficient time was needed to sell the truck, which was accomplished; and the issue was resolved.

Over the course of time there was another issue raised by Petitioner involving a white truck, that Respondent owned, by was not marked with the name of the market. The Village objected to it being parked on the property. This truck was to be used for market operations but was then sold and removed from the property. The current replacement truck that remains on the property is owned by the market, with the name of the market delineated on the vehicle. The Village has allowed this truck to be parked here on the property, without objection.

On another occasion over the course of time, one of Respondent's distributors who had made a food product delivery to the market, from out of state, was provided consent by the Respondent to temporarily park the semi truck on the property, as it required a repair before leaving the market on the return trip. While on the property, unfortunately the semi truck was vandalized, with all of the tires of the truck being stolen from it. Respondent informed the Village that time was needed to obtain proper authority from the owner company, to tow it away from the property. The Towing company, Alpine, also required proper authority from the owner, before towing the vandalized truck off the property. This process of ensuring consent to tow it off the property required some degree of time, before it was successfully removed from the property.

The Petitioner, recently discovered 2 other trucks that were parked on the

Respondents's food distributors. Respondent had hoped to enter into a sublease with this distributor to allow it to use a portion of its commercial space in the market for storage of its food product; and to allow it to park its trucks on the back portion of the property. Upon further evaluation and after complication that involved the distributor obtaining a business license in order to do so, Respondent decided that it would not go through with the agreement; and consequently the trucks owned by this distributor, were promptly removed.

All of the incidents over the course of time were resolved by Respondent as they occurred and needed to be addressed. Respondent recalls that at various times when code enforcement representatives would show up at the market, that Respondent would inquire if everything was ok. Respondent recalls that he thought he heard them state to him in response, that everything was in order and ok.

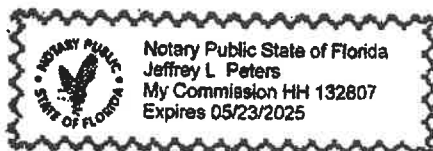
Respondent respectfully believes that the Village mistakenly decided that this specific violation continued to the date of recent compliance; however, this is far from correct, under these circumstances. With this in mind, Respondent asserts that it is not fair to calculate this fine based upon this extended time basis. Given the circumstances as stated above, and the resolution in time of each incident, that the fine for this particular violation, should also be reduced to a nominal amount. Moreover, the Respondent believes that he has expended a great deal of money to rehabilitate this commercial property and business and as such, is without sufficient funds to pay such a fine and still be able to continue to operate the business successfully.



Jose Rodriguez, President
Emjo 66, Inc.

STATE OF FLORIDA
COUNTY OF PALM BEACH

On this 6th day of November, 2024, before me by means of ☒ physical presence or ☐ online notarization, the undersigned, a Notary Public in and for said County and State, appeared JOSE RODRIGUEZ, ☒ personally known to me to be the person whose name is subscribed to this Narrative Statement (2022-58), or who ☐ has produced _____ as identification, and who acknowledged before me the execution of this document for the purposes therein expressed.





Notary Public

VILLAGE OF PALM SPRINGS
Code Enforcement Magistrate Hearing

Case No. 2022-58



VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

EMJO 66 INC
3133 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

PCN: 70-43-44-19-39-000-0010

FINE REDUCTION ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **November 21, 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: 3133 LAKE WORTH ROAD; Legal Description: C & D PRODUCE SOUTH LT 1 K/A ALL OF PLAT; PCN: 70-43-44-19-39-000-0010
2. On **January 19, 2023**, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section(s):34-916 Parking on Commercial Vehicles -Trailer engaging in food sales and being stored on property; Section 30-143 Public Nuisance – Trash & Debris. of the Village of Palm Springs Code of Ordinances. The Respondent(s) was given until **February 15, 2023**, within which to comply with the code, failing which a fine of \$100.00 per day per violation was assessed against the Respondent(s).
3. On **September 24, 2024**, the Respondent(s) complied with the cited violation- Section 30-143 Public Nuisance – Trash & Debris . A fine of \$100.00 per day continued to accrue for 587 days for a total fine of \$58,700.00
4. On **October 28, 2024**, the Respondent(s) complied with the cited violation- Section 34-916 Parking on Commercial Vehicles A fine of \$100.00 per day continued to accrue for 620 days for a total fine of \$62,000.00.
5. Administrative costs in the amount of \$271.71 were levied against the Respondent(s) and have been paid in full.
6. 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 **\$24,140.00** and costs in the amount of **\$-0-** on or before **December 21, 2024**. If the reduced fine is not paid within the specified time, the fine shall revert to the original accrued amount of **\$120,700.00** before the reduction, of **\$24,140.00**.

DONE AND ORDERED this 21st day of November 2024.

By: _____
Special Magistrate

Copies Furnished to the Parties by _____

VILLAGE OF PALM SPRINGS, FLORIDA

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

Code Enforcement Officer: Cuenot

Date: November 21, 2024

Case No.: 2022-58

Respondent(s): EMJO 66 INC.

Violation Address (Subject Property): 3133 LAKE WORTH ROAD

BACKGROUND

On January 19th, 2023, the above-referenced case was adjudicated by the Special Magistrate as being in violation of Code **Section(s):34-916 Parking Commercial Vehicles** -Semi truck and Panel Box Trucks **Section 30-143 Public Nuisance – Trash & Debris.** The Respondent was given a violation and fine commencing on February 15, 2023, and continuing to accrue at the rate **of \$100.00 per day per violation** for every day not in compliance. To date, the fine has accumulated for **Section 30-143 Public Nuisance – Trash & Debris for 587 days and Section 34-916 Parking Commercial Vehicles for 620 days**, for a total fine of **\$120,700.00** as of the compliance dates of **September 24, 2024 and October 28th, 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 **\$24,140.00** within ten (30) days of the date of the Magistrate's Final Order on the Request or on or before **December 21, 2024.** If the reduced fine is not paid within the time specified, the original fine in the amount of **\$120,700.00** 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

The 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 the Staff's recommendation is set forth as follows: The violations existed on the property and code issued several written and verbal warnings to the property owner. The property owner never made any attempt to bring the violations into compliance. A large red semi-truck was parked in the parking lot for several years. This last year the red semi-truck remained on the property without wheels and tires because they were stolen. Also, in violation were three to four box trucks that remained on the property. The vehicles were not registered to the property owner or the business. The owner was leasing parking spaces to the owners of the trucks. When the Village responded to a lien search, the respondent came into compliance. Due to the blatant violations on the property and the lengthy time the violations remained on the property, the Village recommends reducing the fine amount in this case to 20% of the total lien amount.

Dated: November 21, 2024

By: Nanciann Cuenot
Code Enforcement Officer

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022-58

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

EMJO 66 INC
3133 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Respondent(s).

CFN 20230074430
OR BK 34160 PG 1414
RECORDED 3/6/2023 3:38 PM
Palm Beach County, Florida
Joseph Abruzzo, Clerk
Pgs: 1414 - 1415; (2pgs)

ORDER FINDING VIOLATION

Re: Violation of Section(s) 30-142 MAINTENANCE OF ABUTTING ROAD; SECTION 30-143 PUBLIC NUISANCE, TRASH, DEBRIS & WILD GROWTH; SECTION 34-916 PARKING COMMERCIAL VEHICLES; SECTION 34-898 MOBILE FOOD TRUCK REMAINING ON PROPERTY OVERNIGHT.

Address: 3133 Lake Worth Road
Legal Description: C & D PRODUCE SOUTH LT 1 K/A ALL OF PLAT
PCN: 70-43-44-19-39-000-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 19th day of JANUARY 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 X present at the hearing. There was a finding of proper notice.
2. The Code Inspector presented competent substantial evidence which included testimony and/or photographs to establish that the respondent is in violation of the code section(s) referenced above.

CONCLUSIONS OF LAW

- ☒ Respondent is in violation of Section(s) ~~30-142, Maintenance of abutting road; 30-143 Public Nuisance, trash, debris and wild growth; 34-916 Parking commercial vehicles; 30-898 Mobile food truck remaining on property overnight~~ of the Code of Ordinances of the Village of Palm Springs.
- ☒ Respondent was in violation of Section(s) ~~30-142, Maintenance of abutting road; 30-143 Public Nuisance, trash, debris and wild growth; 34-916 Parking commercial vehicles; 30-898 Mobile food truck remaining on property overnight~~ 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 _____:

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

\$30-143 + \$34-916

15

- ☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before FEBRUARY 10, 2023. If Respondent fails to comply within the time given, a fine of \$100.00 per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by FEBRUARY 10, 2023.

15

- ☒ Administrative costs of \$271.71
☐ Citation fine of \$ N/A
☐ Re-inspection fee of \$ N/A

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 19th day of January 2023.

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 2022-58 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.

EDJO 66 INC
312 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Jane R. Worth, CMC
Deputy Village Clerk



Administrative Costs Case # 2022-58



VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT05049

Application Date: 04/26/24

Receipt Date 09/12/24 Permit Number 24-00374
Payee JOSE RODRIGUEZ
Address 3133 LAKE WORTH RD, Palm Springs, FL 33461
Permit Type All other Violations
Payment Method Credit Card Payment *****1669
Confirmation # 000000017951

CE Hearing Administrative Cost	\$271.71
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Comments:

Amount \$271.71

Total Paid \$271.71



VILLAGE OF PALM SPRINGS
226 CYPRESS LANE; PALM SPRINGS, FL 33461
561-584-8200 x 8460

Receipt #: PT05049

Application Date: 04/26/24

Receipt Date 09/12/24 Permit Number 24-00374
Payee JOSE RODRIGUEZ
Address 3133 LAKE WORTH RD, Palm Springs, FL 33461
Permit Type All other Violations
Payment Method Credit Card Payment *****1669
Confirmation # 000000017951

CE Hearing Administrative Cost	\$271.71
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Comments:

Amount \$271.71

Total Paid \$271.71



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT
CASE NO: 2022-58

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.
EMJO 66 INC.
3133 Lake Worth Road
Lake Worth, FL 33461

Respondent

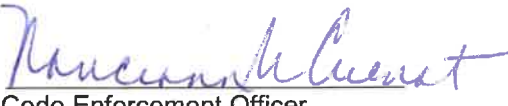
The property at 3133 Lake Worth Road, in Palm Springs in the Order Finding Violation dated January 19, 2023, in the above-mentioned case, has been re-inspected and, I Nanciann Cuenot state that said property is NOW in compliance with Section 30-143 Public Nuisance, trash and debris of the Ordinance Codes of the Village of Palm Springs on the on the Twenty-Fourth (24th) day of September, 2024, and Section 34-916 Parking commercial vehicles on commercial property of the Ordinance Codes of the Village of Palm Springs on the Twenty-Eighth (28th) day of October, 2024.

ADMINISTRATIVE COSTS OF \$271.71 HAVE BEEN PAID

The Respondent was ordered to come into compliance by February 15, 2023, failing to comply with Section 30-431 Public Nuisance, trash and debris, a lien is recorded and still outstanding on the property. A fine of \$100.00 per day per violation continued to accrue for 587 days for a fine amount of \$58,700.00.

The Respondent was ordered to come into compliance by February 15, 2023, failing to comply with Section 34-916 – Parking commercial vehicles on commercial property, a lien is recorded and still outstanding on the property. A fine of \$100.00 per day per violation continued to accrue for 620 days for a fine amount of \$62,000.00.

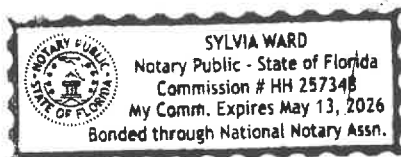
The lien on this Case 2022-58 is still outstanding and must be paid. The outstanding balance of the lien is \$120,700.00


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 29 day of October, 2024, by, Nanciann Cuenot, who is personally known to me or who has produced _____ as identification.

My Commission expires:




NOTARY SIGNATURE
Sylvia Ward
PRINT NAME
Notary Public, State of Florida
Commission No.: HH257348

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CASE NO. 2022-58

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

EMJO 66 INC
3133 LAKE WORTH ROAD
LAKE WORTH, FL 33461

Respondent

The property at **EMJO 66 INC (Victoria Greenmarket) in Palm Springs** in the above-mentioned CASE DATED JANUARY 19, 2023, has been re-inspected and, I Nanciann Cuenot state that said property is **NOT** in compliance with **SECTION 34-916 Parking & Storing commercial vehicles at the property missing tags** of the Ordinance Codes of the Village of Palm Springs as of the 16th day of February 2023.

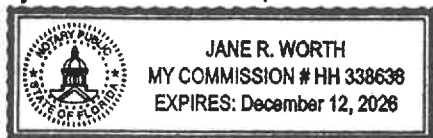
ADMINISTRATIVE COSTS of \$271.71 HAVE NOT BEEN PAID.

Nanciann Cuenot
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 22nd day of February, 2023, by, Nanciann Cuenot, who is personally known to me or who has produced _____ as identification.

My Commission expires:



Jane R. Worth
NOTARY SIGNATURE

Jane R. Worth
PRINT NAME

Notary Public, State of Florida
Commission No.: