



**AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
OCTOBER 17, 2024
10:00 AM**

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

AGENDA CHANGES

MOTION HEARINGS

1. CIT Case 2024-63 - 3213 Drew Way - Jean Louis Achnel
CE Officer Anthony Neonakis
Violation of Village Code of Ordinances
Section 10-31: (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new fence.
Section 10-31: (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new shed.
Section 10-31: (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of plumbing (water and sewer to shed).
Section 10-31: (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new window in rear of home.
Section 14-32: Residential rental property. Property owner has no active rental permit with the Village.
Citation Fine: N/A
Admin Cost: \$276.60
Recommendation: \$100.00 per day, per violation
Compliance Date: November 20, 2024
2. Case 2024-62 - 26 Wisconsin Street - JHP TWO LLC
CE Officer Tom Gehrman
Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1): No issued permit for electrical, wiring in walls, dry wall and ceiling replacement.

Section 10-31: (FBC 110.1): No Required Inspections.

Section 14-32: No Required Rental Permits (7 Units).

Citation Fine: N/A
Admin Cost: TBD
Recommendation: \$100.00 per day, per violation
Compliance Date: November 15, 2024

3. Case 2023-46 Meadow Road (70-42-44-18-05-005-0070) vacant lot - Angel Ponce Torres

CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 30-143: Public nuisance, debris, trash, undergrowth, weeds and wild overgrowth. Breeding ground for pests and vermin.

Citation Fine: N/A
Admin Cost: TBD
Recommendation: Village Foreclosure
Compliance Date: TBD

4. Case No. 2024-65 - 3515 Almar Road - Grace Wildman
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-29: Unsafe building. Property is dilapidated and uninhabitable.

Section 30-143: Trash/debris/rubbish. Remove all trash/debris/rubbish off the property.

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

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

Section 10-9: Exterior property maintenance. Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure. Remove prohibited grey tarp off the roof and repair all holes. Remove all wood boards covering the doors and windows. Remove all black/green discoloration off the exterior walls and walkways.

Citation Fine: N/A
Admin Cost: \$276.60
Recommendation: \$100.00 per day, per violation
Compliance Date: November 01, 2024

5. Case No. 2024-66 - 3594 Almar Road - SJCB Properties LLC
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 10-8: Remove all weeds attached to the fence.

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/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.

Section 34-913: Commercial vehicles. Remove prohibited white pickup off the property.

Section 10-9: Exterior property maintenance. Remove all black discoloration off the fascia.

Citation Fine:	N/A
Admin Cost:	\$276.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	November 01, 2024

6. Case 2024-66 - 4455 South Congress Avenue - 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:	TBD
Recommendation:	TBD
Compliance Date:	TBD

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

Violation of Village Code of Ordinances

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

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

Citation Fine:	N/A
Admin Cost:	\$196.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	October 31, 2024

8. Case No. 2024-59 - 352 Greenbrier Drive - Alexis A. Pose
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 34-914(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.

Section 34.914(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.

Section 34-893: Canopies are prohibited.

FLORIDA STATUTE 320.60: Florida Statute 320.60 is a law that requires motor vehicle manufacturers, importers, or distributors to be licensed under ss. 320.60–320.70 before selling, leasing, or offering for sale or lease any motor vehicle in Florida¹. Any person who repairs or services three or more motor vehicles or used motor vehicles, buys, sells, or deals in three or more motor vehicles in any 12 months, is presumed to be a motor vehicle dealer.

Citation Fine: N/A
Admin Cost: \$160.75
Recommendation: \$100.00 per day, per violation
Compliance Date: October 31, 2024

9. Case No 2024-58 - 352 Lanier Drive - Edgar E. Santana & Stella Morales & Edgar G. Santana

CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Building permit needed for new beam(s) in carport.

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

Citation Fine: N/A
Admin Cost: \$160.75
Recommendation: \$100.00 per day, per violation
Compliance Date: November 17th, 2024

10. Case No. 2024-61 - 3201 Drew Way - Nadia Lozano Castaneda
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Work without a valid building, electrical, plumbing, and fence permit.

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

Section 34-914: No parking of vehicles on property grass.

Section 14-42: All property with tenants must obtain residential rental permits.

Section 34-915: Trailer and RV may not be used for sleeping and living.

Section 10-9(c): All homes must have house numbers on the main structure and must be visible from the right of way.

Citation Fine: N/A
Admin Cost: \$160.75
Recommendation: \$100.00 per day, per violation
Compliance Date: November 17th, 2024

11. Case 2024-57 - 1946 South Congress Avenue - MN Investments Properties Holdings LLC

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-1365: Land Clearing, dredging and filling. It is unlawful to engage in

land alteration without first obtaining a permit with payment of applicable fees.
Section 10-31 (FBC 105.1): Permits required. Remove all unpermitted and/or deteriorated structures.
Section 34-143(a): Removal of rubbish. Public nuisance declared.
Section 78-208: Illicit discharges. Generally.
Section 62-75 (3): Commercial development storage areas. Dumpster enclosure permits required.
Section 46-3: Graffiti.
Section 66-112: Sidewalks. General maintenance requirements.
Section 10-9: Exterior of structure or building.
Section 30-141: Excessive growth of weeds and vegetation
Section 34-328 (c): Wall, under-canopy and window signs.
Section 70-94: Application; local business tax receipt required: exemptions.
Section 34-916: Parking commercial vehicles on commercial property

Citation Fine:	N/A
Admin Cost:	\$517.46
Recommendation:	\$75.00 per day, per violation
Compliance Date:	December 18, 2024

12. Case 2024-64 - 1965 S Congress Avenue - Congress Plaza II Inc
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 70-94 (a): Application local business tax receipt required.

Citation Fine:	N/A
Admin Cost:	\$216.60
Recommendation:	\$100 per day
Compliance Date:	November 20, 2024

PETITION FOR REDUCTION OR ABATEMENT OF FINE

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

13. Case 2024-13 - 3959 Lake Worth Road - Bella Raza Inc.
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): No Permits. Parking Lot.

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

Initial Violation:	February 1, 2024
Order Finding Violation:	February 15, 2024
Compliance Date:	March 21, 2024
Admin Cost:	Paid
Recommendation:	6 Months
Compliance Date Extension	April 16, 2025

**Next Magistrate Hearing is Thursday, November 21, 2024, @ 10:00 AM
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. 2024-63

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
ACHNEL J. LOUIS
3213 DREW WAY
WEST PALM BEACH, FL 33406 7637
Respondent.

PCN 70-43-44-18-01-000-0171

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 30, 2024**, the Respondent, **ACHNEL J. LOUIS** owner of the property at **3213 DREW WAY, PALM SPRINGS, FL, 33406** is in violation of local ordinances.

SECTION 10-31(FBC 105.1) No Required permits for Fence, Shed, Plumbing and Window.

SECTION 10-31(FBC 110.1) No Required inspections for Fence, Shed, Plumbing and Window on file with the Village of Palm Springs Building Department.

SECTION 14-32 Residential Rental Property, Property Owner has No Active Rental Permit with the Village.

These violations must be corrected on or before **OCTOBER 4, 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 OCTOBER 17, 2023**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8522 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. 8522

ANTHONY NEONAKIS
Printed Name of Officer

Date Issued: OCTOBER 7, 2023

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-63

RETURN OF SERVICE

**JEAN LOUIS ACHNEL
3213 DREW WAY
PALM SPRINGS FL 33406
Respondent**

On the **07th Day of October 2024 at 10:33 AM**, I served the attached NOTICE OF HEARING on the within named Respondent(s), **JEAN LUDIS ACHNEL, 3213 DREW WAY**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

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

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

**VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT**

By: _____



Add a Caption

Monday • Oct 7, 2024 • 9:51 AM
IMG_1027

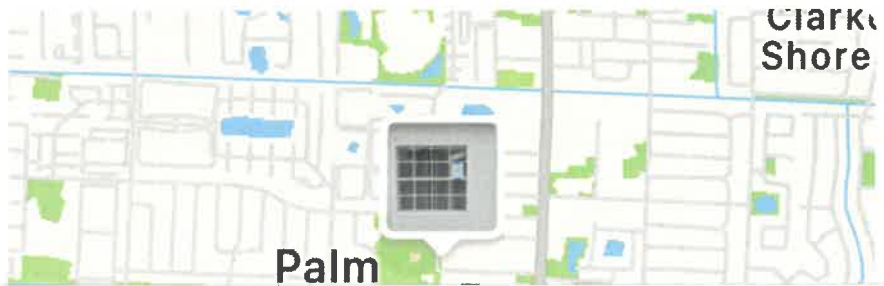
[Adjust](#)

Apple iPhone 14

HEIF

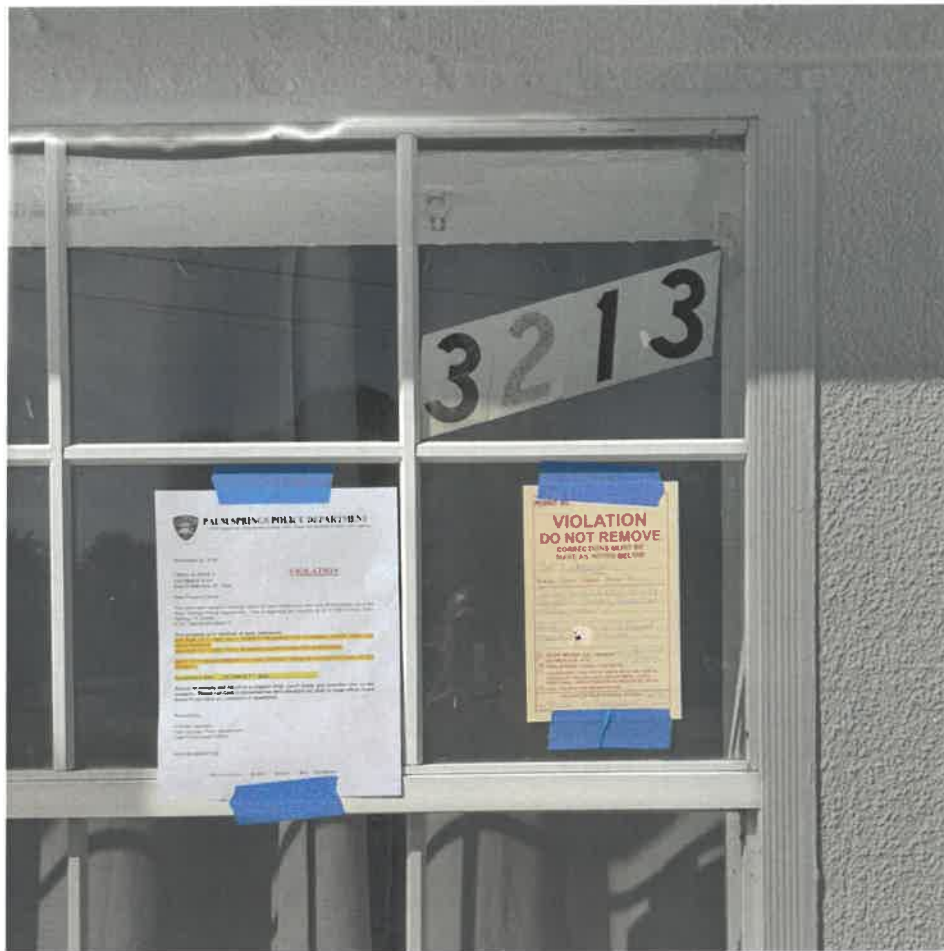
Main Camera — 26 mm $f1.5$
12 MP • 3024 × 4032 • 2.3 MB

ISO 50 | 26 mm | 0 ev | $f1.5$ | 1/2165 s



Edit





Add a Caption



Look Up **Place** >

Monday • Sep 30, 2024 • 3:47 PM

[Adjust](#)

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Apple iPhone 14

HEIF



Main Camera — 26 mm $f1.5$

12 MP • 3024 × 4032 • 2 MB

ISO 50

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1/10309 s









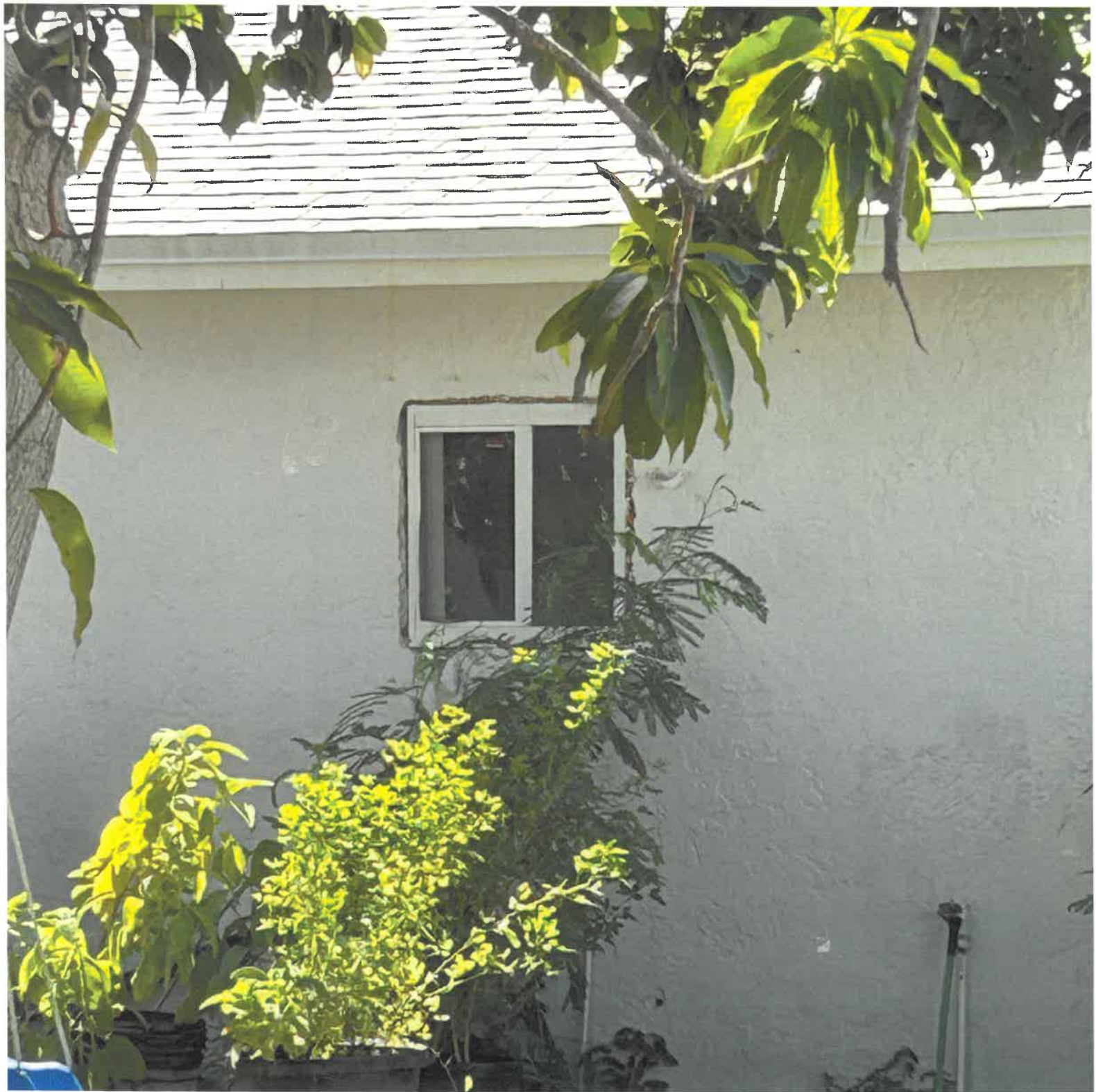














Add a Caption

Wednesday • Oct 2, 2024 • 1:16 PM

[Adjust](#)

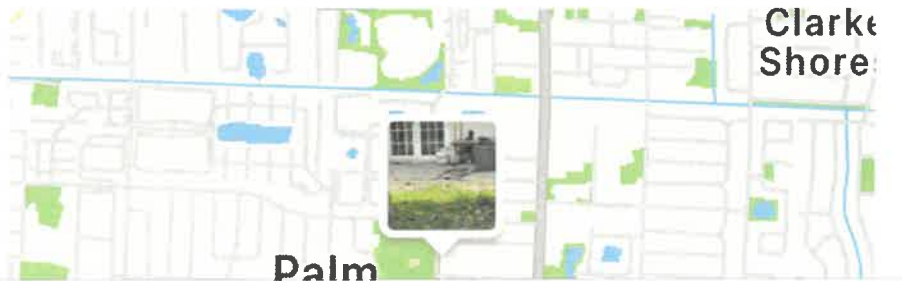
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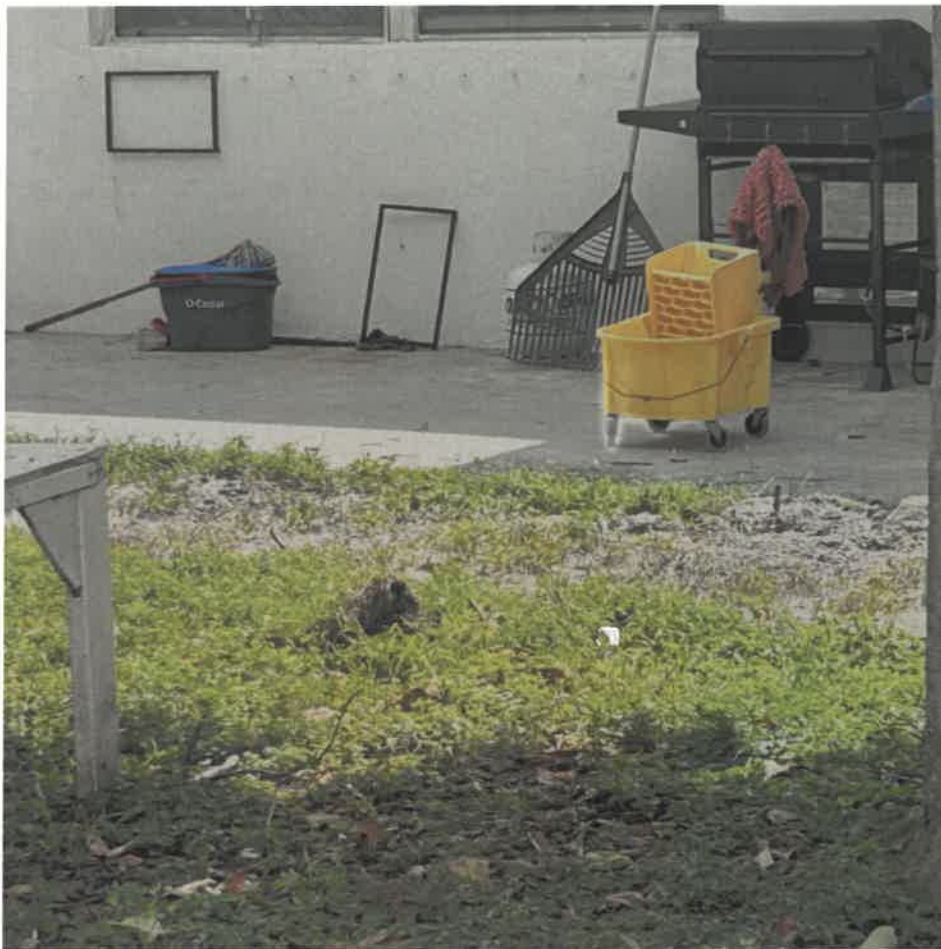
Apple iPhone 14

HEIF

Main Camera — 26 mm $f1.5$
12 MP • 4032 x 3024 • 1.3 MB

ISO 50 | 109 mm | 0 ev | $f1.5$ | 1/1468 s





Add a Caption

Wednesday • Oct 2, 2024 • 1:16 PM

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IMG_1001

Apple iPhone 14

HEIF



Main Camera — 26 mm $f1.5$

12 MP • 4032 x 3024 • 1.4 MB

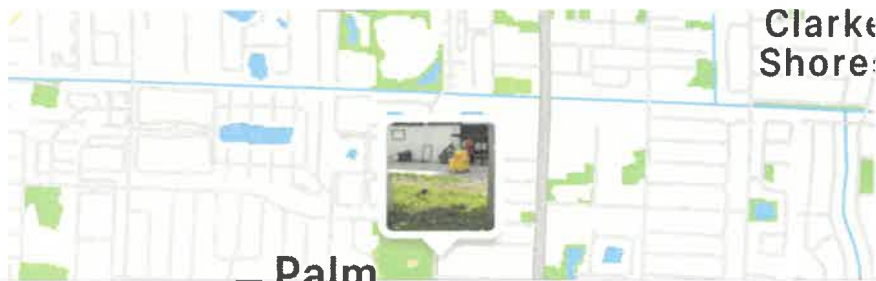
ISO 50

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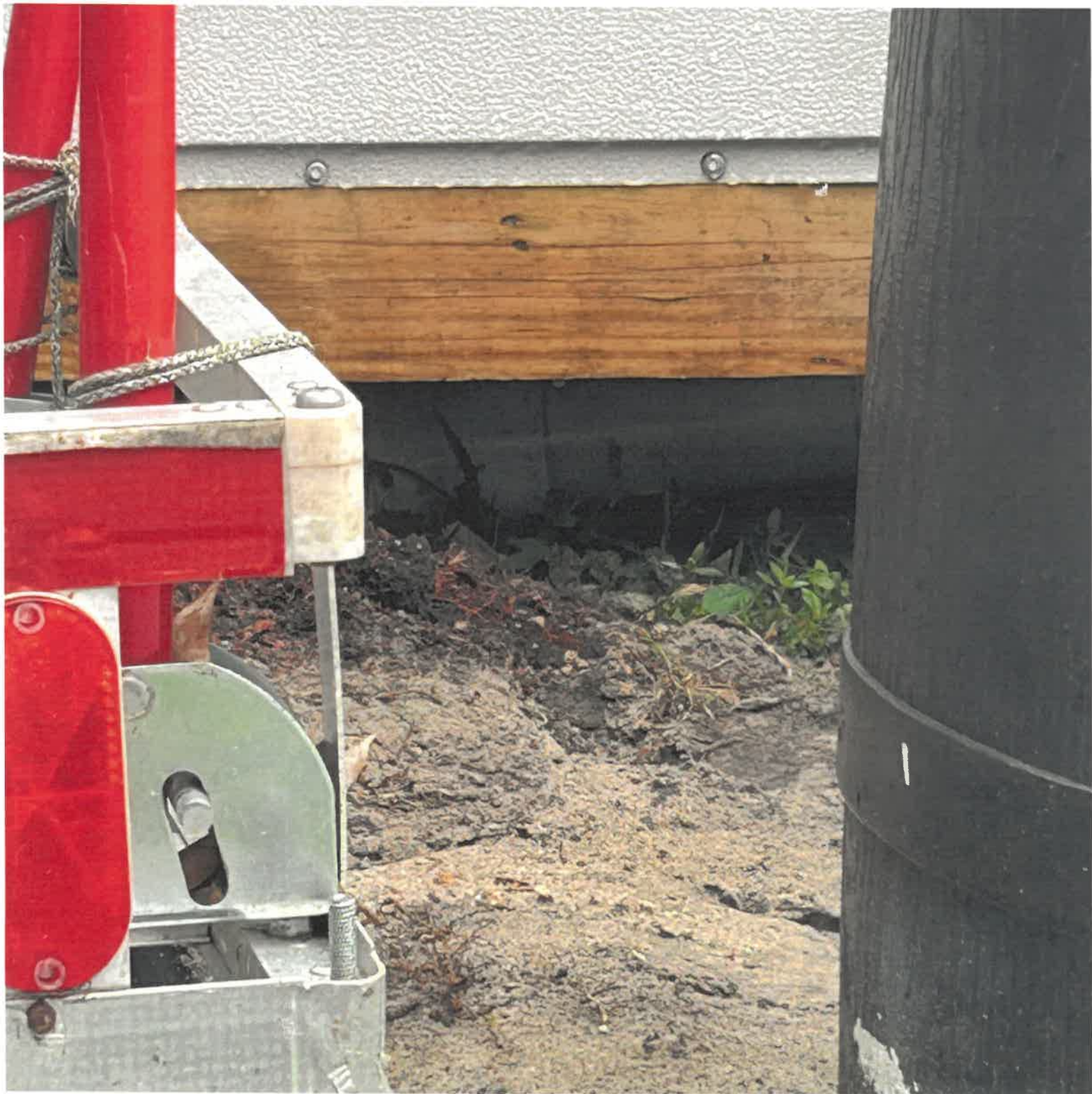
1/2008 s











3213 Drew Way split



01/01/2024



12/28/2021



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 7, 2024

ACHNEL J. LOUIS
3213 DREW WAY
WEST PALM BEACH, FL 33406 7637

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 **3213 DREW WAY in Palm Springs, FL PCN: 70-43-44-18-01-000-0171**

VIOLATION/HEARING CASE 2024-63

SECTION 10-31(FBC 105.1) No Required permits for Fence, Shed, Plumbing and Window.
SECTION 10-31(FBC 110.1) No Required inspections for Fence, Shed, Plumbing and Window on file with the Village of Palm Springs Building Department.
SECTION 14-32 Residential Rental Property, Property Owner has No Active Rental Permit with the Village.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY OCTOBER 17, 2023, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at 561-584-8300 ext. 8522.

Respectfully,

A handwritten signature in blue ink, appearing to read "Anthony Neonakis".

Anthony Neonakis
Palm Springs Police Department
Code Enforcement Officer
(T) 561-584-8300 ext. 8522
aneonakis@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



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

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quadiant

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10/07/2024 ZIP 33480
043M31255277

US POSTAGE

LOUIS ACHNEL J
3213 DREW WAY
PALM SPRINGS, FL 33406



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



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10/07/2024 ZIP 33480
043M31255277

US POSTAGE

**LOUIS ACHNEL J
3213 DREW WAY
PALM SPRINGS, FL 33406**

SECTION 105 PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain exposed and provided with access for inspection purposes until approved.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Florida Building Code (FBC) PERMITS

FBC 105.1 Required. Any contactor, owner, or agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical, plumbing, or fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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

FBC 110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official, nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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(s)—Regulatory fees authorized, F.S. § 166.221.

CASE PRESENTATION
CASE No. CASE 2024 - 63

1. GOOD MORNING, MY NAME IS ANTHONY NEONAKIS, 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 3213 DREW WAY IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNER OF THE PROPERTY IS ACHNEL J. LOUIS.
5. PERSUANT TO observation and complaints from neighbors there are Violations of local ordinances
SECTION 10-31(FBC 105.1) No Required permits for Shed, Plumbing and Window.
SECTION 10-31(FBC 110.1) No Required inspections for Shed, Plumbing and Window on file with the Village of Palm Springs Building Department.
SECTION 14-32 Residential Rental Property, Property Owner has No Active Rental Permit with the Village.

Photos Included in the file.

On September 27th, 2024, Code Enforcement received a citizen complaint that plumbing work was being conducted at 3213 Drew Way and provided a picture of a person digging and installing PVC piping to a shed. On September 30th, 2024, Code Enforcement Officers Neonakis and Stout responded to the property and discovered the following: A new fence was installed, the ground was dug up and a new water line was installed from the main water supply that entered the front of the residence and was routed to the rear towards the newly installed shed. Upon inspection of the rear of the property, CEO Neonakis and Stout witnessed the ground was dug up from the rear sewer line access and a new line was routed to the shed. It was also discovered a newly installed window on the rear of property. Pictures were taken.

A query of the Village's database did not yield any permits or inspections for the work being conducted.

Continuing on the same day, Officers Neonakis and Stout returned to the property and posted a CCV and a Violation Notice ordering the work to stop.

On October 2nd, 2024, Officers Neonakis and Stout returned to the property to investigate and discovered the owner continued to work, despite the notice to stop, by closing the trenches with dirt to conceal the newly laid lines. The rear sewer line access was covered with dirt. While at the property, Officers Neonakis and Stout witnessed a female exit from the side door of the property. The female was asked if she was a renter and she stated that she is and that her parents lived on the other side of the house. It should be noted for the record that this property owner has an active lien for a violation of Section 34-745 – Prohibited Use, Single Family Residence with separate apartments, case number 2023-11.

CASE No. _____

On October 3rd, 2024, while at a neighboring residence, Officer Neonakis was approached by the homeowner. The property owner insisted that he was not running a new line to the shed and was looking for a leak. The property owner could also not give a valid reason on why he continued to work despite the notice stating to stop working. The property owner was asked if we could inspect the shed, but he stated that he does not have the key and could schedule an inspection next week.

On October 4th, 2024, the property owner called and requested if we could conduct an inspection of the shed. Officer Neonakis and Inspector Prickett responded to the property. Our inspection found the property owner cemented the area around the new plumbing connection and the cement was caving in on some spots. The property owner attempted to conceal the sewer line under the shed with dirt and debris and the sewer line was in the same spot that was marked in the interior floor of the shed. The property owner repeatedly claimed to either not know about it or not know why the contractor would do that and he didn't need new lines in the shed. The property owner offered to call the contractor on several occasions but did not. While speaking with the property owner outside, an identified Hispanic male exited a vehicle and proceeded to enter the rear of the property through the side gate. When questioned about him, the property owner denied he was a renter and was "Just some guy that stayed with him".

6. On **OCTOBER 7, 2024**, Notice of Violation/ Notice of Hearing **2024-63** was issued for the Violations. THE NOTICE WAS MAILED CERTIFIED AND REGULAR TO THE RESPONDENTS ADDRESS OF RECORD, AND ALSO POSTED AT THE PROPERTY and at Village Hall. The Green Card from the certified mailing has not been returned. The Property owner has been in communication with code enforcement explaining the situation and plans to correct the violations. Unfortunately, the property remains in noncompliance. I met with a tenant at the property and my inspection confirmed apartments at this single-family home.
7. I REQUEST THAT THE RESPONDENT BE ORDERED to come into compliance by correcting property violations by **NOVEMBER 20, 2024**. If not in compliance by **NOVEMBER 20, 2024**, a \$100.00 per day per violation Fine shall commence.
8. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$276.60** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE A BY NO LATER THAN, **NOVEMBER 20, 2024**.
9. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.



Case Administrative / Court Costs

OCTOBER 17, 2024, 3213 DREW WAY		Case No. 2024-60		
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	1.00	60.00	60.00
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	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 No. 2024-63				276.60



PALM SPRINGS POLICE DEPARTMENT

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

September 30, 2024

LOUIS ACHNEL J
3213 DREW WAY
PALM SPRINGS, FL 33406

VIOLATION

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 3213 DREW WAY, Palm Springs, FL 33406.

PCN: 70434418010000171

This property is in violation of local ordinances.

SECTION 10-31 (FBC 105.1): PERMITS REQUIRED FOR PLUMBING, FENCE, SHED AND REAR WINDOW.

SECTION 10-31 (FBC 110.1): REQUIRED INSPECTIONS NOT PERFORMED.

MUST STOP WORK IMMEDIATELY AND CONTACT PZB @ 561-582-8200 EXT 8460 TO GET PERMITS.

Compliance Date: OCTOBER 7TH, 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,

Anthony Neonakis
Palm Springs Police Department
Code Enforcement Officer

aneonakis@vpsfl.org

VIOLATION DO NOT REMOVE

**CORRECTIONS MUST BE
MADE AS NOTED BELOW**

3213 Drew way

ADDRESS

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLBG. ☐

Section 10-31(FBC 105.1)-Permits
required for Plumbing, Fence, Shed,
and rear window.

Section 10-31(FBC 110.1)-Required
inspections not performed

☒ **STOP WORK! CALL 985-4016 561-582-8200**
BETWEEN 8:30 - 4:30 **X.8460**

☒ **VIOLATION! CORRECT AS NOTED**

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

☐ CALL 434-5092 FOR REINSPECTION

VILLAGE OF PALM SPRINGS, FLORIDA #238

Anthony (Name)

Property Detail

Location Address : 3213 DREW WAY
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-01-000-0171
Subdivision : DREW MANOR IN
Official Records Book/Page : 33653 / 1163
Sale Date : JUN-2022
Legal Description : DREW MANOR S 128 FT OF LOT 17

Owner Information

Owner(s)	Mailing Address
JEAN LOUIS ACHNEL	3213 DREW WAY PALM SPRINGS FL 33406 7637

Sales Information

Sale Date	Price	OR Book/Page	Sale Type	Owner
JUN-2022	\$499,900	33653 / 01163	WARRANTY DEED	JEAN LOUIS ACHNEL
JUL-2013	\$110,000	26205 / 01808	WARRANTY DEED	MASOOD ARIF
APR-2006	\$300,000	20236 / 01292	WARRANTY DEED	ESTRADA JOSE D &
APR-2006	\$10	20236 / 01290	QUIT CLAIM	DIAZ RAFAEL
JUN-2003	\$10	15403 / 00126	QUIT CLAIM	DIAZ RAFAEL
FEB-2002	\$148,000	13384 / 01135	WARRANTY DEED	DIAZ RAFAEL &
AUG-1998	\$81,000	10590 / 01073	WARRANTY DEED	
NOV-1995	\$100	09011 / 00041	WARRANTY DEED	

Exemption Information

Applicant/Owner(s)	Year	Detail
JEAN LOUIS ACHNEL	2024	HOMESTEAD
JEAN LOUIS ACHNEL	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 2920
Acres : 0.2920
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$310,017	\$249,354	\$203,045	\$195,076	\$211,872
Land Value	\$167,407	\$178,090	\$161,893	\$108,900	\$99,000
Total Market Value	\$477,424	\$427,444	\$364,938	\$303,976	\$310,872

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$477,424	\$427,444	\$334,374	\$303,976	\$281,126
Exemption Amount	\$50,000	\$0	\$0	\$0	\$0
Taxable Value	\$427,424	\$427,444	\$334,374	\$303,976	\$281,126

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$8,463	\$8,374	\$6,895	\$6,258	\$6,046
NON AD VALOREM	\$4,194	\$511	\$483	\$427	\$422
TOTAL TAX	\$12,657	\$8,885	\$7,377	\$6,684	\$6,468

Account Information

Property Control Number: 70-43-44-18-01-000-0171	Property Type: Real Property	Status: Active
Mailing Address: 3213 DREW WAY West Palm Beach, FL 33406-7637	Property Address: 3213 DREW PALM SPRINGS, FL 33406	Legal Description: DREW MANOR S 128 FT OF LOT 17
Owner of Record: LOUIS ACHNEL J	Second Owner:	

Last updated: 10/07/2024 07:53:59 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	\$8,529.42 Net Tax: \$8,884.81 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$355.39	11/28/23	-\$8,529.42	 Paid
3/31/23	\$7,082.12 Net Tax: \$7,377.21 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$295.09	11/29/22	-\$7,082.12	 Paid
3/31/22	\$6,617.51 Net Tax: \$6,684.36 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$66.85	2/7/22	-\$6,617.51	 Paid

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/21	\$6,209.42 Net Tax: \$6,468.14 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$258.72	11/28/20	-\$6,209.42	Paid
3/31/20	\$5,789.32 Net Tax: \$6,030.55 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$241.23	11/28/19	-\$5,789.32	Paid


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

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CODE CASE: 2024-63

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

ACHNEL J. LOUIS
3213 DREW WAY
WEST PALM BEACH, FL 33406 7637

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new fence.

SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new shed.

SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of plumbing (water and sewer to shed).

SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new window in rear of home.

SECTION 14-32: Residential rental property. Property owner has no active rental permit with the Village.

Address: 3213 DREW WAY
Legal Description: DREW MANOR S 128 FT OF LOT 17
PCN: 70-43-44-18-01-000-0171

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 17th day of October 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections. Installation of new fence.**

- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of new shed.
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of plumbing (water and sewer to shed).
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of new window in rear of home.
- ☐ **SECTION 14-32 – Residential rental property. Property owner has no active rental permit with the Village.**

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

- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of new fence.
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of new shed.
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of plumbing (water and sewer to shed)
- ☐ **SECTION 10-31 (FBC 105.1 & FBC 110.1): Working without permits and inspections.**
Installation of new window in rear of home.
- ☐ **SECTION 14-32: Residential rental property. Property owner has no active rental permit with the Village.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **November 20, 2024:**
 - ☐ Administrative costs of **\$276.60**
 - ☐ 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 **November 20, 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 **November 20, 2024.**
 - ☐ Administrative costs of **\$276.60**
 - ☐ 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 Anthony Neonakis at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail

sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

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

DONE AND ORDERED this 17th day of October 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____

Special Magistrate

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

3213 Drew Way
Palm Springs, FL 33406 7637

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 – 62 (Maintstar 24-00944, 01064)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991
Respondent.

PCN 70-42-44-24-11-000-0022

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, JHP TWO LLC, owner of the property at 26 WISCONSIN ST, PALM SPRINGS, FL, 33461 is in violation of local ordinances.

SECTION 10-31 (FBC 105.1) No Permit Issued for Electrical repairs, including ceiling fan and wiring in the walls. Dry wall and ceiling replacement.

SECTION 10-31 (FBC 110.1) No Inspections of work completed.

SECTION 14-32 No Required Rental Permits for rented units (7 Units).

These violations must be corrected on or before **OCTOBER 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 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. 2024-62

RETURN OF SERVICE

**JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991**
_____ /

Respondent

On the **7th Day OCTOBER, 2024 at 10:29 am**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **JHP TWO LLC at 26 WISCONSIN STREET**, 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 Helman



10/7/2024 10:29:40 AM

Posting
26 Wisconsin
Case 2024-62



10/7/2024 10:30:08 AM



10/7/2024 10:29:32 AM

Posting
26 Wisconsin
Case 2024-62



8/23/2024 1:57:26 PM

26 Wisconsin St.

Case 2024-62



8/23/2024 1:57:27 PM



8/23/2024 1:57:04 PM



9/10/2024 3:40:57 PM



9/10/2024 3:45:06 PM



9/10/2024 3:40:56 PM



8/23/2024
26 Wisconsin St.



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 4, 2024

JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991

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 **26 WISCONSIN ST in Palm Springs, FL**

PCN: 70-42-44-24-11-000-0022

CASE 2024 -62 (Maintstar 24-00944, 24-01064)

Violations:

SECTION 10-31 (FBC 105.1) No Permit Issued for Electrical repairs, including ceiling fan and wiring in the walls, Dry wall and ceiling replacement.

SECTION 10-31 (FBC 110.1) No Inspections of work completed.

SECTION 14-32 No Required Rental Permits for rented units (7 Units).

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

JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991

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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, FL 33461

JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

10/04/2024 ZIP 33480
043M31255277

US POSTAGE



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

JHP TWO LLC
Attn: Jonathon Krasney
17557 B ASHBOURNE WAY
BOCA RATON, FL 33496



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

10/04/2024 ZIP 33480
043M31255277

US POSTAGE

Record: 24-00944 Code Enf.

✓ Violation Intake > Investigate > Issue Citation NOV - NOH > Status: Closed

Record #	24-00944	Status	Warned	Complaint Date	8/30/2024
Record Type *	Code Enf.	Primary Contact	JHP TWO LLC	Initiated	
Type *	Property Maintenance	Location	26 Wisconsin ST, Palm Springs, FL 33484	CIT/NOV	10/04/2024
Sub Type	General	Approximate Location		Compliance Date	
Violation *	105.1 & 110.1 working electrical and ceiling repairs w-o the required permits Case 2024-62	PCN	70424424110000022	Ext Comply Date	
Description				Hearing Date	10/17/2024
Inspector	tgehrman (Tom Gehrman)	Citation #	2024-62	Ext Hearing Date	
Initiated by	CEO Initiated	Clearance Type		Fee Due Date	
Notes	ceiling caved in with improper installation, ceiling fan wires frayed and in need of complete redo. Property mgr advised that permits are required to complete repair & replacement work. Case 2024-62			Lien Recorded	
				Case Closed	
				Record Closed	
				CRA	Lake Worth Rd CRA
				Complainant Name	
				Complainant Phone	
				Complainant Address	

Attachments

Attachments	Details	Plan Review
Attach File	Associate attachments	Download selected attachments
Sun Biz 26 Wisconsin St 9-17-24.pdf		
	1 by tgehrman on Sep 17 Pages: 2	Status: Active No External Access

Record #	BT24-0602	☒ Within City Limits	Location	26 Wisconsin ST, Palm Springs, FL 33484	Received	10/11/2024
Status	Approved	☐ Out of Area	Folio	7042442411000022	Approved	10/11/2024
Type	Residential				Expires	09/30/2025
Bus. Type	Limited Liability Corp.	Property Owner	JHP TWO LLC		Closed	
Applicant	Jonathan Krasney				CRA	Lake Worth Rd CRA
Type of Business	RENTAL PROPERTIES				Homestead	No

Company	JHP TWO LLC	Receipt Year to Print	
DBA		Business Start	
Nature of Business		Business Closed	
		# Employees	
if appl. FEIN		Notes	
State Issued			
PBC License			
	Drivers License / ID #		
	Reason For Exempt.		
State License Type		Sales Tax #	
State License Type		Sales Tax #	
State License Type		Sales Tax #	

Tax Information

Tax 1	BUSI-DWELLING FOR RENT	Tax 2	
Status	Active	Status	
Renewal Year	2025	Renewal Year	
Tax 3		Tax 4	
Status		Status	
Renewal Year		Renewal Year	
Tax 5		Tax 6	
Status		Status	
Renewal Year		Renewal Year	
Tax 7		Tax 8	
Status		Status	
Renewal Year		Renewal Year	

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 (2)

	Type	Primary Contact	Primary Contractor	Person	Category	Details Stamp	Delete
	Portal user			User: Jonkrasney Cellular: 9732224227		Full Name:Jonathan Krasney, Address:B 33496	
	Property Owner			Owner: JHP TWO LLC Mailing Address: 16785 CHARTLEY CT, DELRAY BEACH FL 33484 6991		Full Name:JHP TWO LLC, Mailing Address: 16785 CHARTLEY CT, DELRAY BEACH FL 33484 6991	

Legend

- Planned Inspections (0)

No Records

[Add Plan Item](#)

CASE PRESENTATION
CASE No. CASE 2024- 62

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 26 WISCONSIN STREET IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNER OF THE PROPERTY IS JHP TWO LLC.

5. PERSUANT TO Complaints and my personal Observation there are VIOLATIONS OF ORDINANCES,
SECTION 10-31 (FBC 105.1) No Permit Issued for Electrical repairs, including ceiling fan and wiring in the walls, Dry Wall and ceiling replacement.
SECTION 10-31 (FBC 110.1) NO REQUIRED Building Inspections.
SECTION 14-32 No Required Rental Permits for Rented units (7 Units)

Code Enforcement was called to the property with a complaint of ceiling and walls collapsed. Code Enforcement Officers and the Village Building Official went to the Property to inspect. It was confirmed that the ceiling fan was hanging by frayed wiring and the ceiling and walls had fallen. Damage to the interior of the building was confirmed but no injuries. The Property Manager was called while we were on site and informed of the damage and the requirement to have a contractor apply for a Building Permit to do the repairs. Upon inspection a few days later, it was confirmed that the repairs had been made but no permit was applied for or issued. Photos of the damage included in the file.

5. On October 4, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-62 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. The Property Owner has contacted Code Enforcement and the Village Building Department. Section 14-32 requiring Rental Permits has now been brought into compliance. The Building Permit Violations remain in violation. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE with the Permit and Inspection violations by NOVEMBER 11, 2024.** Failure to complete the Village Requirements for Permits and inspections 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, **November 11, 2024**.

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



Case Administrative Costs

October 17, 2024, 26 WISCONSIN STREET		Case 2024-62		
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	1.00	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 2024-62				230.60



PALM SPRINGS POLICE DEPARTMENT

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

SEPTEMBER 10, 2024

JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH, FL 33484 6991

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 **26 WISCONSIN STREET in Palm Springs, FL**

PCN: 70-42-44-24-11-000-0022

Section (10-31) FBC 105 .1

Working Electrical and Drywall without the required Issued Permits.

Section (10-31) FBC 110.1

No Required inspections of work done.

Contact the Village Building Department at 561-584-8200 ext. 8460 for permit requirements and procedure to apply for a permit.

Log onto pzb.vpsfl.org → PORTAL TO CREATE A NEW ACCOUNT

Compliance Date for Issued Permits: October 4, 2024

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

Please contact me if you have any questions e-mail or phone.

Respectfully,

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584 8300 ext. 8522
(cell) 561-814-3208
tgehrman@vpsfl.org



PALM SPRINGS POLICE DEPARTMENT

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

SEPTEMBER 17, 2024

JHP TWO LLC
Attn: Jonathon Krasney
17557 B ASHBOURNE WAY
BOCA RATON, FL 33496

2024-66

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 **26 WISCONSIN STREET in Palm Springs, FL**

PCN: 70-42-44-24-11-000-0022

Section (10-31) FBC 105 .1

Working Electrical and Drywall without the required Issued Permits.

Section (10-31) FBC 110.1

No Required inspections of work done.

Contact the Village Building Department at 561-584-8200 ext. 8460 for permit requirements and procedure to apply for a permit.

Or, Log on to pzb.vpsfl.org (portal to create a new account)

Compliance Date for Issued Permits: October 4, 2024

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

Please contact me if you have any questions e-mail or phone.

Respectfully,

Tom Gehrman
Palm Springs Public Safety
Code Enforcement Officer
(T) 561-584 8300 ext. 8522
(cell) 561-814-3208
tgehrman@vpsfl.org



PALM SPRINGS POLICE DEPARTMENT

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

September 23, 2024

**JHP TWO LLC
16785 CHARTLEY CT
DELRAY BEACH FL 33484 6991**

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 26 Wisconsin ST, Palm Springs, FL 33484.

PCN: 70424424110000022

This property is in violation of local ordinances.

Section 14-32. Rental - Permits required for Residential Rental Units

Compliance Date: OCTOBER 2, 2024

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

Respectfully,

A handwritten signature in blue ink that reads "Tom Gehrman".

Tom Gehrman
Palm Springs Police Department
Code Enforcement Officer
561-584-8300 ext.8522
561-814-3208
tgehrman@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence

Property Detail

Location Address : 26 WISCONSIN ST
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-11-000-0022
Subdivision : MC S ACRES IN
Official Records Book/Page : 29780 / 968
Sale Date : APR-2018
Legal Description : MC S ACRES PB21P81 N 30 FT OF LT 2 & LT 4

Owner Information

Owner(s)	Mailing Address
JHP TWO LLC	16785 CHARTLEY CT DELRAY BEACH FL 33484 6991

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
APR-2018	\$770,000	29780 / 00968	WARRANTY DEED	JHP TWO LLC
DEC-2016	\$495,000	28811 / 01777	WARRANTY DEED	PROPERTY INCOME INVESTORS 26 LLC
SEP-2002	\$220,000	14316 / 00708	WARRANTY DEED	MARLETTA JOHN &
SEP-1999	\$145,000	11362 / 00610	WARRANTY DEED	TWO 6 WISCONSIN STREET CORP
AUG-1994	\$100,000	08390 / 00047	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 7
***Total Square Feet :** 4128
Acres : 0.6058
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	\$705,001	\$564,001	\$417,581	\$301,618	\$368,728
Land Value	\$214,775	\$242,855	\$232,816	\$131,385	\$156,000
Total Market Value	\$919,776	\$806,856	<u>\$650,397</u>	\$433,003	\$524,728

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$576,326	\$523,933	\$476,303	\$433,003	\$523,340
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$576,326	\$523,933	\$476,303	\$433,003	\$523,340

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$13,366	\$12,092	\$10,672	\$8,914	\$10,878
NON AD VALOREM	\$2,114	\$2,087	\$1,964	\$1,719	\$1,712
TOTAL TAX	\$15,480	\$14,178	\$12,636	\$10,633	\$12,590

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

Property Detail

Location Address : 26 WISCONSIN ST
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-11-000-0022
Subdivision : MC S ACRES IN
Official Records Book/Page : 29780 / 968
Sale Date : APR-2018
Legal Description : MC S ACRES PB21P81 N 30 FT OF LT 2 & LT 4

Owner Information

Owner(s) **Mailing Address**
 JHP TWO LLC 16785 CHARTLEY CT
 DELRAY BEACH FL 33484 6991

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
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AUG-1994	\$100,000	08390 / 00047	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

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

Property Detail

Location Address : 26 WISCONSIN ST
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-11-000-0022
Subdivision : MC S ACRES IN
Official Records Book/Page : 29780 / 968
Sale Date : APR-2018
Legal Description : MC S ACRES PB21P81 N 30 FT OF LT 2 & LT 4

• LOST 1 full STREET OF DRIVEWAY
 • NO RENTAL PERMIT
 • ELECTRICAL, P

Prop. Owner

Owner Information**Owner(s)**

JHP TWO LLC

Mailing Address

16785 CHARTLEY CT
 DELRAY BEACH FL 33484 6991

UNIT 2

SANDY WEBER MGR
 (T) 954-547-3617

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
APR-2018	\$770,000	29780 / 00968	WARRANTY DEED	JHP TWO LLC
DEC-2016	\$495,000	28811 / 01777	WARRANTY DEED	PROPERTY INCOME INVESTORS 26 LLC
SEP-2002	\$220,000	14316 / 00708	WARRANTY DEED	MARLETTA JOHN &
SEP-1999	\$145,000	11362 / 00610	WARRANTY DEED	TWO 6 WISCONSIN STREET CORP
AUG-1994	\$100,000	08390 / 00047	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 7
***Total Square Feet :** 4128
Acres : 0.6058
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Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$13,366	\$12,092	\$10,672	\$8,914	\$10,878
NON AD VALOREM	\$2,114	\$2,087	\$1,964	\$1,719	\$1,712
TOTAL TAX	\$15,480	\$14,178	\$12,636	\$10,633	\$12,590

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

 Account Information

Property Control Number:
70-42-44-24-11-000-0022

Mailing Address:
16785 CHARTLEY CT
Delray Beach, FL 33484-6991

Owner of Record:
JHP TWO LLC

Property Type:
Real Property
Property Address:
26 WISCONSIN
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
MC S ACRES PB21P81 N 30 FT OF LT 2 & LT
4

Last updated: 10/04/2024 10:10:44 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: **\$3,544.53** [ADD ALL TO CART](#)

2024 | BILL TYPE: ORIGINAL | BILL NO: 207046642 | ROLL: ESTIMATED |
PAST DUE \$3,544.53

[ADD TO CART](#)

Installment	Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options	View Info
2	9/30/24	☐ \$3,544.53 Net Tax: \$3,544.53 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00	\$0.00	☐ \$3,544.53 ▶ 10/4/24 \$3,544.53 10/31/24 \$3,544.53 11/30/24 \$3,544.53 12/31/24 \$3,544.53	☒ Past Due	☐ \$3,544.53 Clear all	
Total: \$0.00						ADD TO CART	

 Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
7/31/24	☐ \$3,544.53 Net Tax: \$3,544.53 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00	7/31/24	- \$3,544.53	☒ Paid



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
JHP TWO, LLC

Filing Information

Document Number	L17000230188
FEI/EIN Number	82-5145745
Date Filed	11/07/2017
State	FL
Status	ACTIVE

Principal Address

17557 B Ashbourne Way
Boca Raton, FL 33496

Changed: 01/05/2023

Mailing Address

17557 B Ashbourne Way
Boca Raton, FL 33496

Changed: 01/05/2023

Registered Agent Name & Address

KRASNEY, JONATHAN
17557 B Ashbourne Way
Boca Raton, FL 33496

Address Changed: 01/05/2023

Authorized Person(s) Detail

Name & Address

Title MGR

KRASNEY, JONATHAN
17557 B Ashbourne Way
Boca Raton, FL 33496

Title AMBR

KRASNEY, ZENDA
17557 B Ashbourne Way
Boca Raton, FL 33496

Title AMBR

KRASNEY, AARON
17557 B Ashbourne Way
Boca Raton, FL 33496

Annual Reports

Report Year	Filed Date
2022	01/05/2022
2023	01/05/2023
2024	01/06/2024

Document Images

01/06/2024 -- ANNUAL REPORT	View image in PDF format
01/05/2023 -- ANNUAL REPORT	View image in PDF format
01/05/2022 -- ANNUAL REPORT	View image in PDF format
01/05/2021 -- ANNUAL REPORT	View image in PDF format
01/17/2020 -- ANNUAL REPORT	View image in PDF format
01/18/2019 -- ANNUAL REPORT	View image in PDF format
06/26/2018 -- ANNUAL REPORT	View image in PDF format
11/07/2017 -- Florida Limited Liability	View image in PDF format



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-62

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

**JHP TWO LLC
26 WISCONSIN STREET
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
JHP TWO LLC
16785 CHARTLEY COURT
DELRAY BEACH, FL 33484 6991**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1): No permit issued for electrical repairs, including ceiling fan and wiring in the walls, dry wall, and ceiling replacement.

SECTION 10-31 (FBC 110.1): No inspections of work completed.

SECTION 14-32: No required rental permits for rented units (7 units).

Address: 26 WISCONSIN STREET
Legal Description: MC S ACRES PB21P81 N 30 FT OF LT 2 & LT 4
PCN: 70-42-44-24-11-000-0022

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 17th day of October 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 10-31 (FBC 105.1): No permit issued for electrical repairs, including ceiling fan and wiring in the walls, dry wall, and ceiling replacement.
- ☐ SECTION 10-31 (FBC 110.1): No inspections of work completed.
- ☐ SECTION 14-32: No required rental permits for rented units (7 units).

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

- ☐ SECTION 10-31 (FBC 105.1): No permit issued for electrical repairs, including ceiling fan and wiring in the walls, dry wall, and ceiling replacement.
- ☐ SECTION 10-31 (FBC 110.1): No inspections of work completed.
- ☐ SECTION 14-32: No required rental permits for rented units (7 units).

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **November 11, 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 **November 11, 2024**. If Respondent fails to comply within the time given, a fine of **\$100 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **November 11, 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 17th day of October 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:

[26 Wisconsin Street](#)
[Palm Springs, FL 33461](#)



ORDER AUTHORIZING FORECLOSURE

CASE NO.: 2023-46
RESPONDENT: ANGEL PONCE TORRES
PROPERTY: MEADOW RD, PALM SPRINGS, FL
LEGAL DESCRIPTION: FROST PARK LT 7 BLK 5
PCN: 70-43-44-18-05-005-0070

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs ("Village") in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 21st day of OCTOBER 2024, and based on the evidence and testimony presented, the following **FINDINGS OF FACT**, **CONCLUSION OF LAW** and **ORDER** are hereby entered:

FINDINGS OF FACT

1. The Respondent _____ was / _____ was not present for the hearing.
2. The Village presented evidence and testimony relating to the subject code enforcement case including the relevant Order Finding Violation (the "Order").
3. Case No. 2023-46 is **NOT** in compliance as of the date of this order. Fines in that case have accrued to **\$36,800.00** and continue to accrue at **\$100.00 per day**.
4. The subject fines have not been paid and remain due and owing to the Village.
5. The subject property is not homestead under Section 4 Article X of the Florida State Constitution.

CONCLUSIONS OF LAW

The lien for Case No. 2023-46 was duly recorded in the public records, Book 34710/Page 511, and remains unpaid, and it has been more than three (3) months since the Village recorded its lien in the public record. Therefore, the statutory and code requirements to authorize foreclosure proceedings have been met.

ORDER

Pursuant to section 162.09, Florida Statutes, it is the Order of the Code Enforcement Special Magistrate that the Village Attorney is authorized to foreclose on the Code Enforcement lien in Case No. 2023-46.

DONE AND ORDERED on October 17, 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

By: _____
Special Magistrate

A copy of this order has been furnished to the
respondent at the following statutory address:
4083 Dale Road
West Palm Beach, FL 33406



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2023-46

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

**Angel Ponce Torres
4083 Dale Road
West Palm Beach, FL 33406 6517**

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of: **SECTION 30-143 Public Nuisance, debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean up and cutting required.**

Address:	Meadow Road
Legal Description:	FROST PARK LT 7 BLK 5
PCN:	70-43-44-18-05-005-0070

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

CONCLUSIONS OF LAW

- ☒ Respondent is in violation of **SECTION 30-143 Public Nuisance. Debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean Up and Cutting Required.**

- ☐ Respondent was in violation of Section(s) **SECTION 30-143 Public Nuisance. Debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean Up and Cutting Required.**

ORDER

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

- ☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 16, 2023:**

Administrative costs of **\$216.91**

€Citation fine of **N/A**

Re-inspection fee of **N/A**

- ☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **October 16, 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 **October 16, 2023.**

☒ Administrative costs of **\$216.91**

€Citation fine of **N/A**

€Re-inspection fee of **N/A**

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer 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 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) 584-8300 ext. 8520** to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of September 2023.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: 

Special Magistrate

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

4083 Dale Road

West Palm Beach, FL 33406 8517



CODE ENFORCEMENT
NOTICE OF REQUEST FOR AUTHORIZATION OF FORECLOSURE

10/14/2024

Angel Ponce Torres
4083 Dale Road
West Palm Beach, FL 33406 8517

CASE NO.: 2023-46

Property Address: Meadow Road, Palm Springs, FL
Legal Description: Frost Park Lt 7 Blk 5
Parcel Control Number: 70-43-44-18-05-005-0070

Dear Property Owner:

Your property at Meadow Road in the Village of Palm Springs has been determined to have violated the Village's Code of Ordinances in the above referenced Code Enforcement case. The fines for the violation(s) have accrued to \$36,600 and the Village has recorded a lien against the property. Pursuant to section 162.09, Florida Statutes, and the Village's Code, the Village is now seeking for the Code Enforcement Special Magistrate to authorize the Village to foreclose the lien. **In the event that the Village is successful in obtaining this request before the Special Magistrate, a foreclosure action may be commenced by the Village against the above-referenced property or any other real property you own.**

The request will be presented to the Special Magistrate at a hearing, which you may attend. If you would like to discuss your case prior to that time in an effort to settle all outstanding matters including compliance and payment, please contact the Village Attorney by email at christy@torcivialaw.com or by telephone at (561) 686-8700. OTHERWISE, THE REQUEST WILL BE PRESENTED TO THE CODE ENFORCEMENT SPECIAL MAGISTRATE, **ON THURSDAY, OCTOBER 17, 2024 AT 10:00AM. IN THE VILLAGE COUNCIL CHAMBERS LOCATED AT 226 CYPRESS LANE, PALM SPRINGS, FLORIDA.**

Please govern yourself accordingly.

Sincerely,

Code Enforcement Division

561-814-3208



9489 0178 9820 3019 8764 94

Notice
Certified 10-3-24
Regular 10-3-24
Posting

**CODE ENFORCEMENT
NOTICE OF REQUEST FOR AUTHORIZATION OF FORECLOSURE**

10/3/2024

Angel Ponce Torres
4083 Dale Road
West Palm Beach, FL 33406 8517

CASE NO.: 2023-46

Property Address: Meadow Road, Palm Springs, FL
Legal Description: Frost Park Lt 7 Blk 5
Parcel Control Number: 70-43-44-18-05-005-0070

Dear Property Owner:

Your property at Meadow Road in the Village of Palm Springs has been determined to have violated the Village's Code of Ordinances in the above referenced Code Enforcement case. The fines for the violation(s) have accrued to **\$35,300.00** and the Village has recorded a lien against the property. Pursuant to section 162.09, Florida Statutes, and the Village's Code, the Village is now seeking for the Code Enforcement Special Magistrate to authorize the Village to foreclose the lien. **In the event that the Village is successful in obtaining this request before the Special Magistrate, a foreclosure action may be commenced by the Village against the above-referenced property or any other real property you own.**

The request will be presented to the Special Magistrate at a hearing, which you may attend. If you would like to discuss your case prior to that time in an effort to settle all outstanding matters including compliance and payment, please contact the Village Attorney by email at christy@torcivialaw.com or by telephone at (561) 686-8700. **OTHERWISE, THE REQUEST WILL BE PRESENTED TO THE CODE ENFORCEMENT SPECIAL MAGISTRATE, ON THURSDAY, OCTOBER 17, 2024 AT 10:00AM. IN THE VILLAGE COUNCIL CHAMBERS LOCATED AT 226 CYPRESS LANE, PALM SPRINGS, FLORIDA.**

Please govern yourself accordingly.

Sincerely,

Tom Achenman

Code Enforcement Division
Cell 561-814-3208

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2023-46

RETURN OF SERVICE

**ANGEL PONCE TORRES
4083 DALE ROAD
WEST PALM BEACH, FL 33406 8517**
_____ /

Respondent

On the 7th Day **OCTOBER, 2024 at 10:14 am**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **ANGEL PONCE TORRES** at **MEADOW LANE (PCN 70-43-44-18-05-005-0070)**, 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**

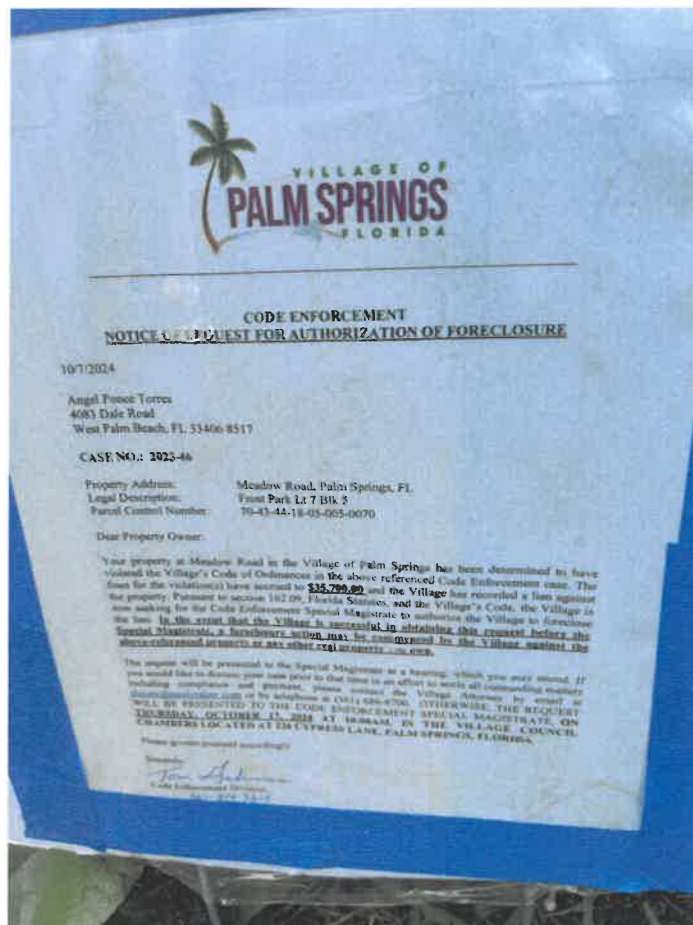
VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Tom Lehman



10/7/2024 10:14:58 AM

Posting
Case 2023-46
Meadow Ln (vacant)
Foreclosure
Request



10/7/2024 10:15:06 AM



10/7/2024 10:15:21 AM

Case 2023-46

Meadow LM
(VACANT)

Foreclosure
Request



10/7/2024 10:15:56 AM



10/7/2024 10:15:34 AM

Case 2023-46

Meadow LN (VACANT)

Foreclosure Request



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



quadiant
FIRST-CLASS MAIL
IMI
\$000.69⁰
10/03/2024 ZIP 33480
043M31255277

US POSTAGE

ANGEL PONCE TORRES
4083 DALE ROAD
WEST PALM BEACH, FL 33406 8517



UNITED STATES
POSTAL SERVICE

CERTIFIED MAIL®



9489 0178 9820 3019 8764 94

Label 880-QDT, March 2023



PALM SPRINGS POLICE
230 CYPRESS LANE
PALM SPRINGS, FL 33461



quadiant
FIRST-CLASS MAIL
IMI
\$008.16⁰
10/03/2024 ZIP 33480
043M31255277

US POSTAGE

ANGEL PONCE TORRES
4083 DALE ROAD
WEST PALM BEACH, FL 33406 8517



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2023-46

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

**Angel Ponce Torres
4083 Dale Road
West Palm Beach, FL 33406 6517**

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of: **SECTION 30-143 Public Nuisance, debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean up and cutting required.**

Address: Meadow Road
Legal Description: FROST PARK LT 7 BLK 5
PCN: 70-43-44-18-05-005-0070

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

CONCLUSIONS OF LAW

- ☒ Respondent is in violation of **SECTION 30-143 Public Nuisance. Debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean Up and Cutting Required.**

- ☐ Respondent was in violation of Section(s) SECTION 30-143 Public Nuisance. Debris, trash, undergrowth, weeds and wild overgrowth visible on this vacant lot, provides a breeding ground for pests and vermin. Clean Up and Cutting Required.

ORDER

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

- ☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before October 16, 2023:

Administrative costs of \$216.91

~~€~~Citation fine of N/A

Re-inspection fee of N/A

- ☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before October 16, 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 October 16, 2023.

☒ Administrative costs of \$216.91

~~€~~Citation fine of N/A

~~€~~Re-inspection fee of N/A

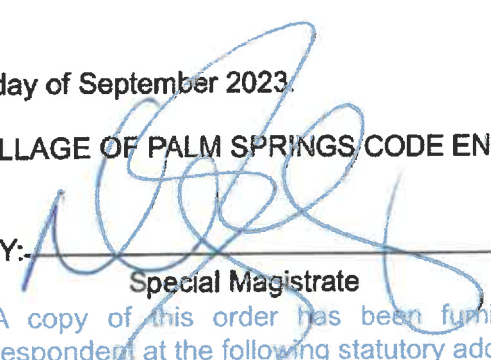
All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer 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 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) 584-8300 ext. 8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of September 2023.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: 

Special Magistrate

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

4083 Dale Road

West Palm Beach, FL 33406 8517

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2023-46

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

ANGEL PONCE TORRES
4083 DALE ROAD
WEST PALM BEACH, FL 33406 6517

Respondent

The property at MEADOW ROAD (vacant lot PCN 70-43-44-18-05-005-0070), Palm Springs, FL in the Code Enforcement Notice of Violation dated SEPTEMBER 7, 2023, in the above-mentioned case, has been re-inspected and, I Tom Gehrman state that said property is NOT in compliance.

Section 30-143: Public Nuisance; Wild Overgrowth, Trash and Debris, undergrowth providing a breeding ground for pests and vermin. Clean up and cutting required of the Village of Palm Springs on the SEVENTEENTH (17th) day of OCTOBER 2023.

ADMINISTRATIVE COSTS HAVE NOT BEEN PAID


Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 7th day of December, 2023 by Tom Gehrman, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

Witness my hand and seal the day and year first written above.




Notary Public - State of Florida
My Commission Expires: 3.13.2025

CASE PRESENTATION
CASE No. CASE 2023- 46 (Village Foreclosure Request)

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 MEADOW ROAD (PCN 70-43-44-18-05-005-0070) A VACANT LOT IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNER OF THE PROPERTY IS ANGEL PONCE TORRES.
5. The property was found in violation of Section 30-143 Public Nuisance at the September 21, 2024 Code Hearing. The Signed Order is included in the file.
SECTION 30-143 Public Nuisance.

The property has remained in violation with no communication from the Property Owner. The fines are continuing to accrue and currently stand at \$36,600 and the Village has recorded a lien against the property. Pursuant to Section 162.09, Florida Statutes, and the Village's Code, the Village is now seeking for the Code Enforcement Special Magistrate to authorize the Village to Foreclose the Lien. In the event that the Village is successful in obtaining this request before the Special Magistrate, a foreclosure action may be commenced by the Village against the above reference property.
5. NOTICE WAS mailed Certified and Regular the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall.
6. There has been no communication with the property owner.
7. SUBJECT TO ANY QUESTIONS YOU MIGHT HAVE, THIS CONCLUDES THE VILLAGE TESTIMONY.

Property Detail

Location Address : MEADOW RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-05-005-0070
Subdivision : FROST PARK IN
Official Records Book/Page : 33353 / 516
Sale Date : FEB-2022
Legal Description : FROST PARK LT 7 BLK 5

Owner Information**Owner(s)**

TORRES ANGEL PONCE

Mailing Address

4083 DALE RD
 WEST PALM BEACH FL 33406 8517

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2022	\$130,000	33353 / 00516	WARRANTY DEED	TORRES ANGEL PONCE
JAN-2022	\$72,900	33185 / 00343	CERT OF TITLE	U S BANK NATIONAL
DEC-1991	\$100	07062 / 01244	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : 0.1683
Property Use Code : 0000—VACANT
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$142,429	\$167,010	\$164,703	\$86,355	\$69,600
Total Market Value	\$142,429	\$167,010	\$164,703	\$86,355	\$69,600

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$142,429	\$167,010	\$74,487	\$67,715	\$61,559
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$142,429	\$167,010	\$74,487	\$67,715	\$61,559

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$2,767	\$3,272	\$2,080	\$1,522	\$1,335
NON AD VALOREM	\$49	\$50	\$50	\$50	\$50
TOTAL TAX	\$2,816	\$3,322	\$2,129	\$1,572	\$1,384

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



Account Information

Property Control Number:
70-43-44-18-05-005-0070

Mailing Address:
4083 DALE RD
West Palm Beach, Fl 33406-8517

Owner of Record:
TORRES ANGEL PONCE

Property Type:
Real Property

Property Address:
MEADOW
, FL

Second Owner:

Status: Active
Legal Description:
FROST PARK LT 7 BLK 5

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	\$3,609.98 Net Tax: \$3,321.52 Interest: \$99.65 Penalty: \$0.00 Fees: \$188.81 Discount: \$0.00	8/5/24	-\$3,609.98	Paid
3/31/23	\$2,043.97 Net Tax: \$2,129.14 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$85.17	11/30/22	-\$2,043.97	Paid
3/31/22	\$1,508.77 Net Tax: \$1,571.63 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$62.86	11/22/21	-\$1,508.77	Paid

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-65

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Grace Wildman
4234 Sherri CT
Lake Worth Beach, FL 33461
Respondent(s).

70-42-44-24-00-000-5180

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 7th, 2024**, the Respondent(s), **Grace Wildman** owner(s) of the property at **3515 Almar RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-29: Unsafe Building-Property is dilapidated and uninhabitable.

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

SECTION 10-8: Weeds-Remove all weeds off the property and along the fence line.

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

SECTION 10-9: Exterior Property Maintenance: Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure/Remove prohibited grey tarp off the roof and repair all holes/Remove all wood boards covering the doors and windows/Remove all black/green discoloration off the exterior walls and walkways.

These violations must be corrected on or before **October 15th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY October 17th, 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 7th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-65

RETURN OF SERVICE

**GRACE WILDMAN
4234 SHERRI CT
LAKE WORTH BEACH, FL 33461 4339**

Respondent

On the **7th Day of October 2024 at 2:44PM**, I served the attached NOV/NOH on the within named Respondent, **Grace Wildman** at **3515 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 10#217
Code Enforcement Officer



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PALM SPRINGS POLICE DEPARTMENT

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

October 7th, 2024

Grace Wildman
4234 Sherri CT
Lake Worth Beach, 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 **3515 Almar RD in Palm Springs, FL.**
PCN: 70-42-44-24-00-000-5180

VIOLATION/HEARING CASE 2024-65

SECTION 10-29: Unsafe Building-Property is dilapidated and uninhabitable.

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

SECTION 10-8: Weeds-Remove all weeds off the property and along the fence line.

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

SECTION 10-9: Exterior Property Maintenance: Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure/Remove prohibited grey tarp off the roof and repair all holes/Remove all wood boards covering the doors and windows/Remove all black/green discoloration off the exterior walls and walkways.

The options available include coming into voluntary compliance on or before **October 15th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday October 17th, 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



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

CERTIFIED MAIL



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FIRST-CLASS MAIL
IMI

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10/07/2024 ZIP 33480
043M31255277

US POSTAGE

Grace Wildman
4234 Sherri CT
Lake Worth Beach, FL 33461



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



quadiant

FIRST-CLASS MAIL
IMI

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10/07/2024 ZIP 33480
043M31255277

US POSTAGE

Grace Wildman
4234 Sherri CT
Lake Worth Beach, FL 33461

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Sec. 10-8. Exterior property areas.

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

(Ord. No. 2006-47, § 2, 11-9-2006)

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

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

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- (h) *Decorative features.* All cornices, belt courses, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (i) *Overhang extensions.* All canopies, marquees, signs, metal awnings, fire escapes, stand pipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (j) *Stairways, decks, porches and balconies.* Every exterior stairway, deck, porch, balcony, railings and all other appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- (k) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- (l) *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (m) *Window and doorframes.* Every window, door and frame shall be kept in sound condition, good repair and weather tight.
- (1) *Glazing.* All glazing materials shall be maintained free from cracks and holes.
- (2) *Openable window.* Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
- (n) *Doors.* All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.
- (o) Holiday lights and decorations, erected during the appropriate holiday season, shall comply with all applicable building and electrical codes. Holiday lights and decorations may be erected no earlier than 30 days prior to the subject holiday, with the exception of the Christmas/Hanukkah holidays. Christmas/Hanukkah lights and decorations may be erected no earlier than October 15. All Christmas/Hanukkah lights and decorations must be removed within 30 days following the holiday. All other holiday lights and decorations shall be removed within 14 days following the holiday.
- (p) Protection from windborne debris is encouraged for all structures certified for occupancy in the village. Storm shutters, or hurricane protection devices, shall be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the building department.
- (q) It is prohibited to maintain any device (including but not limited to wood, aluminum, or approved hurricane shutters) used for securing property, which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated. In addition, it is prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:
- (1) A hurricane occurs during the ten-day period, at which point the ten-day period begins anew the day after hurricane conditions have subsided; or
- (2) Hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or
- (3) The structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (1) and (2), above, shall still apply during periods when a person is in residence.

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

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

Sec. 10-29. Abatement of unsafe buildings.

- (a) *Purpose.* This section is hereby declared to be remedial in nature. The purpose of this section is to secure the public health, safety and welfare by ensuring that all buildings and structures within the village are structurally sound and that such premises provide adequate egress, sanitation, light and ventilation for the protection of life and property and are free from fire and other hazards incidental to their construction, alteration, use and occupancy.
- (b) *Scope.* The provisions of this section shall apply to all unsafe buildings and structures, as herein defined, and shall apply equally to new and existing conditions.
- (c) *Definitions.*

Building. Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. The term building, as used herein, shall include any building, structure, or portion thereof.

Interested parties. Interested parties mean the owner, as determined by the records of the Palm Beach County Tax Collector, the occupant of the building, and any other person or entity having a legal or equitable interest in the building, including but not limited to, any mortgage holders, judgment holders or other lien holders of record.

Unsafe building. An unsafe building means any building that endangers the life, health, property or safety of the general public and has any of the following conditions:

- (1) Any means of egress or portion thereof is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as but not limited to fire doors, closing devices and fire resistive ratings, is in disrepair or in a dilapidated or non-working condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member, or portion thereof, due to all imposed loads, including dead loads, exceeds the working stresses allowed in the Florida Building Code for new buildings, which was in effect at the time of the issuance of the certificate of occupancy or completion.
- (4) A building thereof has been damaged to the extent that the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirement established by the Florida Building Code for new buildings, which was in effect at the time of the issuance of the certificate of occupancy or completion.

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- (5) Any exterior appendage or portion of a building is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the Florida Building Code for new buildings, which was in effect at the time of the issuance of the certificate of occupancy or completion.
 - (6) Any building is manifestly unsafe for any reason or is unsanitary for the purpose for which it is being used.
 - (7) Any building as a result of decay, deterioration or dilapidation, is likely to fully or partially collapse.
 - (8) Any building that has been constructed or maintained in violation of a specific requirement of the Florida Building Code or of a village, county or state law.
 - (9) Any building is in such a condition as to constitute a public nuisance.
 - (10) Any building is unsafe, unsanitary, or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to the existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.
 - (11) Any building which lacks illumination, ventilation or sanitary facilities adequate to protect the health or safety of the occupants or the public.
- (d) *Enforcement.* The provisions of this section shall be enforced by the building official unless otherwise stated herein.
- (e) *Right of entry for inspection.*
- (1) The building official or his/her authorized designee, in accordance with the provisions of this subsection, may enter any building or premises at all reasonable times to make an inspection or enforce any of the provisions of this section. In cases of emergencies or exigent circumstances where extreme hazards are known to exist, the building official may enter the building at any time.
 - (2) When attempting to enter a building that is occupied, the building official or his/her authorized designee shall first identify him or herself, display proper credentials and request entry. If the building is unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge of the building and request entry. If entry is refused, or if the owner or other persons having charge of an unoccupied building cannot be located, the building official shall have recourse to every remedy provided by law to secure entry, including but not limited to, an inspection warrant.
 - (3) When the building official or his/her authorized designee shall have obtained permission to enter, secured an inspection warrant, or obtained another remedy provided by law to secure entry, no person shall fail, after proper credentials are displayed, to promptly permit entry into the building by the building official or his/her authorized designee for the purpose of inspection and examination pursuant to this section. Any person violating this section may be prosecuted within the limits of the law.
- (f) *Inspection.* The building official shall inspect, or cause to be inspected, any building which is or may be unsafe. After the building official has inspected or caused to be inspected a building and has determined that such building is unsafe, he/she shall initiate proceedings to cause the abatement of the unsafe condition by repair, vacation or demolition, or any combination thereof.
- (g) *Emergency action.* If the building official or designee finds that a building is likely to fully or partially collapse, posing an immediate hazard to life or to the safety of the general public, the building shall be deemed an emergency and ordered demolished immediately by the building official by affidavit attesting to the unsafe condition and by letter of authorization by the village manager. Prior to such demolition, notice shall be given to the owner of record and to any other interested party by hand delivery or, if hand delivery is not

reasonably possible, by posting the property and by mailing the notice by regular mail and certified mail, return receipt requested. Proof of posting and mailing shall be by affidavit of the person posting and mailing the notice, which affidavit shall include a copy of the notice posted and mailed and the date of mailing and the date and places of its posting. Notice so posted may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail. In any event, such notice shall include the affidavit of the building official and shall give the owner of the property five business days to deliver a written request for a hearing to the building official. Notice shall be deemed received upon hand delivery or, if not hand delivered, upon the date the return receipt was signed. If the notice could not be hand delivered and the signed return receipt is not received within ten days of mailing, the notice shall be deemed received ten days after it is first posted.

- (h) *Written notice of violation.* Whenever the building official has determined that such building is unsafe, the building official shall prepare a written notice of violation to the owner of record and all interested parties as follows:
- (1) The notice of violation shall contain, but not be limited to, the following or substantially similar information:
- a. The street address and legal description or property control number of the property on which the unsafe building is located.
 - b. A statement indicating the building has been declared unsafe by the building official and a summary of the conditions that led to the building official's determination.
 - c. A statement advising that if the following required action as determined by the building official is not commenced within or completed by the time specified, the building will be ordered vacated and posted to prevent further occupancy until the work is completed.
 1. If the building is to be repaired, the notice shall require that all necessary permits be secured and the work commenced within 30 days and continued to completion within such time as the building official determines.
 2. If the building is to be vacated, the notice shall indicate the time within which vacation is to be completed.
 3. If the building is to be demolished, the notice shall require that all required permits for demolition be secured and that the demolition be completed within such time as determined reasonable by the building official.
 - d. State that if the building is not brought into compliance in accordance with the notice or a hearing is not timely requested, a notice of pending administrative action may be recorded in the public records.
 - e. State that the building official may cause the work to be done and after such repair, reconstruction, alteration, removal or demolition by or on behalf of the building official, the village may record a special assessment lien against the owner in accordance with this section to recover the costs incurred by the village in performing the work.
 - f. State that if the property owner or other interested party wishes to: (1) contest in whole or in part the material allegations in the notice; (2) assert that the time period as set forth in the notice poses an undue hardship; (3) assert that the true intent and meaning of the code has been misconstrued or misinterpreted; or (4) make any other argument, the parties have a right to a hearing. Any request for a hearing must be made in writing and received by the building official or designee within 15 days after the notice of violation is received, as described in subsection (i) below, or the right to hearing is waived.

(2) If the building is not brought into compliance in accordance with the notice or a hearing is not timely requested, a notice of pending administrative action shall be recorded with the county clerk of court and shall be served upon the property owner and other interested party as indicated below and contain the name of the property owner, the specific violations of the Village Code that are applicable to the property, the property address and legal description. This notice shall remain until such time as the conditions rendering the building unsafe have been abated. At such time, the building official shall file a new notice indicating that corrective action has been taken and the building is no longer unsafe based upon the previously noticed conditions.

(i) *Service of notice of violation and notice of pending administrative action.* The notice shall be served either personally or by certified mail, postage pre-paid, return receipt requested, to each owner at the address as it appears in the official public records and to all other known interested parties. If addresses are not available on any person required to be served the notice, the notice addressed to such person shall be mailed to the address of the building or structure involved in the proceedings. The failure of any person to receive proper notice as described herein, other than the owner of record, shall not invalidate any proceedings under this section. Service by certified or registered mail as herein described shall be effective on the date the notice was received as indicated on the return receipt. In the event the certified mail is unclaimed or refused or the return receipt is not otherwise returned within 21 days of mailing or there is no mailing address for an interested party, the notice shall be posted at the property and village hall for ten days; the notice shall be re-sent by first class mail documented by a properly executed proof of mailing and posting or affidavit confirming the first class mailing and posting; and a notice of condemnation shall be published once a week for four consecutive weeks in a newspaper of general circulation within the village. For properties that are published and posted, the notice shall be deemed received the day the notice was last published or ten days after the notice was first posted, whichever is later. Notice by publication and posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as set forth above. Evidence that an attempt has been made to hand deliver or mail notice as provided above, together with proof of publication and posting as provided above, shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the owner or interested party actually received such notice.

(j) *Placard posted.* In addition to complying with the above, a notice shall be posted at each exit and entrance to the building or structure and shall essentially state:

THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL.
PURSUANT TO VILLAGE OF PALM SPRINGS CODE SECTION 10-29(J), IT IS UNLAWFUL FOR ANY PERSON TO ENTER,
OCCUPY OR RESIDE IN THIS BUILDING AND VIOLATORS WILL BE SUBJECT TO ARREST BY LAW ENFORCEMENT
OFFICERS.

Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person to remove such notice without written permission of the building official, or for any person to enter the building except for the purpose of making the required repairs or of demolishing the same. Any violation of this provision shall be prosecuted as a misdemeanor of the second degree and punished by a fine of not more than \$500.00 and/or imprisonment in the county jail for not more than 60 days. Each day of violation shall be considered a separate offense.

(k) *Hearing.*

(1) The village council shall appoint a special magistrate to conduct all hearings contemplated by this section. In the alternative, the special magistrate appointed to hear code enforcement hearings may be used to conduct these administrative hearings. The special magistrate shall serve at the pleasure of the village council and may be removed by the village council at any time, with or without cause.

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- (2) Any interested party entitled to notice may request a hearing before the special magistrate. Such request must be made in writing and received by the building official within 15 days from the date of service along with any required filing fee and must contain, at a minimum, the following:
- Identification of the building by street address;
 - Legal interest of the person requesting the hearing;
 - Statement identifying the order or Code section being challenged;
 - Statement detailing the issues on which he or she desires to be heard; and
 - The legal signature of the person requesting the hearing, his or her telephone number and mailing address.

Upon timely receipt of the written request, the building official or designee shall schedule a hearing before the special magistrate as soon as is practical. Written notice of the date, time and location of the hearing shall be delivered personally or mailed certified mail, return receipt requested, to the interested party requesting the hearing, or to his or her attorney of record, at the address provided on the written request for hearing.

- A hearing before the special magistrate shall offer the property owner and other interested parties a reasonable opportunity to be heard on any matter or issue that is relevant to the proceeding. The property owner or interested parties may appear at the hearing in person or through an attorney or other designated representative. Failure of any person to appear at any hearing scheduled in accordance with this section shall constitute a waiver of that person's right to a hearing.
- The special magistrate may obtain the issuance and service of subpoenas for the attendance of witnesses or the production of evidence at the hearings. Subpoenas may be issued by the special magistrate at the request of any party involved in the hearing.
- All testimony shall be under oath and shall be recorded. The formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(l) *Implementation.*

- If no hearing is timely requested as set forth above, the building official may take action to repair or reconstruct the building or to cause the building to be boarded and secured or to cause the building to be removed or demolished if required by the notice, or any combination thereof.
- If a hearing is requested, and the special magistrate determines:
 - That the condition exists as set forth in the notice of violation, and that the remedial action required in the notice has not been voluntarily completed by the property owner, or other legally interested party, the special magistrate shall issue a written order authorizing the building official to vacate, board and secure, repair or reconstruct the building or to cause the building to be removed or demolished, or any combination thereof. After this order is entered, the building official shall record in the public records, the notice of pending administrative action in accordance with subsection (h)(2) above.
 - That the condition, as set forth in the notice of violation does not exist or has been corrected as required by the notice of violation, the notice of violation shall be dismissed by written order of the Special Magistrate.
- The building official may, upon written request of the property owner, grant an extension of time as the building official may determine to be reasonable to complete the required remedial action. If the extensions of time, in total, exceed 120 days, the special magistrate, without further public hearing, must also approve the extension for it to be effective.

-
- (r) *Authority to expend funds.* Nothing contained herein shall require the village council to appropriate or expend any funds to carry out the purpose of this section. The authority granted herein is permissive and shall not be construed to impose an obligation on the building official or the village to condemn any building or structure.
 - (s) *Emergency powers.* Nothing herein precludes exercise of emergency powers otherwise available in the face of imminent threat to public safety.
 - (t) *Provisions supplemental and in addition to other powers.* The provisions of this section shall not be deemed to repeal or modify any village ordinance or provision of the Village Code relating to the condemning of buildings and structures but the provisions herein shall be supplemental and in addition to the powers that may be exercised by the village council, its officers and employees.

(Ord. No. 2014-41, § 2, 1-18-2015)

Editor's note(s)—Ord. No. 2014-41, § 2, adopted Jan. 18, 2015, set out provisions intended for use as § 10-28. For purposes of classification, and at the editor's discretion, these provisions have been included as § 10-29.

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(s)—Nuisance abatement, F.S. § 60.05.

CASE PRESENTATION

CASE No. CASE 2024-65

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 #2024-65 is concerning the property located at 3515 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 Grace Wildman.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 10-29: Unsafe Building-Property is dilapidated and uninhabitable.
SECTION 30-143: Trash/Debris/Rubbish-Remove all trash/debris/rubbish off the property.
SECTION 10-8: Weeds-Remove all weeds off the property and along the fence line.
SECTION 30-141: Overgrowth-Mow and trim all overgrown grass/trees/bushes/vegetation.
SECTION 10-9: Exterior Property Maintenance: Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure/Remove prohibited grey tarp off the roof and repair all holes/Remove all wood boards covering the doors and windows/Remove all black/green discoloration off the exterior walls and walkways.
Photos are included in the file.
5. On 06/12/2024, I inspected the property and observed multiple code violations to include wild overgrowth and a partially collapsed roof. I issued a code courtesy violation notice and posted it on the front gate of 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 communicated with the property owner's daughter on numerous occasions via email and telephone. It should be noted that the property owner's daughter arranged to have some of the vegetation cleared out but advised that she could not do much more due to financial hardships. On 08/21/2024, I sent the property owner's daughter an email which contained information in reference to our Angel Program. As of this writing, the property owner's daughter has not completed the Angel Program's application in order to see if she qualifies for financial assistance and the property remains in overall poor condition.
6. On October 7th, 2024, Notice of Violation/ Notice of Hearing 2024-65 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 November 1st, 2024. If not in compliance by November 1st, 2024, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.
8. The Village has also incurred costs in the amount of \$276.60 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than November 1st, 2024.
9. Subject to any questions you might have, this concludes the Village's testimony.



Case Administrative / Court Costs

October 17, 2024, 3515 Almar RD		Case 2024-65		
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	5.00	20.00	100.00
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 2024-65				276.60



PALM SPRINGS POLICE DEPARTMENT

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

June 12th, 2024

Grace Wildman
C/O Jaqueline Wales
4234 Sherri CT
Lake Worth Beach, 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 **3515 Almar RD Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5180

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

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

Weeds/Overgrowth/Landscape Maintenance: Trim all severely overgrown trees/vegetation/bushes and remove all weeds located throughout the property.

SECTION 10-9

Exterior Property Maintenance/Roof/Shutters/Rotted Wood:

- Remove all black/green discoloration off the exterior walls.
- Remove all shutters covering the windows.
- Remove prohibited black tarp and repair all sections of roof damage.
- Repair all sections of rotted/damaged wood.

SECTION 10-29

Unsafe Building: The property appeared to be vacant but please contact me in order to discuss this ordinance.

Compliance Date: July 12th, 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: 06/12/2024 Time: _____

Location: 3515 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:

108/30-112/30-142 - Weeds/overgrowth

Landscape maintenance

109 - Exterior Property Maintenance/Repair

Shutters / Rotted wood

1029 - Unsafe Building

Compliance Date: 07/12/2024

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





Village of Palm Springs Police Department Code Enforcement Division

From Joey Sanders <joey.sanders@vpsfl.org>

Date Wed 8/28/2024 12:26 PM

To nadin.cartagena@habitatgreaterpbc.org <nadin.cartagena@habitatgreaterpbc.org>

Cc Thomas Gehrman <tgehrman@vpsfl.org>

Good afternoon Nadin,

My name is Joey Sanders and I'm a code enforcement officer for the Village of Palm Springs Police Department. I stopped by your Greenacres location today and I was provided with your business card. I'm attempting to help a family in need who could use some assistance in reference to cleaning up a single-family home located at 3515 Almar RD Palm Springs, FL 33461. Many years ago, I personally volunteered my time with Habitat for Humanity, which is why I'm reaching out to inquire whether or not your organization still takes on these type of projects for the community.

Please get back to me at your earliest convenience.

Have a great day.

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



Re: 3515 Almar Rd.

From Jaqueline Wales <frajawales@aol.com>

Date Wed 8/21/2024 6:42 PM

To Joey Sanders <jsanders@vpsfl.org>

1 attachments (65 KB)

MOM.JPG;

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

Thank you Officer Sanders for sending the information regarding the Angel Program. I have printed all of the attachments and will read them and get them completed.

I want you to know it really means a lot to me that you are helping us out with everything. There is a story behind that house and it is a really beautiful story and a lot of wonderful memories. Soon I hope to share all of that with you.

My Mom and Dad were married almost 70 years and they raised us 3 kids in that house. I was 2 when my father built it with his own two hands in 1959. He passed away in that house in 2010 at 89 years old with us all by his bedside, his choice to remain at his home.

That house over the years was full of life and parties and holidays enjoyed by our large family and neighbors on the street, that has now dwindled down to a small group. It was a much different street back then. Not full of apartments, just a few scattered single family homes and everyone knew everyone. It's one of the reasons I can't go back to see the house now. It is very sad and painful for me. I have a wonderful husband who goes every week to check on it for me and does his best to make sure the lights are on and the water is going.

My Mom remained in the house until she fell for the last time after breaking both legs in previous falls and the final time broke six ribs. She was at Delray Trauma center on a ventilator for 3 months, then on a tracheotomy for 6 months. She came off the tracheotomy, which was a miracle at her age. Today she is the strongest woman I know and has her wits about her, no dementia, or senility, she just isn't stable on her feet, so she does therapy and keeps on kicking. Doing crosswords, playing bingo, watching the news, reading People magazine, painting and coloring. She knows everything going on in the world news wise and everything in Hollywood too. She is looking forward to her 100th birthday party on September 21st. I've attached a picture of her. I would love for you to meet her. She is beautiful, inside and out. Her dream is to return to her home.

She doesn't know she cannot return to that house. We keep that sad news away from her, yet she knows she can't be there. She just doesn't want to think about that.

I will do what I can to restore that house. It's just I pay for all of her expenses and my expenses too. These times are tough and the economy is very expensive. We help our children and grandchildren too. But again, I want to thank you for helping us. I would love to see the house that my father built restored.

Kind regards,
Jacki

Fw: 3515 Almar Rd.

Joey Sanders <jsanders@vpsfl.org>

Wed 8/21/2024 11:59 AM

To: Jaqueline Wales <frajawales@aol.com>

3 attachments (189 KB)

Angel Fund Pre-Application 10.12.23 (2).docx; Angel Fund Grant Agreement.doc; ANGEL PROGRAM draft 6.26.23.docx;

Good afternoon Jacki,

It was a pleasure speaking with you today. Per our conversation, I've attached some information in reference to the Village of Palm Springs' Angel Program. Please read through the material and get back to me at your earliest convenience.

Thank you and have a wonderful day!

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

From: Jaqueline Wales <frajawales@aol.com>

Sent: Wednesday, July 17, 2024 6:12 PM

To: Joey Sanders <jsanders@vpsfl.org>

Subject: Re: 3515 Almar Rd.

You don't often get email from frajawales@aol.com. [Learn why this is important](#)

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.

Are you sending in the mail? This pdf is only pictures. We spent \$1000 on removal of vegetation. We don't have money for major repairs. When will you be available so we can meet and discuss please?

[Sent from AOL on Android](#)

On Tue, Jul 16, 2024 at 1:46 PM, Joey Sanders
<jsanders@vpsfl.org> wrote:

Good morning Jacki,

Re: 3515 Almar Rd.

Joey Sanders <jsanders@vpsfl.org>

Tue 7/16/2024 1:46 PM

To: Jaqueline Wales <frajawales@aol.com>

📎 1 attachments (241 KB)

SKM_C300i24071613400.pdf;

Good morning Jacki,

I apologize for the delayed response. I was away last week attending a class and returned to work today. I inspected the property this morning and attached photos for your review. I appreciate that you trimmed a good amount of vegetation but there's definitely a lot of work that still needs to be done. I'm going to provide you with another 30-day extension with a new compliance date of 08-16-2024.

Have a great day.

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

From: Jaqueline Wales <frajawales@aol.com>

Sent: Friday, July 12, 2024 5:08 PM

To: Joey Sanders <jsanders@vpsfl.org>

Subject: 3515 Almar Rd.

You don't often get email from frajawales@aol.com. [Learn why this is important](#)

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.

Hi Officer Sanders,

I wanted to let you know that we have cleared a lot of the vegetation around the property. Please when you have time take a look at let us know if this is acceptable. Please let us know what more we need to do as our funds are very short right now.

Kind regards,

Jacki Wales

561-254-4991

Property Detail

Location Address : 3515 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5180
Subdivision :
Official Records Book/Page : 24869 / 1202
Sale Date : OCT-2011
Legal Description : 24-44-42, S 60 FT OF N 112 FT OF W 130 FT OF E 1/2 OF E 1/2 OF NW 1/4 OF SE 1/4 (LESS E 20FT RD R/W)

Owner Information

Owner(s)	Mailing Address
WILDMAN GRACE	JAQUELINE WALES C/O 4234 SHERRI CT LAKE WORTH BEACH FL 33461 4339

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2011	\$10	24869 / 01202	LIFE ESTATE	WILDMAN GRACE
OCT-2011	\$10	24855 / 01188	QUIT CLAIM	WILDMAN GRACE
OCT-2010	\$10	24146 / 00402	QUIT CLAIM	WALES JAQUELINE
JAN-1974	\$100	02339 / 01705		WILDMON GRACE

Exemption Information

Applicant/Owner(s)	Year	Detail
WILDMAN GRACE	2024	HOMESTEAD
WILDMAN GRACE	2024	ADDITIONAL HOMESTEAD
WILDMAN GRACE	2024	QUALIFIED EXEMPTION
WILDMAN GRACE	2024	SENIOR
WILDMAN GRACE	2024	SENIOR

Property Information

Number of Units : 1
***Total Square Feet :** 913
Acres : 0.1515
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$86,612	\$70,788	\$57,254	\$55,035	\$59,809
Land Value	\$103,850	\$117,800	\$70,392	\$47,740	\$44,000
Total Market Value	\$190,462	\$188,588	\$127,646	\$102,775	\$103,809

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$57,988	\$56,299	\$54,659	\$53,067	\$52,334
Exemption Amount	\$57,988	\$56,299	\$54,659	\$53,067	\$52,334
Taxable Value	\$0	\$0	\$0	\$0	\$0

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$209	\$203	\$234	\$237	\$237
NON AD VALOREM	\$516	\$511	\$483	\$646	\$641
TOTAL TAX	\$725	\$713	\$717	\$883	\$878



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:

70-42-44-24-00-000-5180

Mailing Address:

4234 SHERRI CT

Lake Worth Beach, FL 33461-4339

Owner of Record:

WILDMAN GRACE

Property Type:

Real Property

Property Address:

3515 ALMAR

LAKE WORTH, FL 33461

Second Owner:

JAQUELINE WALES C/O

Status: Active**Legal Description:**

24-44-42, S 60 FT OF N 112 FT OF W 130
FT OF E 1/2 OF E 1/2 OF NW 1/4 OF SE
1/4 (LESS E 20FT RD R/W)

Last updated: 10/07/2024 10:49:50 AM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.

Delinquent Property Tax cannot be paid online.

Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.

A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).



Tax Bills

Add Tax Bills to the cart then select cart icon (🛒) above to checkout.

Total Payable: \$0.00



Recently Paid Bills



Payment Info - Select to Expand Payment History for PIN



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-65

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

**GRACE WILDMAN
3515 ALMAR ROAD
LAKE WORTH BEACH, FL 33461 4339**

**MAILING ADDRESS:
4234 SHERRI COURT
LAKE WORTH BEACH, FL 33461 4339**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-29: Unsafe building. Property is dilapidated and uninhabitable.

SECTION 30-143: Trash/debris/rubbish. Remove all trash/debris/rubbish off the property.

SECTION 10-8: Weeds. Remove all weeds off the property and along the fence line.

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

SECTION 10-9: Exterior property maintenance. Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure. Remove prohibited grey tarp off the roof and repair all holes. Remove all wood boards covering the doors and windows. Remove all black/green discoloration off the exterior walls and walkways.

Address: 3515 ALMAR ROAD

Legal Description: 24-44-42, S 60 FT OF N 112 FT OF W 130 FT OF E 1/2 OF E 1/2
OF NW 1/4 OF SE 1/4 (LESS E 20FT RD R/W)

PCN: 70-42-44-24-00-000-5180

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 17th day of October 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 10-29: Unsafe building. Property is dilapidated and uninhabitable.**
 - ☐ **SECTION 30-143: Trash/debris/rubbish. Remove all trash/debris/rubbish off the property.**
 - ☐ **SECTION 10-8: Weeds. Remove all weeds off the property and along the fence line.**
 - ☐ **SECTION 30-141: Overgrowth. Mow and trim all overgrown grass/trees/bushes/vegetation.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure. Remove prohibited grey tarp off the roof and repair all holes. Remove all wood boards covering the doors and windows. Remove all black/green discoloration off the exterior walls and walkways.**

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

- ☐ **SECTION 10-29: Unsafe building. Property is dilapidated and uninhabitable.**
- ☐ **SECTION 30-143: Trash/debris/rubbish. Remove all trash/debris/rubbish off the property.**
- ☐ **SECTION 10-8: Weeds. Remove all weeds off the property and along the fence line.**
- ☐ **SECTION 30-141: Overgrowth. Mow and trim all overgrown grass/trees/bushes/vegetation.**
- ☐ **SECTION 10-9: Exterior property maintenance. Repair damaged mailbox, fascia, soffit, rotted wood, doors, windows, roof and patio enclosure. Remove prohibited grey tarp off the roof and repair all holes. Remove all wood boards covering the doors and windows. Remove all black/green discoloration off the exterior walls and walkways.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **November 1st, 2024:**
- ☐ Administrative costs of **\$276.60**
 - ☐ 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 **November 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 **November 1st, 2024**.
- ☐ Administrative costs of **\$276.60**
 - ☐ 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 17th day of October 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:

[3515 Almar Road](#)
[Lake Worth Beach, FL 33461 4339](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-66

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

SJCB Properties LLC
1294 Beacon Circle
Wellington, FL 33414

Respondent(s).

70-42-44-24-00-000-5920

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 7th, 2024**, the Respondent(s), **SJCB Properties LLC** owner(s) of the property at **3594 Almar 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 10-8: Weeds-Remove all weeds attached to the fence.

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/Parking-Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.

SECTION 34-913: Commercial Vehicles-Remove prohibited white pickup off the property.

SECTION 10-9: Exterior Property Maintenance: Remove all black discoloration off the fascia.

These violations must be corrected on or before **October 15th, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8430, **at 10:00 A.M., on THURSDAY October 17th, 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 7th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-66

RETURN OF SERVICE

**SJCB PROPERTIES LLC
1294 BEACON CIRCLE
WELLINGTON, FL 33414 3152**
_____ /

Respondent

On the **7th Day of October 2024 at 2:47PM**, I served the attached NOV/NOH on the within named Respondent, **SJCB Properties LLC at 3594 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 10/21/24
Code Enforcement Officer

UNAUTHORIZED VEHICLES
OR VESSELS WILL BE TOWED
AWAY AT OWNERS RISK
GARDENS TO
561-585-9

FL. ST. STAT. 715.07 PLEASE RESPECT OUR PROPERTY

BOARD OF TOWNSHIP FLORIDA
1000 South US Highway 1
Palm Springs, FL 33461

OFFICE OF THE TOWNSHIP CLERK
Palm Springs, FL 33461

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

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TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

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TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

PALM SPRINGS POLICE DEPARTMENT
1000 South US Highway 1
Palm Springs, FL 33461

Primary: 760-324-1234

Secondary: 760-324-1234
Toll Free: 1-800-324-1234

Officer: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

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DATE: 07-10-2024

RE: [REDACTED]

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DATE: 07-10-2024

RE: [REDACTED]

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TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

RE: [REDACTED]

NOTICE OF VIOLATION AND NOTICE OF HEARING
TO: [REDACTED]
DATE: 07-10-2024

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PALM SPRINGS POLICE DEPARTMENT

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

October 7th, 2024

SJCB Properties LLC
1294 Beacon Circle
Wellington, FL 33414

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 **3594 Almar RD in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5920

VIOLATION/HEARING CASE 2024-66

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

SECTION 10-8: Weeds-Remove all weeds attached to the fence.

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/Parking-Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.

SECTION 34-913: Commercial Vehicles-Remove prohibited white pickup off the property.

SECTION 10-9: Exterior Property Maintenance: Remove all black discoloration off the fascia.

The options available include coming into voluntary compliance on or before **October 15th, 2024** OR arguing your case at the Special Magistrate Hearing, **Thursday October 17th, 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



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

CERTIFIED MAIL®



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FIRST-CLASS MAIL
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10/07/2024 ZIP 33480
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US POSTAGE

SJCB Properties LLC
1294 Beacon Circle
Wellington, FL 33414



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

10/07/2024 ZIP 33480
043M31255277

US POSTAGE

SJCB Properties LLC
1294 Beacon Circle
Wellington, FL 33414

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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. 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(s)—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(s)—Nuisance abatement, F.S. § 60.05.

Sec. 34-913. Parking in all residential land use districts; certain parking prohibited.

- (a) All vehicles permitted to be parked on any residential premises, as provided in this section, must be primarily operated by a resident of the premises or a guest, or business invitee of the said resident.
- (b) The following vehicles shall not be parked in any residential land use district except for the purpose of loading or unloading materials or persons engaged in providing a commercial service at the premises or for the purpose of the driver to make a temporary convenience stop at the residence (a temporary convenience stop shall be limited to no more than one hour in any 24-hour period and shall not be between the hours of 11:00 p.m. and 7:00 a.m.):
 - (1) Tractor trailers, and semi-trailer trucks;
 - (2) Tow trucks, wreckers or flat bed vehicle carriers;
 - (3) Commercial buses, school buses, or vans accommodating more than 16 passengers;
 - (4) Dump trucks;
 - (5) Construction equipment and vehicles, whether self-propelled or towed, including farm tractors, backhoes, front-end loaders, cranes, cement mixers, pitch buckets or similar items;
 - (6) Step vans and panel trucks, and any vehicle used for the commercial sale of food or beverages;
 - (7) More than three, in total, of any taxi, car service vehicle, limousine, or stretch limousine provided the allowable vehicles are able to be parked on a paved surface and not obstructing any sidewalk or extending into any swale or public right-of-way areas;
 - (8) Boom or bucket trucks;
 - (9) Swamp buggies and half-tracks;
 - (10) Any vehicle that exceeds the roof height of the principal building on the lot.
- (c) No mobile unit shall be parked or stored on private property within the village, unless provided for in a properly approved site plan.

(Ord. No. 2005-25, § 2(30-627), 10-13-2005; Ord. No. 2017-19, § 2, 9-28-2017)

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:
- Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
- (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.
- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
- (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)

CASE PRESENTATION

CASE No. CASE 2024-66

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 #2024-66 is concerning the property located at 3594 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 SJCB Properties LLC.
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 10-8: Weeds-Remove all weeds attached to the fence.
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/Parking-Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
SECTION 34-913: Commercial Vehicles-Remove prohibited white pickup off the property.
SECTION 10-9: Exterior Property Maintenance: Remove all black discoloration off the fascia.

Photos are included in the file.

5. On 05/28/2024, I inspected the property and observed multiple code violations to include a large collection of trash, debris, materials and open storage stored throughout the property. I issued a code courtesy violation notice and posted it on the front door of each unit. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owners a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 07/02/2024 with a compliance date of 07/16/2024.

It should be noted that on 06/11/2024 the property owners and I walked the property together and I pointed out all of the existing code violations that needed to be corrected. Additionally, I thoroughly explained the process on how to obtain a rental permit which included emailing the property owners a rental permit application with detailed instructions. As of this writing, the property owners have failed to obtain the required rental permits and new code violations have also appeared at the property. My last documented communication with the property owners was an email that I sent to them on 09/11/2024 in which I received no response.

6. On October 7th, 2024, Notice of Violation/ Notice of Hearing 2024-66 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 November 1st, 2024. If not in compliance by November 1st, 2024, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.

CASE No. _____

8. The Village has also incurred costs in the amount of **\$276.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **November 1st, 2024**.

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



Case Administrative / Court Costs

October 17, 2024, 3594 Almar RD		Case 2024-66		
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	5.00	20.00	100.00
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 2024-66				276.60



PALM SPRINGS POLICE DEPARTMENT

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

July 2nd, 2024

SJCB PROPERTIES LLC

Nason, Yeager, Gerson, Harris & Fumero PA-Registered Agent

1294 Beacon Circle

Wellington, FL 33414

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 **3594 Almar RD Palm Springs, FL 33461 (Units #3594 & #3596)**

PCN: 70-42-44-24-00-000-5920

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

Good afternoon Brian and Jason,

I inspected the above noted property today and observed very minimal progress toward compliance. All of the code violations are relatively minor in nature and could have easily been completed within 30 days (original notice was issued on 05-28-2024). Please have all of the code violations cured before 07-16-2024. Failure to comply will leave me with no choice but to schedule the case before a Special Magistrate Hearing which may result in fines and a lien being placed on the property. I do not want to proceed in that direction but I need these violations corrected immediately.

Compliance Date: July 16th, 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

May 28th, 2024

SJCB PROPERTIES LLC

Nason, Yeager, Gerson, Harris & Fumero PA-Registered Agent

1294 Beacon Circle

Wellington, FL 33414

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 **3594 Almar RD Palm Springs, FL 33461 (Units #3594 & #3596)**

PCN: 70-42-44-24-00-000-5920

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

SECTION 10-8 & 10-9

Driveways/Exterior Property Maintenance/Weeds/Mailboxes:

- Front driveway and concrete slab (rear) needs to be pressure washed.
- Remove all weeds throughout the property (reference attached photos).
- Remove all black discoloration off the exterior walls (left side).
- Replace missing mailbox for Unit #3594.

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.

SECTION 30-143 & 34-1381

Trash/Debris/Materials/Rubbish/Open Storage: Remove all trash, debris, materials, rubbish and open storage stored throughout the property (reference attached photos).

SECTION 30-141 & 30-142

Overgrowth/Landscape Maintenance: Trim all overgrown trees/bushes/vegetation located throughout the property (reference attached photos).

SECTION 34-225

Fence Maintenance: Repair, replace or remove all broken fences.

SECTION 34-893

Canopies: Remove all prohibited canopies/structures (rear).

Compliance Date: June 11th, 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:

05/28/2024

Time:

Location:

3594 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:

10-104- Driveways / Exterior Property Maintenance
Weeds / Mailboxes

14-32- No Residential Rental Permit

30-143/31-1361- Trash / Debris / Materials / Rubbish / Open Storage

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

34-225- Fence Maintenance

34-893- Canopies

Compliance Date:

06/11/2024

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



3594 Almar RD

Joey Sanders <joey.sanders@vpsfl.org>

Wed 9/11/2024 2:11 PM

To: Jason Hurley <jason.hurley6@comcast.net>

 1 attachments (453 KB)

VPS Rental License Application and Portal Instructions.pdf;

Good afternoon Jason,

I inspected the property this morning and everything looks great. The only remaining violation is the two rental permits that we previously spoke about (see attachment). Please contact the PZB Department at 561-584-8200 Ext: 8460 if you need further assistance. I would like to close out the case but I'm unable to do so until you obtain the two rental permits.

Have a great day.

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

Re: Maintstar Permit Public 24.8.2.2666

Joey Sanders <joeysanders@vpsfl.org>

Wed 8/21/2024 12:29 PM

To: Jason Hurley <jason.hurley6@comcast.net>

Good afternoon Jason,

As far as the piece of wood, it is allowed if that part of the property is a utility room. I don't recommend it for safety reasons but it's your decision. You still need to obtain a rental permit for each unit and all misc. items stored around the property need to be removed (including the broken mailbox in the front). The large quantity of misc. items are a safety hazard as we're in the middle of hurricane season. If the property is not in compliance by 09/15/2024, I'm going to schedule the case for the October 2024 Special Magistrate Hearing.

Have a good day.

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

From: Jason Hurley <jason.hurley6@comcast.net>

Sent: Wednesday, August 14, 2024 4:47 PM

To: Joey Sanders <joeysanders@vpsfl.org>

Cc: Permits <permits@vpsfl.org>

Subject: Re: Maintstar Permit Public 24.8.2.2666

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.

Hi

Thanks for the kind words of dad he is slowly getting better

1) can't get lic

2) wood is for dryer vent in a utility room which is aloud since no one is in that room also that was not on your code violation

3) the tenant is moving basically you have cost me a very good tenant but she has moved all the stuff and you said if you can't see it from street it's fine remember you said " out of site out of mind "

So really confused on this the property looks great she is moving you know this and you still have an issue with a few bins in back that will be gone

Jason Hurley

Hi

So This is what happens when I try to I pay there is no invoice or permit number and even when i get to the payment part it does not process.

My dad has been in the ICU so I have not been home to try again but it is very frustrating. My father and I both have gone in to make a payment and try to resolve this

Matter, they tell us that we have do it only. So what am I suppose to do

Also we have completed all the items so when will you close out the code violation

Thank You

Jason Hurley

5:23 PM Tue Aug 13 AA h9.maintstar.co 68%

Small Busin... Craft Fair Ap... Diamondbac... Shower Tile... Maintstar Pe... Maintstar Pe... Spending &... d8-mail.sdm... (5 unread)...

 **The Village of Palm Springs**
Online Portal Jason Hurley JH

[Home](#) [Report Violation](#) [My Records](#) [My Inspections](#) [My Profile](#) [Make Payment](#) [Search](#) [Map](#)

[< BACK](#)

Check Invoice or Permit

NOTE: The Village of Palm Springs does not accept American Express credit cards for payment.

Enter your Invoice or Permit number

[CHECK](#) [ALL INVOICES FOR THE PAYEE](#) [CLEAR](#)

Result:



Sent from my iPad

Re: Maintstar Permit Public 24.8.2.2666

Joey Sanders <joeysanders@vpsfl.org>

Tue 8/13/2024 7:24 PM

To: Jason Hurley <jason.hurley6@comcast.net>

Cc: Permits <permits@vpsfl.org>

📎 1 attachments (133 KB)

SKM_C300i24081319100.pdf;

Good evening Jason,

I'm sorry to hear that your dad has been in the ICU. Your dad is very pleasant and I hope he's able to overcome whatever he's going through if he hasn't done so already.

I'm going to copy the PZB Department on this email so that they can assist you in reference to the rental permits.

Alos, please see the attached photos. I inspected the property this afternoon and the following violations still need to be addressed:

- Obtain a rental permit for each unit.
- Remove wood board inside the rear window.
- Remove all trash/debris/materials/misc. items stored in the rear of the property.

Have a good night.

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

From: Jason Hurley <jason.hurley6@comcast.net>

Sent: Tuesday, August 13, 2024 5:31 PM

To: Joey Sanders <joeysanders@vpsfl.org>

Subject: Maintstar Permit Public 24.8.2.2666

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.

Re: Almar rd

Joey Sanders <joey.sanders@vpsfl.org>

Wed 7/24/2024 5:03 PM

To: Jason Hurley <jason.hurley6@comcast.net>

2 attachments (776 KB)

SKM_C300i24072416520.pdf; VPS Rental License Application and Portal Instructions.pdf;

Good afternoon Jason,

I attached the most recent photos that I took of the property on July 23rd, 2024. I appreciate all of the progress thus far but the following code violations still need to be corrected:

- Obtain a rental permit for each unit (see attachment).
- Replace missing mailbox and label each mailbox with their respective house ID numbers.
- Remove all trash/debris/materials/rubbish/misc. items stored throughout the property.
- Remove wood board in the rear window.
- Remove all weeds along the fence line (rear and left side).

Have a good day.

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

From: Jason Hurley <jason.hurley6@comcast.net>

Sent: Monday, July 22, 2024 11:57 PM

To: Joey Sanders <joey.sanders@vpsfl.org>

Subject: Re: Almar rd

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.

So

I would think we are good because we talked but I would like something in an email saying we are good

Jason Hurley

Sent from my iPhone

On Jul 16, 2024, at 2:58 PM, Joey Sanders <joey.sanders@vpsfl.org> wrote:

Good afternoon Jason,

Thank you for the update. I inspected the property this morning and attached photos for your review.

Have a great day.

Respectfully,

<Outlook-
h2m1ji0t.png>

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

From: Jason Hurley <jason.hurley6@comcast.net>
Sent: Monday, July 15, 2024 1:30 PM
To: Joey Sanders <joey.sanders@vpsfl.org>
Subject: Almar rd

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.

Hi

We will be power washing tomorrow the trampoline is down and we cleaned up the yard

Jason Hurley

Sent from my iPhone

<SKM_C300i24071614560.pdf>

Fw: 3594 Almar RD

Joey Sanders <joey.sanders@vpsfl.org>

Tue 7/2/2024 12:05 PM

To: Jason Hurley <jason.hurley6@comcast.net>

📎 1 attachments (65 KB)

SKM_C300i24070211570.pdf;

Good afternoon Jason,

Please see attached. I dropped the attached letter in the mail today but I wanted to provide you and your dad a copy via email as a courtesy.

Have a good day.

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

From: Jason Hurley <jason.hurley6@comcast.net>

Sent: Thursday, June 13, 2024 8:23 AM

To: Joey Sanders <joey.sanders@vpsfl.org>

Subject: Re: 3594 Almar RD

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.

Hi Joey

It was very nice to meet you too. We will get on the problems that we talk about. I notified the tenant about the canopy and all the buckets on her side as well as my landscaper. I have not heard from either one not to surprising. I am leaving Friday and will be back on wed of next.

Two things though my landscaper ask if we are allowed to put stuff by the road have you heard if it is ok and the other thing is I am still having a problem making the actual payment of \$112 for both units it does not want to accept my payment. Very strange will they accept a check at the town office? As I would like to get that behind me.

Like I said it was very nice to meet you I hope you have a great day

Jason

Sent from my iPhone

On Jun 11, 2024, at 4:31 PM, Joey Sanders <joey.sanders@vpsfl.org> wrote:

Good afternoon Jason,

It was a pleasure meeting with you and your dad at the property today. Per our conversation, please see the attached rental permit application as well as the instructions to submit the application to the VPS.

Please feel free to reach out to me if you have any questions and/or need any further assistance.

Have a great day.

Respectfully,

<Outlook-
s2jzvlmy.png>

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

<VPS Rental License Application and Portal Instructions.pdf>

Property Detail

Location Address : 3594 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5920
Subdivision :
Official Records Book/Page : 25206 / 1719
Sale Date : MAY-2012
Legal Description : 24-44-42, N 80 FT OF S 280 FT OF ELY 130 FT OF WLY 260 FT OF E 1/2 OF NE 1/4 OF NW 1/4 OF SE 1/4 (LESS W 20 FT RD R/W)

Owner Information**Owner(s)**

SJCB PROPERTIES LLC

Mailing Address
 1294 BEACON CIR
 WELLINGTON FL 33414 3152
Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAY-2012	\$85,000	25206 / 01719	WARRANTY DEED	SJCB PROPERTIES LLC
JAN-2012	\$60,200	24949 / 00141	CERT OF TITLE	HOLMES PROPERTIES LLC
AUG-2006	\$297,500	20766 / 01926	WARRANTY DEED	ACUNA JOSE A
DEC-1992	\$58,000	07542 / 01566	WARRANTY DEED	ACEVEDO MARCOS O
AUG-1987	\$100	05392 / 00191	QUIT CLAIM	
JAN-1974	\$100	02339 / 01736		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 2
***Total Square Feet :** 1850
Acres : 0.2020
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	\$218,531	\$177,474	\$144,946	\$104,690	\$130,861
Land Value	\$128,991	\$147,716	\$154,856	\$85,593	\$78,000
Total Market Value	\$347,522	\$325,190	\$299,802	\$190,283	\$208,861

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$202,742	\$184,311	\$167,555	\$152,323	\$138,475
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$202,742	\$184,311	\$167,555	\$152,323	\$138,475

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$4,853	\$4,521	\$4,217	\$3,397	\$3,369
NON AD VALOREM	\$639	\$632	\$597	\$527	\$525
TOTAL TAX	\$5,492	\$5,152	\$4,814	\$3,923	\$3,894

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



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company

SJCB PROPERTIES, LLC

Filing Information

Document Number	L11000002932
FEI/EIN Number	36-4688445
Date Filed	01/06/2011
State	FL
Status	ACTIVE
Last Event	LC NAME CHANGE
Event Date Filed	01/13/2011
Event Effective Date	NONE

Principal Address

1294 Beacon Circle
Wellington, FL 33414

Changed: 03/08/2013

Mailing Address

1294 Beacon Circle
Wellington, FL 33414

Changed: 03/08/2013

Registered Agent Name & Address

NASON, YEAGER, GERSON, HARRIS & FUMERO, P.A
3001 PGA BOULEVARD
SUITE 305
PALM BEACH GARDENS, FL 33410

Address Changed: 07/07/2021

Authorized Person(s) Detail

Name & Address

Title MGRM

HURLEY, JASON AMGRM
1294 BEACON CIRCLE
WELLINGTON, FL 33414



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00

CHECK OUT



[Return](#)

[New Search](#)

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[View Assessment Data](#)



Account Information

Property Control Number:
70-42-44-24-00-000-5920

Mailing Address:
1294 BEACON CIR
Wellington, FL 33414-3152

Owner of Record:
SJCB PROPERTIES LLC

Property Type:
Real Property

Property Address:
3594 ALMAR
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
24-44-42, N 80 FT OF S 280 FT OF ELY
130 FT OF WLY 260 FT OF E 1/2 OF NE
1/4 OF NW 1/4 OF SE 1/4 (LESS W 20 FT
RD R/W)

Last updated: 10/07/2024 12:34:13 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: 2024-66

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

**SJCB PROPERTIES LLC
3594 ALMAR ROAD
LAKE WORTH BEACH, FL 33461**

**MAILING ADDRESS:
1294 BEACON CIRCLE
WELLINGTON, FL 33414 3152**

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 10-8: Weeds. Remove all weeds attached to the fence.

**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/parking. Remove all inoperative and/or unregistered
vehicles off the property and remove all vehicles parked on the grass.**

**SECTION 34-913: Commercial vehicles. Remove prohibited white pickup off the
property.**

**SECTION 10-9: Exterior property maintenance. Remove all black discoloration off
the fascia.**

Address: 3594 ALMAR ROAD

Legal Description: 24-44-42, N 80 FT OF S 280 FT OF ELY 130 FT OF WLY 260 FT
OF E 1/2 OF NE 1/4 OF NW 1/4 OF SE 1/4 (LESS W 20 FT RD
R/W)

PCN: 70-42-44-24-00-000-5920

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 17th day of October 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 10-8: Weeds. Remove all weeds attached to the fence.**
 - ☐ **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/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.**
 - ☐ **SECTION 34-913: Commercial vehicles. Remove prohibited white pickup off the property.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Remove all black discoloration off the fascia.**
- ☐ 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 10-8: Weeds. Remove all weeds attached to the fence.**
 - ☐ **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/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.**
 - ☐ **SECTION 34-913: Commercial vehicles. Remove prohibited white pickup off the property.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Remove all black discoloration off the fascia.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **November 1st, 2024:**
- ☐ Administrative costs of **\$276.60**
 - ☐ 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 **November 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 **November 1st, 2024.**

- ☐ Administrative costs of **\$276.60**
- ☐ 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 17th day of October 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:

[3594 Almar Road](#)
[Lake Worth, FL 33461](#)

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 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.

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 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) 534-8300 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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 - 66 *6752*

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

Logan 10-7-24

Disting 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:

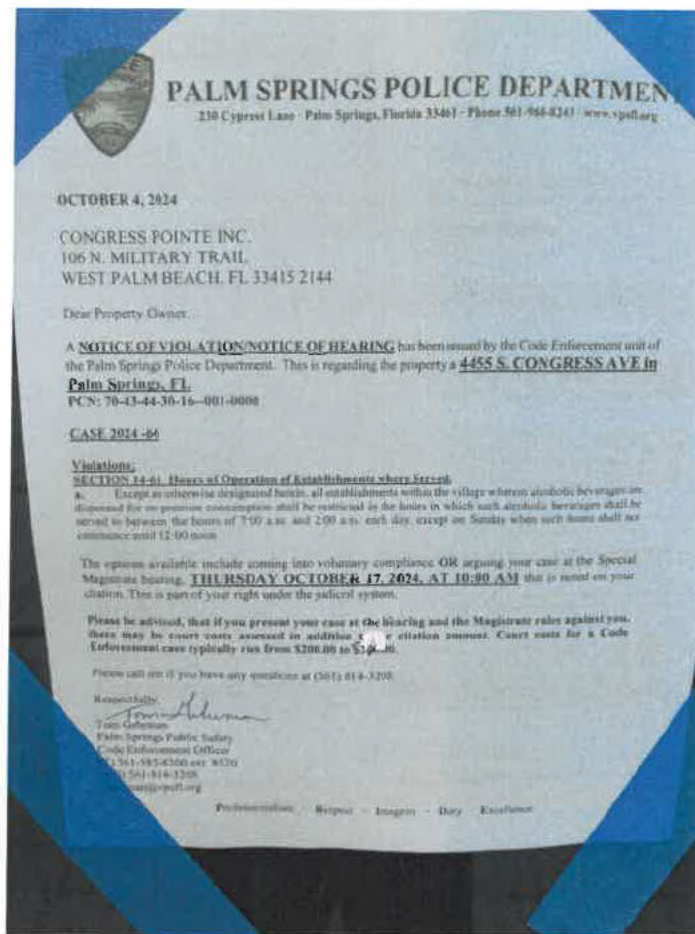
_____ **INDIVIDUAL SERVICE:** By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.

_____ **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 Lehmann



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

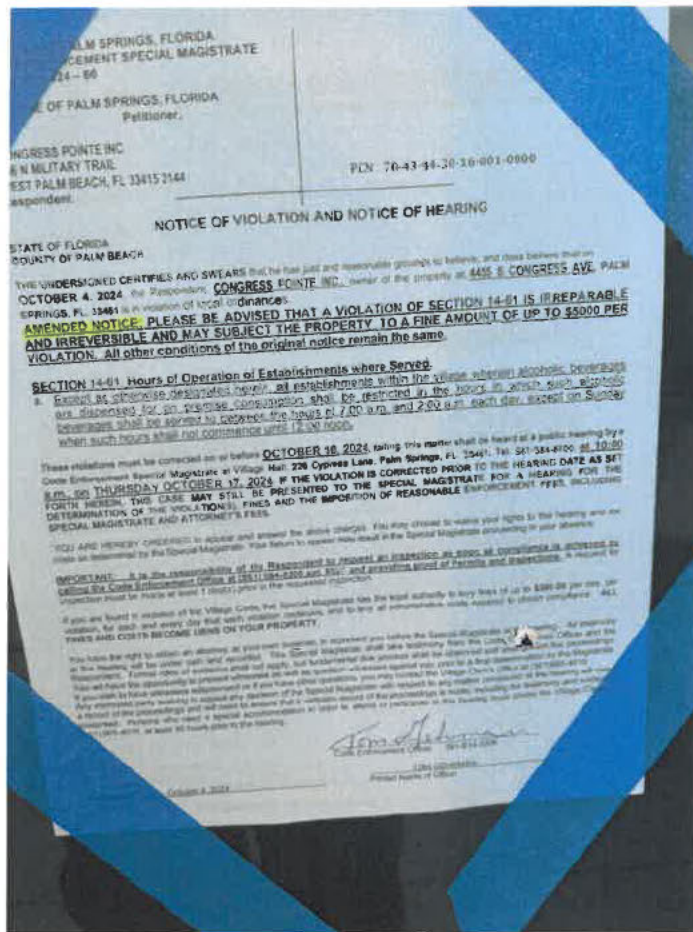
4469 S. Congress Ave
EL BRITO
(IN PLAZA)



10/7/2024 3:02:26 PM



10/7/2024 3:02:37 PM



10/11/2024 2:44:26 PM

2024-671671A

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

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 *6714*
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

Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

(T) 561-583-8300 ext. 8520 (cell) 561-814-3208 tgehrman@vpsfl.org



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 *RA*

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

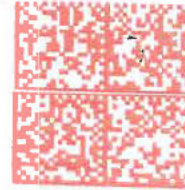
Professionalism • Respect • Integrity • Duty • Excellence



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



9589 0710 5270 1045 6817 01



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁹

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

\$000.69⁹

10/07/2024 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

CASE PRESENTATION
CASE No. CASE 2024- 67

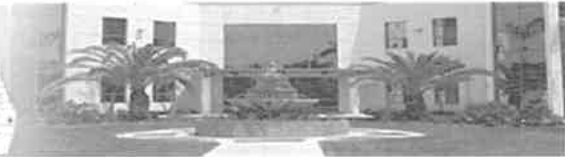
1. GOOD MORNING, MY NAME IS TOM GEHRMAN, and I have been sworn in.
2. I AM A CODE ENFORCEMENT OFFICER FOR THE VILLAGE OF PALM SPRINGS, FLORIDA.
3. THIS CASE CONCERNS THE PROPERTY AT 4455 S CONGRESS AVENUE IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS 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 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 and not to exceed \$5000.00.

This ongoing violation of SECTION 14-61 occurred as recently as Friday October 11 and Saturday October 12 the Palm Springs Police advised the Proprietor of El Torito to close the club at 2:00 am. The Proprietor refused to close the club.
5. On October 4, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-67 for 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.
6. Section 14-61 Requires very specific "Hours of Operation of Establishments where Served(alcohol). Congress Point Plaza continues to have after hour on premises consumption of alcoholic beverages in violation of Section 14-61. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE by OCTOBER 18, 2024**. Failure to comply can result in fines NTE \$5000.00, 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 28, 2024.
8. Subject to any questions you might have, this concludes the Village testimony.



The Village of Palm Springs FLORIDA



Case Administrative Costs

October 17, 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	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	1.00	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 2024-67				230.60



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]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

24-24725 S-75 4469 S. Congress Ave.

→ E. Torino
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 10/11/24 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]

24-24604 S-75 4469 S. Congress Ave.

S. Tiburcio
4455 S. Congress Ave
Congress Point Plaza

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]

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 03/26/2024 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**

My contact info:

561-584-8300

EXT: #8525

☐ 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~~

VILLAGE OF PALM SPRINGS, FLORIDA

DATE

03/26/2024 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 06:28 AM**
Dispatched Location **TACOS AL CARBON** Arrived **3/24/2024 06:26 AM**
Actual Location **TACOS AL CARBON** 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

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 #	
(561) 932-2882			

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, [REDACTED]. [REDACTED] stated that they were serving food and alcohol until 6:00 a.m. [REDACTED] stated that she was in charge and that the Manager, Alicia (unknown last name), was not present. [REDACTED] was advised of the ordinance and provided with a case card. [REDACTED] 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 : 3.7780
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
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	\$25,577	\$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

Owner Information

Owner(s)	Mailing Address
CONGRESS POINTE INC	106 N MILITARY TRL WEST PALM BEACH FL 33415 2144

Sales Information

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

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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
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Exemption Information

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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.pbcpcap.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



**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
\$5,000.00 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 **19th** day of **December 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, PO Case # 24-26951.

11/8/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-27536.

11/9/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-27661.

11/16/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28282.

11/17/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28377.

11/22/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28850.

12/6/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-30196.

12/7/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-30293.

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5,000.00 X 13 (nights) = \$65,000.00.

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 \$5,000.00 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, 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. \$5,000.00, PO Case # 24-26951.

11/8/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-27536.

11/9/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-27661.

11/16/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28282.

11/17/24 Shift Bravo, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28377.

11/22/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-28850.

12/6/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-30196.

12/7/24 Shift Delta, Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00, PD Case # 24-30293.

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5,000.00 X 13 (nights) = \$65,000.00.

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 \$5,000.00 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 31, 2024:**
- ☐ Administrative costs of **\$361.76**
 - ☐ Citation fine of **\$ 65,000.00**
 - ☐ 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 **December 20, 2024**. If Respondent fails to comply within the time given, a fine of **not to exceed \$5000.00 (Irreparable or Irreversible violation) per day**, will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 31, 2024**.
- ☐ Administrative costs of **\$361.76**
 - ☐ Citation fine of **\$ 65,000.00**
 - ☐ 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 19th day of December 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](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-54

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
2552 PETERS ROAD
STE B
FORT PIERCE, FL 34945 2635
Respondent(s).

9489 0178 9820 3019 8764 70

PCN 70-42-44-12-40-001-0020

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he/she has just and reasonable grounds to believe, and does believe that on **OCTOBER 05, 2024**, the Respondent(s), **JERJO HOLDINGS LLC** owner(s) of the property at **801 RICH DRIVE B, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

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

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

These violations must be corrected on or before **OCTOBER 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, Tel. 561-584-8300 Ext 8520, **on THURSDAY OCTOBER 17, 2024 at 10:00AM**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

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

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

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



Code Enforcement Officer 561-584-8300 ext. 8521

NICOLE TAMAYO
Printed Name of Officer

Date Issued: OCTOBER 05, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-54

RETURN OF SERVICE

**JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
2552 PETERS ROAD, STE B
FORT PIERCE, FL 34945 2635**

Respondent

On the **05th Day of October 2024 at 03:52 PM**, I served the attached Notice of Hearing on the within named Respondent(s), **JERJO HOLDINGS LLC at 801 RICH DRIVE B**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

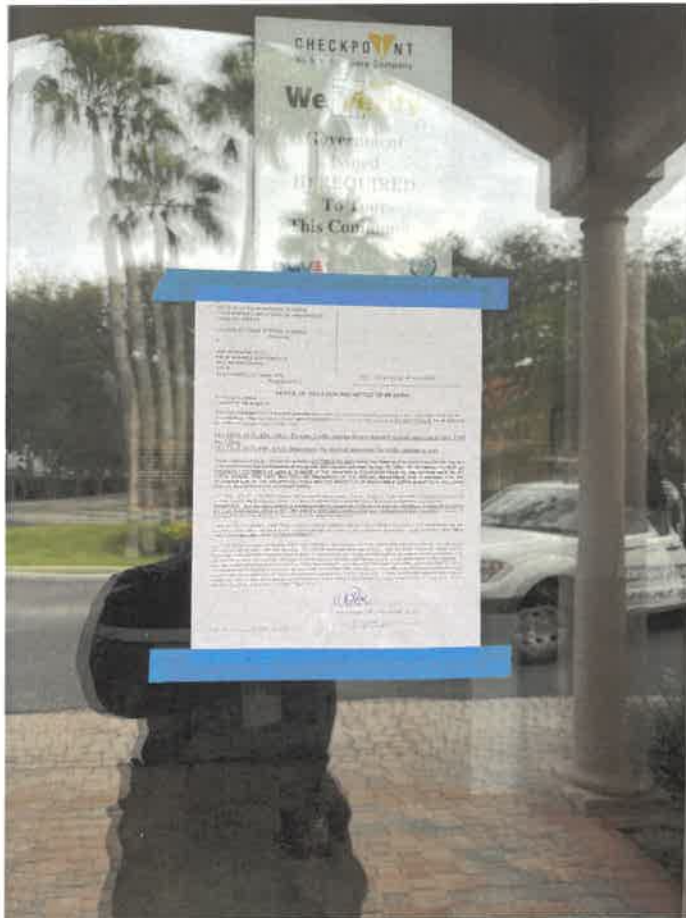
_____ **SUBSTITUTE SERVICE:** By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: _____ and informing such person of their contents pursuant to F.S. 48.031.

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

VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT

By: _____





801 RICH DR - NOV POSTING (1) 10.05.24 - 0352PM.jpg



801 RICH DR - NOV POSTING (2) 10.05.24 - 0352PM.jpg



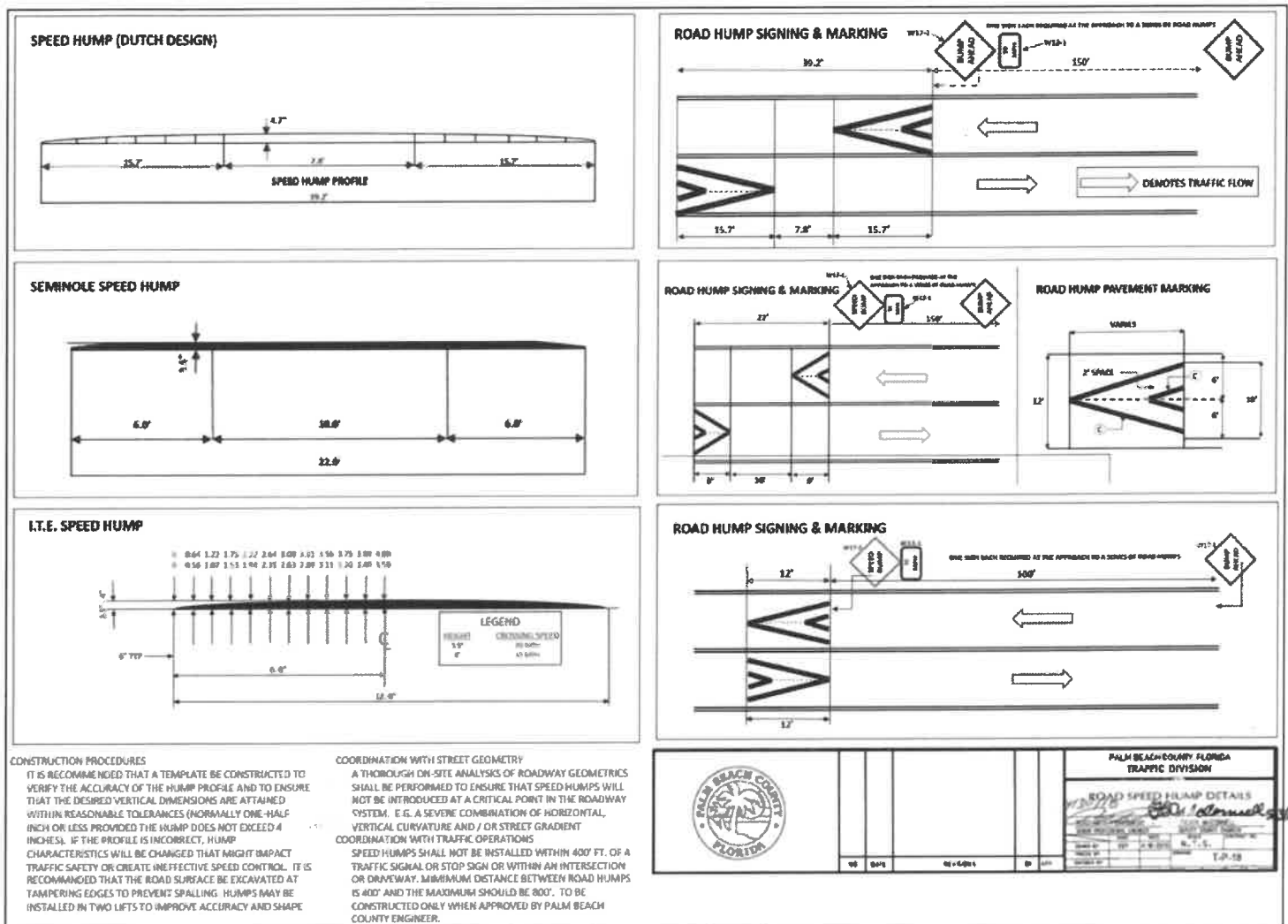






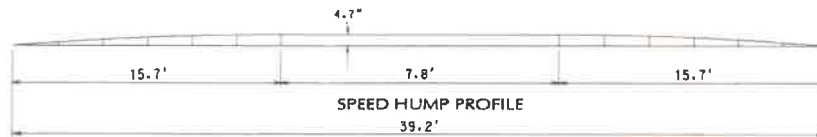
18.2.3.5.7.1 Traffic Calming Devices. Traffic calming devices, if installed, shall meet the requirements set forth by the Palm Beach County Traffic Division. See Figure 18.2.3.5.7.1 and Figure 18.2.3.5.7.2 for details.

Figure 18.2.3.5.7.1, Speed Humps

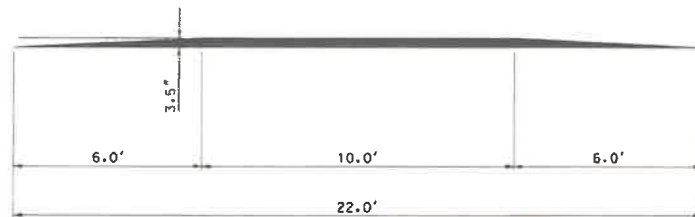


PMT_08DGN 5/1/2018 11:10:17AM

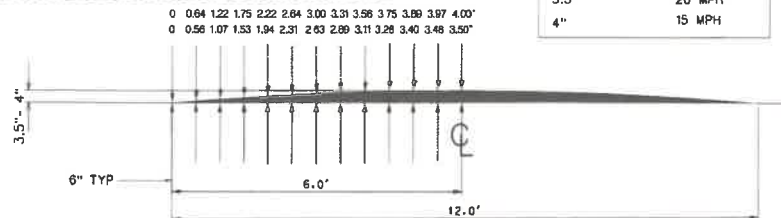
SPEED HUMP (DUTCH DESIGN)



SEMINOLE SPEED HUMP



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



COORDINATION WITH STREET GEOMETRY

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

COORDINATION WITH TRAFFIC OPERATIONS

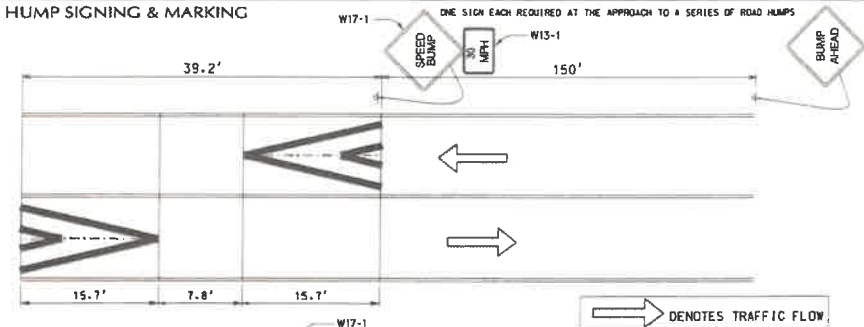
SPEED HUMPS SHOULD NOT BE INSTALLED WITHIN 400' FT. OF A TRAFFIC SIGNAL OR WITHIN 150' FROM AN INTERSECTION OR STOP SIGN. MINIMUM DISTANCE BETWEEN SPEED HUMPS IS 400' AND THE MAXIMUM SHOULD BE 800'. TO BE CONSTRUCTED ONLY WHEN APPROVED BY PALM BEACH COUNTY ENGINEER.

CONSTRUCTION PROCEDURES

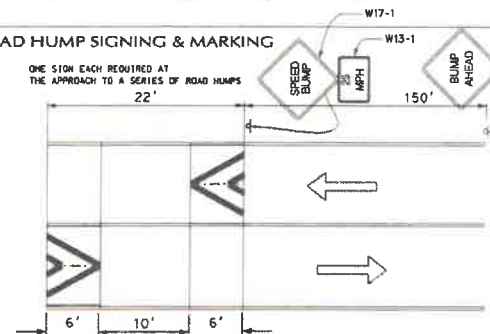
IT IS RECOMMENDED THAT A TEMPLATE BE CONSTRUCTED TO VERIFY THE ACCURACY OF THE HUMPS PROFILE AND TO ENSURE THAT THE DESIRED VERTICAL DIMENSIONS ARE ATTAINED WITHIN REASONABLE TOLERANCES (NORMALLY ONE-HALF INCH OR LESS, PROVIDED THE HUMPS DOES NOT EXCEED 4 INCHES). IF THE PROFILE IS INCORRECT, HUMPS CHARACTERISTICS WILL BE CHANGED THAT MIGHT IMPACT TRAFFIC SAFETY OR CREATE INEFFECTIVE SPEED CONTROL.

IT IS RECOMMENDED THAT THE ROAD SURFACE BE EXCAVATED AT TAPERING EDGES TO PREVENT SPALLING. HUMPS MAY BE INSTALLED IN TWO LIFTS TO IMPROVE ACCURACY AND SHAPE.

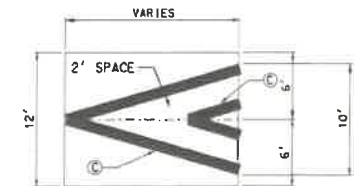
ROAD HUMP SIGNING & MARKING



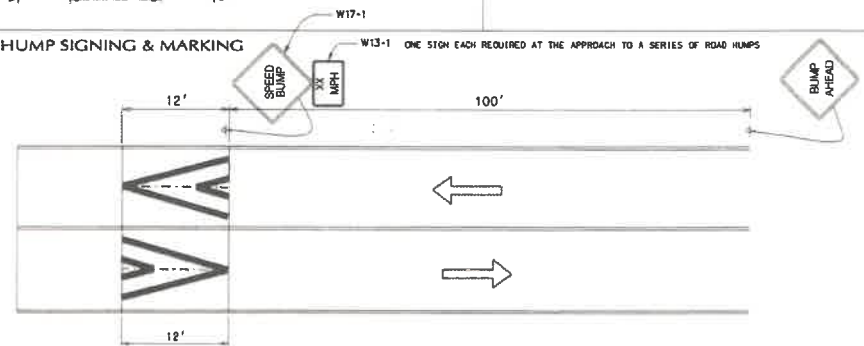
ROAD HUMPSIGNing & MARKing



ROAD HUMP PAVEMENT MARKINGS



ROAD HUMPSIGNING & MARKING



1	07/07/21	ADDED I.T.E SPEED HUMP AND NOTE CHANGE. EL			PALM BEACH COUNTY, FLORIDA TRAFFIC DIVISION TYPICAL
					ROAD SPEED HUMP DETAILS
					MOTASEM AL-TURK
					DIRECTOR - TRAFFIC DIVISION
					DATE: OCT 4-18-2010
					N. T. S.
					T-P-21
NO. DATE	REVISIONS		BY APP	SHEET	L OF 13 SHEETS



Palm Beach County Fire Rescue

405 Pike Road, West Palm Beach, FL 33411

Phone (561) 616-7030 Fax (561) 616-7082

discover.pbcgov.org/pbcfr/crrd



Occupant Name:	PALM SPRINGS APARTMENTS CLUBHOUSE	Inspection Date:	10/2/2024
Address:	801 RICH Drive	InspectionType:	Other/Misc.
Suite:	SHELL	Property Use Type:	Clubhouse
City:	PALM SPRINGS	Local File ID:	
State:	FL	Zone:	70
Zip Code:	33406	Inspected By:	Dennis Rudolph 561-267-2084 DRRudolph@pbcgov.org

District: 470

Insp. Result	Location	Code Set	Code
Fail		FL NFPA 1 2021 Chapter 18 Fire Department Access and Water Supply	18.2.3.5.7 - Traffic Calming Devices.

Inspector Comments:

The design and use of traffic calming devices shall be approved by the AHJ.

ACTION REQUIRED: All traffic calming devices shall be removed. New traffic calming devices must be approved before install. Fire Rescue review and approval is required before and after install.

ALL VIOLATIONS MUST BE ABATED IMMEDIATELY.

The violations must be corrected by **10/16/2024**.

CERTIFICATE OF COMPLETION:

I certify that the violation(s) indicated above, have been properly corrected.

Signature

Print Name

Date

Any violations requiring additional supporting documentation to clear the violations will be noted. Please mail, email, or fax this certification with any required supporting documents to your fire inspector within the time limit for correction, as specified by your inspector. Contact information is listed at the top of this worksheet.

FAILURE TO CORRECT VIOLATIONS MAY RESULT IN CIVIL OR CRIMINAL PENALTIES OR IN A CITATION TO APPEAR IN COURT.

Palm Beach County Fire Rescue Thanks You for Keeping Your Business, Customers and the Citizens and Guests of Palm Beach County Safe!



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 05, 2024

JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
2552 PETERS ROAD
STE B
FORT PIERCE, FL 34945 2635

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 **801 RICH DRIVE B in Palm Springs, FL.**
PCN: 70-42-44-12-40-001-0020

VIOLATION/HEARING CASE 2024-54

SECTION 10-31 (FBC 105.1): Permits. Traffic calming devices installed without permits from the Village.
SECTION 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.

The options available include coming into voluntary compliance on or before **OCTOBER 15, 2024, OR** arguing your case at the Special Magistrate hearing, **THURSDAY OCTOBER 17, 2024, AT 10:00 AM.** This is part of your right under the judicial system.

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

Please feel free to call/text me if you have any questions or concerns at (561)801-9162.

Respectfully,

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

ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN THE SOUTHEASTERN...

USPS Tracking®

FAQs >

Tracking Number:

Remove X

9489017898203019876470

Copy

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

Expected Delivery by

THURSDAY

10

October
2024 ⓘ

by

9:00pm ⓘ

Your item arrived at our USPS facility in WEST PALM BEACH FL DISTRIBUTION CENTER on October 7, 2024 at 9:35 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Arrived at USPS Regional Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

October 7, 2024, 9:35 pm

Accepted at USPS Origin Facility

LAKE WORTH, FL 33461

October 7, 2024, 8:20 pm

See All Tracking History

Feedback

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



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



quadiant
FIRST-CLASS MAIL
IMI
\$000.69⁰
10/05/2024 ZIP 33480
043M31255277

US POSTAGE

JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
2552 PETERS ROAD
STE B
FORT PIERCE, FL 34945 2635



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



CERTIFIED MAIL[®]



9489 0178 9820 3019 8764 70

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IMI
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10/05/2024 ZIP 33480
043M31255277

US POSTAGE

JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
2552 PETERS ROAD
STE B
FORT PIERCE, FL 34945 2635

Florida Building Code (FBC) PERMITS

FBC 105.1 Required. Any contactor, owner, or agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical, plumbing, or fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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

FBC 110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official, nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

CASE PRESENTATION
CASE No. 2024-54

1. Good morning, my name is NICOLE TAMAYO, and I have been sworn in.
2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.
3. This is Case No. 2024-54. This case concerns the property at 801 RICH DRIVE B 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(s) of the property is/are JERJO HOLDINGS LLC.
5. Pursuant to observation there are Violations of local ordinances.
SECTION 10-31 (FBC 105.1): Permits. Traffic calming devices installed without approved permits from the Village.
SECTION 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.
6. Code Enforcement received information from Palm Beach County Fire Rescue that the speed humps installed throughout both parcels do not meet the requirements of the Local PBCFR Amendments. The existing speed humps pose a public safety threat by delaying the response time of Emergency vehicles in the event of an emergency. PBCFR advised they notified the corporate office of the violation. The corporate office has failed to make the necessary corrections and refused to remove the existing traffic calming devices.
7. On OCTOBER 05, 2024, Notice of Violation/ Notice of Hearing 2024-54 was issued for the Violations. The notice was mailed certified and regular to the respondents address of record and posted at the property and at Village Hall. The digital status of the Certified Mail letter appears as delivered as of October 10, 2024. The Village is asking that proper permits and passing inspections be obtained. Failure to do so will result in a \$100.00 per day, per violation fine to be assessed towards the property.
8. The Village has also incurred costs in the amount of \$196.60 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than OCTOBER 31, 2024.
9. Subject to any questions you might have, this concludes the Village Testimony.



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

OCTOBER 17, 2024, 801 RICH DRIVE B

Case No. 2024-54

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	1.00	20.00	20.00
6	Additional certified copies for hearing	1.00	8.16	8.16
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.69	0.69
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case No. 2024-54				196.60

Property Detail

Location Address : 801 RICH DR B → case #2024-54
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-12-40-001-0020
Subdivision : PALM SPRINGS ADDITION FIRST REPLAT
Official Records Book/Page : 29748 / 228
Sale Date : MAR-2018
Legal Description : PALM SPRINGS ADDITION FIRST REPLAT PAR A (LESS WLY 260.40 FT) K/A APARTMENT TR

Owner Information**Owner(s)**

JERJO HOLDINGS LLC

Mailing Address

2552 PETERS RD STE B
FORT PIERCE FL 34945 2635

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAR-2018	\$10	29748 / 00228	WARRANTY DEED	JERJO HOLDINGS LLC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 104
***Total Square Feet :** 95007
Acres : 6.7983
Property Use Code : 0300—MULTIFAMILY 10 UNITS OR MORE
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$9,908,779	\$9,798,284	\$10,481,354	\$7,943,214	\$7,777,275
Land Value	\$3,120,000	\$3,120,000	\$1,965,600	\$1,687,192	\$1,687,192
Total Market Value	\$13,028,779	\$12,918,284	\$12,446,954	\$9,630,406	\$9,464,467

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$12,818,071	\$11,652,792	\$10,593,447	\$9,630,406	\$9,464,467
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$12,818,071	\$11,652,792	\$10,593,447	\$9,630,406	\$9,464,467

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$250,380	\$236,468	\$224,205	\$198,252	\$196,541
NON AD VALOREM	\$31,711	\$31,277	\$29,426	\$25,755	\$25,636
TOTAL TAX	\$282,091	\$267,745	\$253,631	\$224,007	\$222,177

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

Account Information

Property Control Number:

70-42-44-12-40-001-0020

Mailing Address:

2552 PETERS RD STE B
Fort Pierce, FL 34945-2635

Owner of Record:

JERJO HOLDINGS LLC

Property Type:

Real Property

Property Address:

801 RICH B
PALM SPRINGS, FL 33406

Second Owner:

Status: Active

Legal Description:

PALM SPRINGS ADDITION FIRST REPLAT PAR A (LESS
WLY 260.40 FT) K/A APARTMENT TR

Last updated: 10/08/2024 11:05:36 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	☐ \$257,035.53 Net Tax: \$267,745.35 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$10,709.82	11/29/23		-\$257,035.53 ● Paid
3/31/23	☐ \$243,486.12 Net Tax: \$253,631.37 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$10,145.25	11/29/22		-\$243,486.12 ● Paid
3/31/22	☐ \$215,046.49 Net Tax: \$224,006.76 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$8,960.27	11/24/21		-\$215,046.49 ● Paid
3/31/21	☐ \$213,289.61 Net Tax: \$222,176.68 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$8,887.07	11/25/20		-\$213,289.61 ● Paid
3/31/20	☐ \$211,886.32 Net Tax: \$220,714.92 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$8,828.60	11/20/19		-\$211,886.32 ● Paid

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CODE CASE: 2024-54

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

JERJO HOLDINGS LLC
PALM SPRINGS APARTMENTS
801 RICH DRIVE B
PALM SPRINGS, FL 33461

MAILING ADDRESS:
2552 PETERS ROAD, STE B
FORT PIERCE, FL 34945 2635
Respondent(s).

ORDER FINDING VIOLATION

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

- SECTION 10-31 (FBC 105.1): Permits. Traffic calming devices installed without approved permits from the Village.**
SECTION 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.

Address: 801 RICH DRIVE B
Legal Description: PALM SPRINGS ADDITION FIRST REPLAT PAR A (LESS WLY 260.40 FT) K/A APARTMENT TR
PCN: 70-42-44-12-40-001-0020

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 17th day of October 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

- ☐ **SECTION 10-31 (FBC 105.1): Permits. Traffic calming devices installed without approved permits from the Village.**
☐ **SECTION 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.**

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

- ☐ **SECTION 10-31 (FBC 105.1): Permits. Traffic calming devices installed without approved permits from the Village.**
- ☐ **SECTION 10-31 (FBC 110.1): Inspections. No required inspections for traffic calming devices.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024:**
 - ☐ Administrative costs of **\$196.60**
 - ☐ 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 **October 31, 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 **October 31, 2024.**
 - ☐ Administrative costs of **\$196.60**
 - ☐ 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 Nicole Tamayo at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

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

DONE AND ORDERED this 17th day of October 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: _____

Special Magistrate

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

2552 PETERS ROAD, STE B
FORT PIERCE, FL 34945 2635

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-00659

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

POSE ALEXIS A
352 GREENBRIER DRIVE
PALM SPRINGS FL 33461

PCN 70-43-44-18-07-012-0350

Respondent(s).

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 12, 2024, the Respondent (POSE ALEXIS A owner(s) of the property at 352 GREENBRIER DRIVE PALM SPRINGS, FL, 33461 violates local ordinances.

SECTION 34-914(H)-No major repairs or overhaul work on vehicles that constitute either a public or private

nuisance shall be made or performed on any property within the village unless permitted by this Code.

SECTION 34.914(I)- All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boats and

trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition always, and shall have a current tag, if required by state law to have a registration and tag

SECTION 34-893- CANOPIES ARE PROHIBITED.

FLORIDA STATUE 320.60-Florida Statute 320.60 is a law that requires motor vehicle manufacturers, importers, or distributors to be licensed under ss. 320.60 - 320.70 before selling, leasing, or offering for sale or lease any motor vehicle in Florida1. Any person who repairs or services three or more motor vehicles or used motor vehicles, or who buys, sells, or deals in three or more motor vehicles in any 12 months, is presumed to be a motor vehicle dealer

These violations must be corrected on or before OCTOBER 16TH, 2024, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8523, on THURSDAY OCTOBER 17TH, 2024 at 10:00 AM. SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS SET FORTH HEREIN. IN THAT CASE, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8523 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) before the requested inspection.

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

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

CE/ CEB Case No. 2024-17



Code Enforcement Officer 561-584-8300 ext. 8523

HENRY L. STOUT

Printed Name of Officer

Date Issued: OCTOBER 2, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-59

RETURN OF SERVICE

**POSE ALEXIS A
352 GREENBRIER DRIVE
LAKE WORTH BEACH FL 33461
Respondent**
_____ /

On the **02ND** Day of **October 2024** at **2:33 PM**, I served the attached NOTICE OF HEARING on the within-named Respondent(s), **POSE ALEXIS A** at **352 GREENBRIER DRIVE**, LAKE WORTH BEACH FL 33461, and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

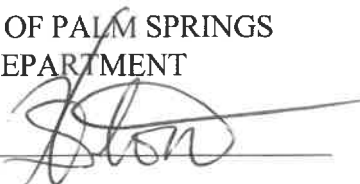
_____ INDIVIDUAL SERVICE: By serving the within-named Respondent a true copy with the date and hour of service endorsed thereon by me.

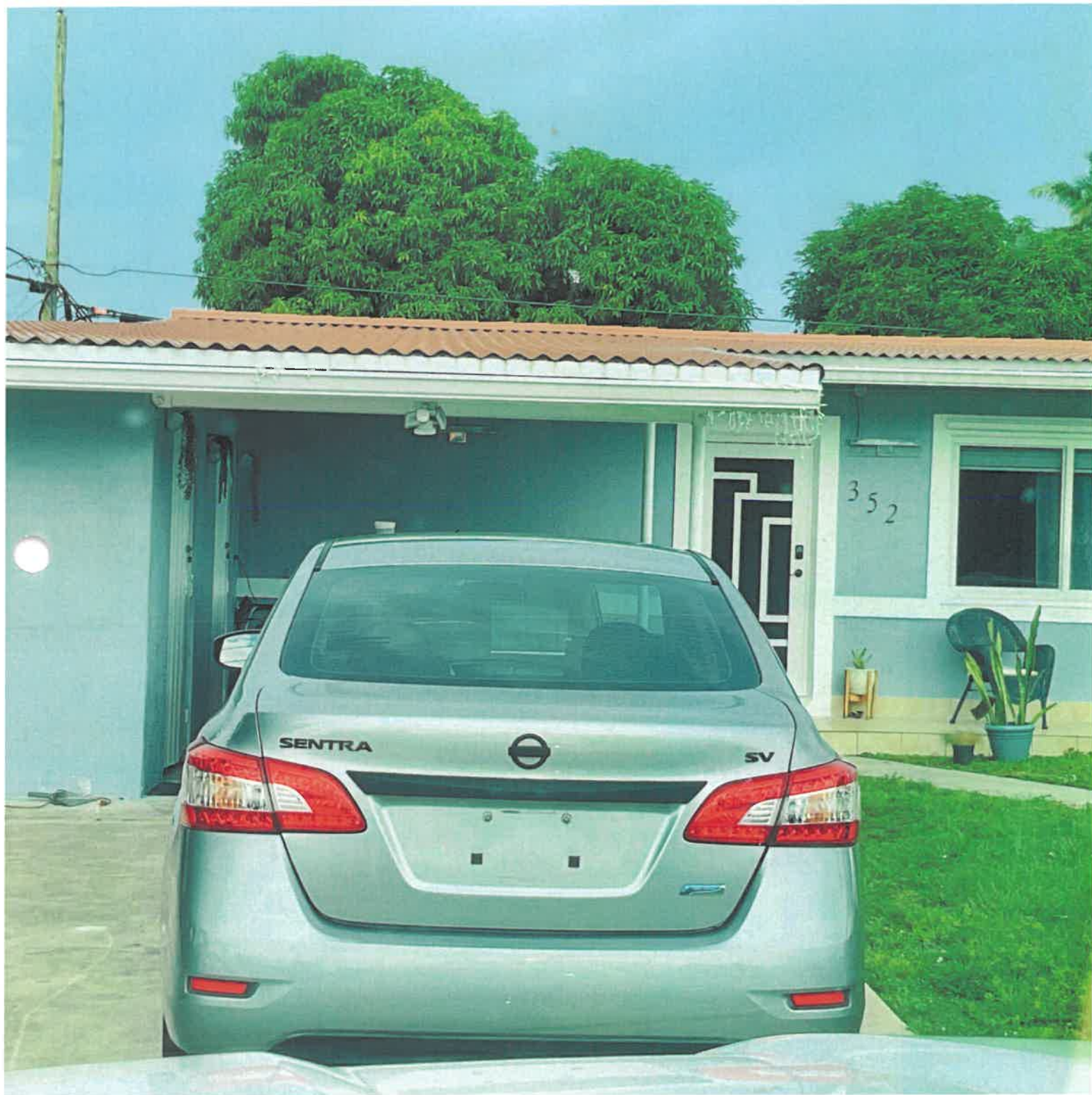
_____ SUBSTITUTE SERVICE: By serving a true copy with the date and hour of service endorsed thereon by me, at the Respondent's usual place of abode with any person residing therein the age of 15 years or older, to-wit: _____ and informing such person of their contents under F.S. 48.031.

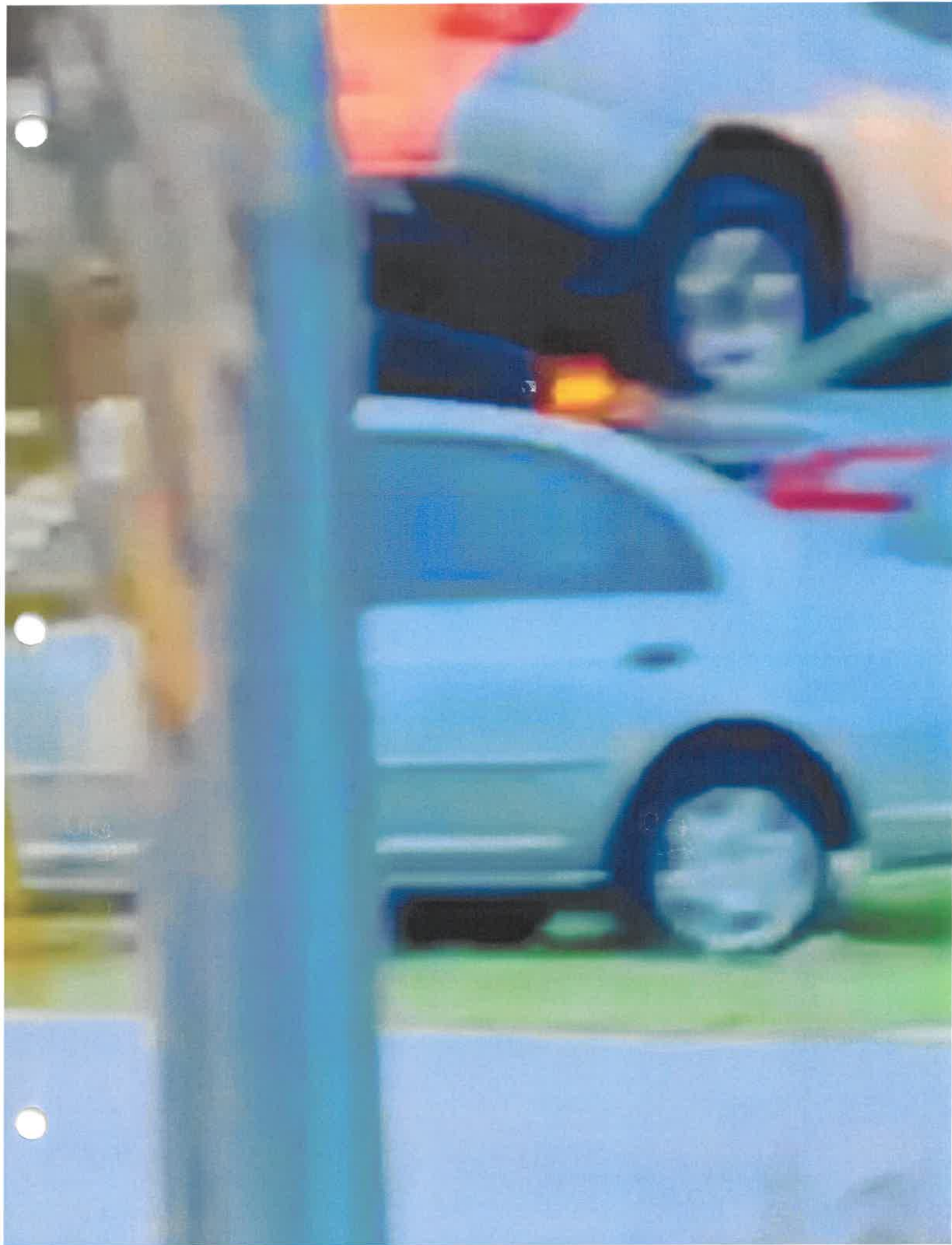
_____ **XX** POSTED BY: Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

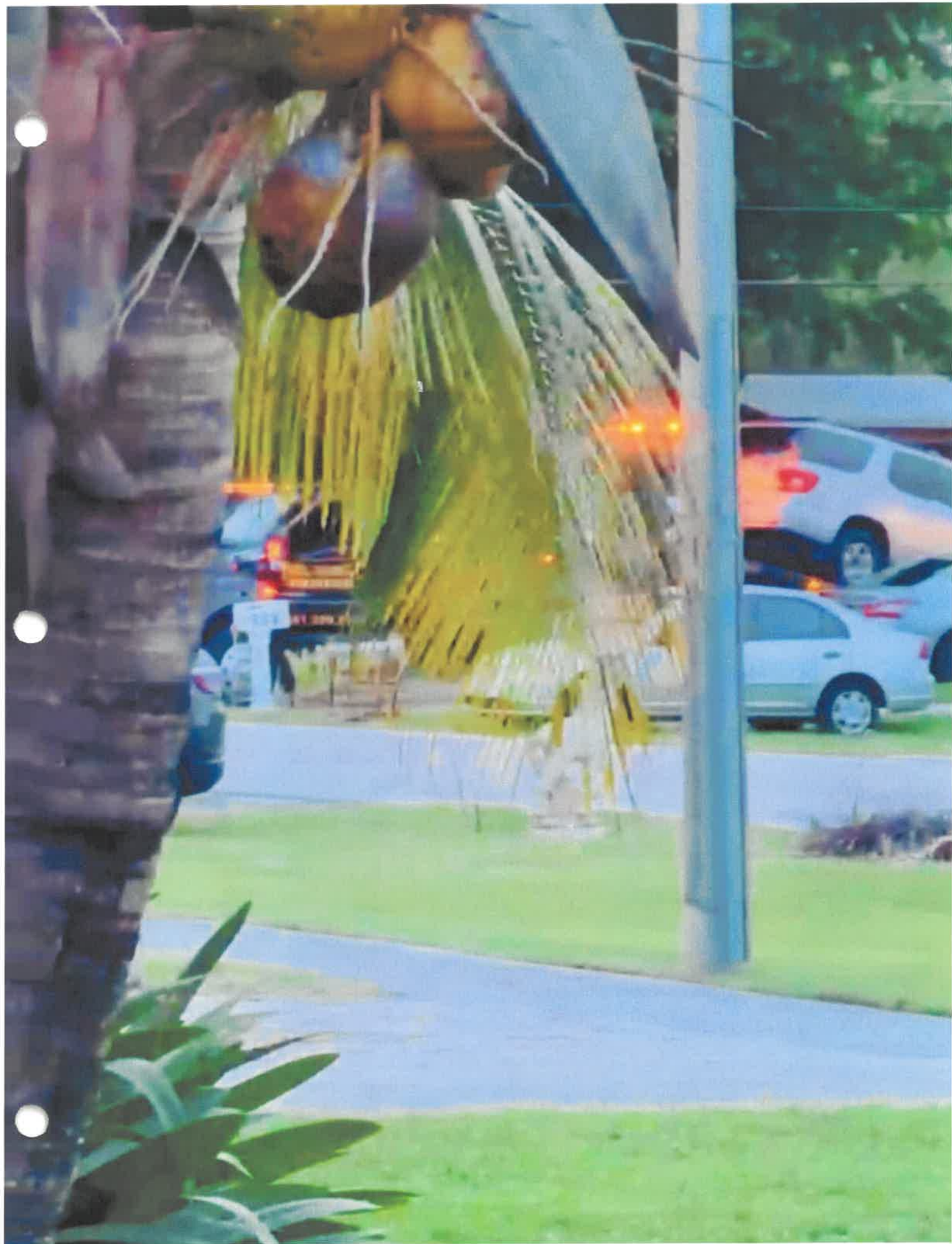
VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT

By: _____















PALM SPRINGS POLICE DEPARTMENT

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

October 02nd, 2024

POSE ALEXIS A
352 GREENBRIER DRIVE
LAKE WORTH, FLORIDA 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 **352 GREENBRIER DRIVE, LAKE WORTH, FL 33461**

PCN: 70-43-44-18-07-012-0350

VIOLATION/HEARING CASE 2024-59

SECTION 34-914(H)-No major repairs or overhaul work on vehicles that constitute either a public or private nuisance shall be made or performed on any property within the village unless permitted by this Code.

SECTION 34.914(I)- All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boats and

trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition always, and shall have a current tag, if required by state law to have a registration and tag

SECTION 34-893- CANOPIES ARE PROHIBITED.

FLORIDA STATUTE 320.60-Florida Statute 320.60 is a law that requires motor vehicle manufacturers, importers, or distributors to be licensed under ss. 320.60 - 320.70 before selling, leasing, or offering for sale or lease any motor vehicle in Florida1. Any person who repairs or services three or more motor vehicles or used motor vehicles, or who buys, sells, or deals in three or more motor vehicles in any 12 months, is presumed to be a motor vehicle dealer.

The options available include coming into voluntary compliance on or before **OCTOBER 16TH, 2024, OR** arguing your case at the Special Magistrate hearing, **on Thursday, OCTOBER 17th, 2024, AT 10:00 AM.** This is part of your right under the judicial system.

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

Please feel free to call/text me if you have any questions or concerns at (561)801-9217.

Respectfully,

HENRY L. STOUT
Code Enforcement Officer
Palm Springs Police Department
Cell: 561-801-9217
Office: 561-584-8300 ext. 8523
HSTOUT@vpsfl.org
www.vpsfl.org

9489 0178 9820 3019 8764 01



UNITED STATES
POSTAL SERVICE

CERTIFIED MAIL®



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CODE ENFORCEMENT
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10/02/2024 ZIP 33480
Q43M31255277

US POSTAGE

POSE ALEXIS A
352 GREENBRIER DR
PALM SPRINGS, FL 33461

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)

Select Year: 2024 ▼

The 2024 Florida Statutes

[Title XXIII](#)
MOTOR VEHICLES

[Chapter 320](#)
MOTOR VEHICLE LICENSES

[View Entire Chapter](#)

320.27 Motor vehicle dealers.—

(1) DEFINITIONS.—The following words, terms, and phrases when used in this section have the meanings respectively ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(a) “Department” means the Department of Highway Safety and Motor Vehicles.

(b) “Motor vehicle” means any motor vehicle of the type and kind required to be registered and titled under chapter 319 and this chapter, except a recreational vehicle, moped, motorcycle powered by a motor with a displacement of 50 cubic centimeters or less, or mobile home.

(c) “Motor vehicle dealer” means any person engaged in the business of buying, selling, or dealing in motor vehicles or offering or displaying motor vehicles for sale at wholesale or retail, or who may service and repair motor vehicles pursuant to an agreement as defined in s. [320.60\(1\)](#). Any person who buys, sells, or deals in three or more motor vehicles in any 12-month period or who offers or displays for sale three or more motor vehicles in any 12-month period shall be prima facie presumed to be engaged in such business. The terms “selling” and “sale” include lease-purchase transactions. A motor vehicle dealer may, at retail or wholesale, sell a recreational vehicle as described in s. [320.01\(1\)\(b\)1.-6. and 8.](#), acquired in exchange for the sale of a motor vehicle, provided such acquisition is incidental to the principal business of being a motor vehicle dealer. However, a motor vehicle dealer may not buy a recreational vehicle for the purpose of resale unless licensed as a recreational vehicle dealer pursuant to s. [320.771](#). A motor vehicle dealer may apply for a certificate of title to a motor vehicle required to be registered under s. [320.08\(2\)\(b\), \(c\), and \(d\)](#), using a manufacturer’s statement of origin as permitted by s. [319.23\(1\)](#), only if such dealer is authorized by a franchised agreement as defined in s. [320.60\(1\)](#), to buy, sell, or deal in such vehicle and is authorized by such agreement to perform delivery and preparation obligations and warranty defect adjustments on the motor vehicle; provided this limitation shall not apply to recreational vehicles, van conversions, or any other motor vehicle manufactured on a truck chassis. The transfer of a motor vehicle by a dealer not meeting these qualifications shall be titled as a used vehicle. The classifications of motor vehicle dealers are defined as follows:

1. “Franchised motor vehicle dealer” means any person who engages in the business of repairing, servicing, buying, selling, or dealing in motor vehicles pursuant to an agreement as defined in s. [320.60\(1\)](#).

2. “Independent motor vehicle dealer” means any person other than a franchised or wholesale motor vehicle dealer who engages in the business of buying, selling, or dealing in motor vehicles, and who may service and repair motor vehicles.

3. “Wholesale motor vehicle dealer” means any person who engages exclusively in the business of buying, selling, or dealing in motor vehicles at wholesale or with motor vehicle auctions. Such person shall be licensed to do business in this state, shall not sell or auction a vehicle to any person who is not a licensed dealer, and shall not have the privilege of the use of dealer license plates. Any person who buys, sells, or deals in motor vehicles at wholesale or with motor vehicle auctions on behalf of a licensed motor vehicle dealer and as a bona fide employee of such licensed motor vehicle dealer is not required to be licensed as a wholesale motor vehicle dealer. In such cases it shall be prima facie presumed that a bona fide employer-employee relationship exists. A wholesale motor vehicle dealer shall be exempt from the display provisions of this section but shall maintain an office wherein records are kept in order that those records may be inspected.

CASE PRESENTATION

CASE No. CASE 2024 - 59

1. Good morning, my name is HENRY STOUT, and I have been sworn in.
2. I am a Village of Palm Springs, Florida Code Enforcement Officer.
3. This is Case No. 2024-59. It concerns the property at 352 GREENBRIER DRIVE in the Village of Palm Springs.
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 POSE ALEXIS A
5. Pursuant to observation there are Violations of local ordinances
SECTION 34-914(H)-No major repairs or overhaul work on vehicles that constitute either a public or private nuisance shall be made or performed on any property within the village unless permitted by this Code.
SECTION 34.914(I)- All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boats and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition always, and shall have a current tag, if required by state law to have a registration and tag
SECTION 34-893- CANOPIES ARE PROHIBITED.
FLORIDA STATUTE 320.60-Florida Statute 320.60 is a law that requires motor vehicle manufacturers, importers, or distributors to be licensed under ss. 320.60 - 320.70 before selling, leasing, or offering for sale or lease any motor vehicle in Florida1. Any person who repairs or services three or more motor vehicles or used motor vehicles, or who buys, sells, or deals in three or more motor vehicles in any 12 months, is presumed to be a motor vehicle dealer
5. Code has ISSUED MANY VERBALS SINCE APRIL 2024. THE FIRST TIME WAS WHEN THEY WERE DOING A GARAGE SALE EVERY WEEKEND WITHOUT PERMIT. THEY FINALLY DID GET THE PERMIT AND THEN I SPOKE TO THE RESIDENT AND TOLD "HER" THEY CAN NOT SELL MORE THAN ONE CAR IN A 6-MONTH PERIOD (2 IN A YEAR) THAT IS OWNED AND REGISTERED TO THE HOMEOWNER. THIS MEANS THEY CAN SELL THEIR CAR BUT NOT ANYONE ELSE. ALSO, THE CARS NEED TO BE REGISTERED WITH UP-TO-DATE TAGS/STICKERS. THEY CONTINUOUSLY FIX AND SELL CARS OUT OF THIS PROPERTY WE HAVE MULTIPLE NEIGHBOR COMPLAINTS OF TOW TRUCKS COMING AND GOING DROPPING CARS OFF TO BE FIXED (MECHANIC SHOP) AND MULTIPLE CARS OUT WITH FOR SALE SIGNS ALWAYS ON THE CITY SWALE.
6. On OCTOBER 2ND, 2024, a Notice of Violation/ Notice of Hearing 2024-59 was issued for the Violations. The notice was mailed certified and regular to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the Certified Mail was signed and returned. The Property Owner(s) did speak with Code Enforcement Officer Tom Gehrman the day the Notice

CASE No. _____

7. The Village has also incurred costs for **\$160.75** in conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **OCTOBER 31ST, 2024**
8. Subject to any questions you might have, this concludes the Village Testimony.



Case Administrative / Court Costs

OCTOBER 17TH, 2024, 352 GREENBRIER DRIVE			Case No. 2024-59	
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	2.00	35.00	70.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	1.00	20.00	20.00
6	Additional certified copies for hearing	1.00	7.36	7.36
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.64	0.64
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case No. 2024-59				160.75

3

5

2

**PALM SPRINGS POLICE DEPARTMENT**
318 Cypress Lake Palm Springs, Florida 33461 Phone (941) 855-1100 ext. 6529 www.pspd.org

September 12, 2024

NOTICIA FINAL!!!!POSE, ALEXA A
352 GREENBRIER DR
PALM SPRINGS, FL 33461

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This concerns the property at 352 GREENBRIER DR, Palm Springs, FL 33461.
CCN: 15634118070120300

This property violates local ordinances.

SECTION 34-914(k): No major repairs or overhaul work on vehicles that constitute either a public or private nuisance shall be made or performed on any property within the village unless permitted by this Code.

SECTION 34-914(i): All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boats 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.

Compliance Date **SEPTEMBER 13th, 2024**

Failure to comply can result in a Citation Fine, Court Costs, and Possible Lien on the property. Please call Code Enforcement at (941) 864-8300 ext. 8529 or the Code Officer listed below if you have any concerns or questions.

Respectfully,

Mike Slutz

Palm Springs Police Department

Code Enforcement Officer

m.slutz@pspd.org

361-807-0216 OFFICE CELL

Professionalism - Integrity - Duty - Excellence

Section 34-913
Canopy Prohibited
Please remove

Property Detail

Location Address : 352 GREENBRIER DR
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-07-012-0350
Subdivision : PALM SPRINGS VILLAGE PL 2 IN PB 25 PGS 48 TO 50 INC
Official Records Book/Page : 33386 / 1337
Sale Date : MAR-2022
Legal Description : VILLAGE OF PALM SPRINGS PLAT 2LT 35 BLK 12

Owner Information

Owner(s)	Mailing Address
POSE ALEXIS A	352 GREENBRIER DR LAKE WORTH BEACH FL 33461 1825

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAR-2022	\$380,000	33386 / 01337	WARRANTY DEED	POSE ALEXIS A
JUL-2006	\$10	20604 / 01751	QUIT CLAIM	MONTOYA RUTH N
JAN-2004	\$10	17596 / 00237	QUIT CLAIM	MALDONADO RUTH N &
SEP-2001	\$123,000	12946 / 00023	WARRANTY DEED	KRASINSKI STANLY J &
MAY-2000	\$109,900	11809 / 00827	WARRANTY DEED	DEVOGT JENIFER
MAY-2000	\$78,000	11764 / 00741	QUIT CLAIM	LUNDY STEVEN J
APR-1993	\$100	07768 / 00626	QUIT CLAIM	
APR-1990	\$80,000	06436 / 01212	WARRANTY DEED	
AUG-1986	\$100	04973 / 01016	QUIT CLAIM	
JAN-1973	\$23,000	02143 / 00163	WARRANTY DEED	

Exemption Information

Applicant/Owner(s)	Year	Detail
POSE ALEXIS A	2024	HOMESTEAD
POSE ALEXIS A	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 1844
Acres : 0.2086
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$173,991	\$132,641	\$109,293	\$104,116	\$114,423
Land Value	\$148,005	\$172,126	\$170,302	\$115,627	\$110,000
Total Market Value	\$321,996	\$304,767	\$279,595	\$219,743	\$224,423

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$313,910	\$304,767	\$104,164	\$101,130	\$99,734
Exemption Amount	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Taxable Value	\$263,910	\$254,767	\$54,164	\$51,130	\$49,734

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$5,286	\$5,153	\$1,248	\$1,224	\$1,208

NON AD VALOREM	\$516	\$511	\$483	\$427	\$422
TOTAL TAX	\$5,801	\$5,663	\$1,730	\$1,651	\$1,630

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

Account Information

Property Control Number: 70-43-44-18-07-012-0350	Property Type: Real Property	Status: Active
Mailing Address: 352 GREENBRIER DR Lake Worth Beach, FL 33461-1825	Property Address: 352 GREENBRIER PALM SPRINGS, FL 33461	Legal Description: VILLAGE OF PALM SPRINGS PLAT 2LT 35 BLK 12
Owner of Record: POSE ALEXIS A	Second Owner:	

Last updated: 10/03/2024 09:52:41 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	 \$5,436.67 Net Tax: \$5,663.21 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$226.54	11/28/23	-\$5,436.67	 Paid
3/31/23	 \$1,660.82 Net Tax: \$1,730.03 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$69.21	11/29/22	-\$1,660.82	 Paid
3/31/22	 \$1,585.10 Net Tax: \$1,651.15 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$66.05	11/24/21	-\$1,585.10	 Paid

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/21	☐ \$1,564.57 Net Tax: \$1,629.75 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$65.18	11/25/20	-\$1,564.57	● Paid
Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/20	☐ \$1,536.38 Net Tax: \$1,600.39 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$64.01	11/26/19	-\$1,536.38	● Paid

 **Payment Info** - Select to Expand Payment History for PIN



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-59

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

**POSE ALEXIS A
352 GREENBRIER DRIVE
LAKE WORTH, FL 33461**

**MAILING ADDRESS:
SAME AS ABOVE**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-914(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.

SECTION 34-914(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.

SECTION 34-893: Canopies are prohibited.

Address: 352 GREENBRIER DRIVE
Legal Description: VILLAGE OF PALM SPRINGS PLAT 2LT 35 BLK 12
PCN: 70-43-44-18-07-012-0350

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 17th day of October 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 10-914(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.**
 - ☐ **SECTION 34-914(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.**
 - ☐ **SECTION 34-893: Canopies are prohibited.**
- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ **SECTION 10-914(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.**
 - ☐ **SECTION 34-914(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.**
 - ☐ **SECTION 34-893: Canopies are prohibited.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024:**
- ☐ Administrative costs of **\$160.75**
 - ☐ 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 **November 17, 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 **October 31, 2024**.
- ☐ Administrative costs of **\$160.75**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may

submit a written request to Code Inspector/Officer Henry Stout at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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 17th day of October 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:

[352 Greenbrier Drive](#)
[Lake Worth Beach, FL 33461 1825](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-000058

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR G &
352 LANIER DRIVE
PALM SPRINGS FL 33461

PCN 70-43-44-18-06-096-0040

Respondent(s).

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **APRIL 2, 2024**, the Respondent (**SANTANA EDGAR E & MORALES STELLA SANTANA EDGAR G & owner(s)**) of the property at **352 LANIER DRIVE PALM SPRINGS, FL, 33461** violates local ordinances.

SECTION 10-31 (FBC 105.1)- BUILDING PERMIT NEEDED FOR NEW BEAM(S) IN CARPORT.

SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS

These violations must be corrected on or before **OCTOBER 16TH, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL, 33461, Tel. 561-584-8300 Ext 8523, on **THURSDAY OCTOBER 17TH, 2024 at 10:00 AM. SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS SET FORTH HEREIN. IN THAT CASE, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.**

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8523 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) before the requested inspection.

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

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

Code Enforcement Officer 561-584-8300 ext. 8523

HENRY L. STOUT
Printed Name of Officer

Date Issued: OCTOBER 2, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-58

RETURN OF SERVICE

**SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR G &
352 LANIER DRIVE
LAKE WORTH BEACH FL 33461**

Respondent

_____ /

On the **02ND** Day of **October 2024** at **1:33 PM**, I served the attached NOTICE OF HEARING on the within-named Respondent(s), **SANTANA EDGAR E & MORALES STELLA SANTANA EDGAR G &** at **352 LANIER DRIVE**, LAKE WORTH BEACH 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 under F.S. 48.031.

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

VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT

By: _____ 

352

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-0060

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V

SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR O &
352 LANIER DRIVE
PALM SPRINGS FL 33461

PCN 70-43-44-18-06-096-0040

Respondent(s).

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe and does believe that on
APRIL 3, 2024, the Respondent, SANTANA EDGAR E &
MORALES STELLA, SANTANA EDGAR O & owner(s) of the property at 352 LANIER DRIVE PALM SPRINGS, FL 33461, violate
local ordinances.

SECTION 10-31 (FRC 105.12) BUILDING PERMIT NEEDED FOR NEW BEAMS IN GARPORT.
SECTION 10-31 (FRC 118.12) REQUIRED INSPECTIONS

These violations must be corrected on or before **OCTOBER 16TH, 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: 888-884-8300 Ext 8523, 90
THURSDAY OCTOBER 17TH, 2024 at 10:00 AM. SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS
SET FORTH HEREIN, IN THAT CASE, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING
FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES,
INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to the 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 (888) 884-8300 Ext 8523 and providing proof that violations have been corrected. A request for
inspection must be made at least 1 day(s) before the requested inspection.

If you are 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 legal counsel, 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 evidence 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 (888) 884-8300 EXT 8430.
Any interested party wishing to appear any decision of the Special Magistrate concerning any matter considered at the hearing will need a
power of attorney and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence
presented. Persons who need special accommodations to attend or participate in this hearing must contact the Village Clerk at (888) 884-8300
Ext 8523, at least 30 days before the hearing.

Code Enforcement Officer (888) 884-8300 ext 8523

HENRY A. STOUT
Printed Name of Officer

Date Issued: OCTOBER 2, 2024











PALM SPRINGS POLICE DEPARTMENT

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

October 02nd, 2024

SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR G &
352 LANIER DRIVE
LAKE WORTH, FLORIDA 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 **352 LANIER DRIVE, LAKE WORTH, FL 33461**

PCN: 70-43-44-18-06-096-0040

VIOLATION/HEARING CASE 2024-58

SECTION 10-31 (FBC 105.1)- BUILDING PERMIT NEEDED FOR NEW BEAM(S) IN CARPORT.

SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS The

options available include coming into voluntary compliance on or before **OCTOBER 16TH, 2024**, OR arguing your case at the Special Magistrate hearing, **on Thursday, OCTOBER 17th, 2024, AT 10:00 AM**. This is part of your right under the judicial system.

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

Please feel free to call/text me if you have any questions or concerns at (561)801-9217.

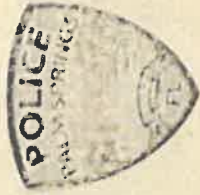
Respectfully,

HENRY L. STOUT
Code Enforcement Officer
Palm Springs Police Department
Cell: 561-801-9217
Office: 561-584-8300 ext. 8523
HSTOUT@vpsfl.org
www.vpsfl.org

9489 0178 9820 3019 8765 00



CERTIFIED MAIL®



PALM SPRINGS POLICE
CODE ENFORCEMENT
236 CYPRESS LANE
PALM SPRINGS, FL 334



9489 0178 9820 3019 8765 00

Label 880-QDT, March 2023



quadrant

FIRST-CLASS MAIL
IMI

\$008.16⁰

10/02/2024 ZIP 33480
043M31255277

US POSTAGE

SANTANA EDGAR E & SANTANA EDGAR G &
352 LANIER DR
PALM SPRINGS, FL 33461

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain exposed and provided with access for inspection purposes until approved.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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

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

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

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

110.1.3 Affidavit for inspection. With specific prior approval of, and in a format acceptable to the Building Official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in

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

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

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

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

Building:

1. **Foundation inspection.** To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:
 - Stem-wall
 - Monolithic slab-on-grade
 - Piling/pile caps
 - Footers/grade beams
- 1.1. **Slab Inspection:** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

A foundation/Form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.
- 1.2. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the Authority having Jurisdiction.
2. **Framing inspection.** To be made after the roof, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved and shall at a minimum include the following building components:
 - Window/door framing
 - Window U-factor/SHGC as indicated on approved calculations
 - Vertical cells/columns
 - Lintel/tie beams
 - Framing/trusses/bracing/connectors (including truss layout and engineered drawings)
 - Draft stopping/fire blocking

- Curtain wall framing
 - Energy insulation (Insulation R-factor as indicated on approved calculations)
 - Accessibility.
 - Verify rough opening dimensions are within tolerances.
 - Window/door buck attachment.
- 2.1. *Insulation Inspection:* To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation.
 - 2.2. *Lath and gypsum board inspection for fire-resistance-rated or shear assemblies.* Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
3. *Sheathing inspection.* To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
 - Roof sheathing
 - Wall sheathing
 - Continuous air barrier
 - Exterior Siding/Cladding
 - Sheathing fasteners
 - Roof/wall dry-in

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material. Exception: ring shank nails shall be bent over and a new fastener installed.

4. *Exterior wall coverings.* Shall at a minimum include the following building components in progress inspections:
 - Exterior wall coverings and veneers
 - Soffit coverings
5. *Roofing inspection.* Shall at a minimum be made in at least two inspections and include the following building components:
 - Dry-in
 - Insulation
 - Roof coverings (including In Progress as necessary)
 - Insulation on roof deck (according to submitted energy calculation)
 - Flashing
 - Sheathing
- 5.1. *Re-Roof sheathing inspection.* An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the Building Official.
6. *Final inspection.* To be made after the building, including all sub-trade inspections, is completed and ready for occupancy.
 - 6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
7. *Swimming pool inspection.* First inspection to be made after excavation and installation of reinforcing steel, bonding, and main drain and prior to placing of concrete shell.
 1. Steel reinforcement inspection.
 2. Underground electric inspection.
 3. Underground piping inspection including a pressure test.
 4. Underground electric inspection under deck area (including the equipotential bonding)
 5. Underground piping inspection under deck area.

6. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
7. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
8. Final pool piping.
9. Final Electrical inspection.
10. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

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

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

The system indicated on the plans was installed.

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

Electrical:

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

Plumbing:

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

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

Mechanical:

- 1.

Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

2. *Rough-in inspection.* To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
 - includes mechanical provisions of the energy code and approved calculations provisions.
3. *Final inspection.* To be made after the building mechanical system is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas:

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

Site Debris:

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

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

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

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

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

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

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

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

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

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

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

110.3.10 Special inspections. Reserved.

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

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

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

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

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

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

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

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

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

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

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

110.8 Threshold building.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 105 PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

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

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

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

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

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

Building:

1. Building permits are not required for replacement or repair work having a value of less than \$1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.
2. Cabinets and countertops with no reconfiguration for one- and two- Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Traditional swings and other standard playground equipment accessory to detached one- and two-family dwellings, as determined by the Building Official, but they may be subject to Zoning permits.
- 5.

Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.

6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

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

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

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

Gas:

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

Mechanical:

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

Plumbing:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105.16 Inspection of existing residential building not impacted by construction.

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

105.17 Streamlined low-voltage alarm system installation permitting.

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

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

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

CASE PRESENTATION
CASE No. CASE 2024 - 58

1. Good morning, my name is HENRY STOUT, and I have been sworn in.
2. I am a Village of Palm Springs, Florida Code Enforcement Officer.
3. This is Case No. 2024-58. It concerns the property at 352 LANIER DRIVE in the Village of Palm Springs.
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 SANTANA EDGAR E & MORALES STELLA SANTANA EDGAR G
5. Pursuant to observation there are Violations of local ordinances
SECTION 10-31 (FBC 105.1)- BUILDING PERMIT NEEDED FOR NEW BEAM(S) IN CARPORT.
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS
5. Code has ISSUED A STOP WORK ORDER AND CCV BACK ON APRIL 2ND, 2024. THE HOMEOWNER HAS BEEN IN CONTACT WITH ME AND THE PZB UNIT AND HE STARTED THE PERMIT PROCESS AFTER A FINAL NOTICE WAS ISSUED ON JUNE 20TH. I THEN PROCEEDED TO GIVE THEM TIME TO WORK ON GETTING PERMITS. AFTER A LONG ROAD PETER (BUILDING OFFICIAL) TOLD THEM THEY NEEDED TO RE-DO THE REPAIRS AS IT HAD NOT BEEN DONE PROPERLY. UNTIL THEN THEY HAVE NOT PRESENTED ANY PERMITS AND/OR SHOWED SIGNS OF REPAIRING THE DEFECTIVE STRUCTURE THAT COULD COLLAPSE.
6. On OCTOBER 2ND, 2024, a Notice of Violation/ Notice of Hearing 2024-58 was issued for the Violations. The notice was mailed certified and regular to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the Certified Mail was signed and returned. The Property Owner(s) did speak with Code Enforcement Officer Tom Gehrman the day the Notice
7. The Village has also incurred costs for \$160.75 in conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than OCTOBER 31ST, 2024
8. Subject to any questions you might have, this concludes the Village Testimony.



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

OCTOBER 17TH, 2024, 352 LANIER DRIVE

Case No. 2024-58

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	2.00	35.00	70.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	1.00	20.00	20.00
6	Additional certified copies for hearing	1.00	7.36	7.36
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.64	0.64
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case No. 2024-58				160.75

352



PALM SPRINGS POLICE DEPARTMENT
136 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-584-8300 ext. 8520 • www.vpsfl.org

June 20, 2024

SECOND AND FINAL WARNING!

SANTANA EDGAR E & SANTANA EDGAR G &
352 LANIER DR
PALM SPRINGS, FL 33461

Dear Property Owner,

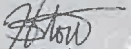
You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at 352 LANIER DR, Palm Springs, FL 33461.
PCN: 70434418060960040

This property is in violation of local ordinances.
SECTION 10-31 (FBC 105.1)- BUILDING PERMIT NEEDED FOR NEW BEAM(S) IN CAR PORT.
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS

Compliance Date: **JUNE 27TH, 2024**

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

Respectfully,


Henry Slout
Palm Springs Police Department
Code Enforcement Officer

hslout@vpsfl.org
561-801-9217-OFFICE CELL

Professionalism • Respect • Integrity • Duty • Excellence

PERMIT NO.

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

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLBG.

☐ STOP WORK! CALL 945-4016
BETWEEN 8:30 - 4:30
☐ VIOLATION! CORRECT AS NOTED
☐ 2ND REINSPECTION FEE OF \$45.00 MUST BE PAID IN
PERSON AT THE BUILDING DEPARTMENT. EACH
ADDITIONAL INSPECTION FEE INCREASES BY \$45.00.
☐ CALL 434-9292 FOR REINSPECTION
VILLAGE OF PALM SPRINGS, FLORIDA

352

PERMIT NO. 352

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

352 10-31

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLUMB. ☐

Section 10-31 (FPC 105.1) Reports
needed for con. part repairs

Section 10-31 (FPC 105.1) Report
inspections

☒ STOP WORK! CALL 295-4018 361 574-9100
BETWEEN 8:30 - 4:30 ext 1160

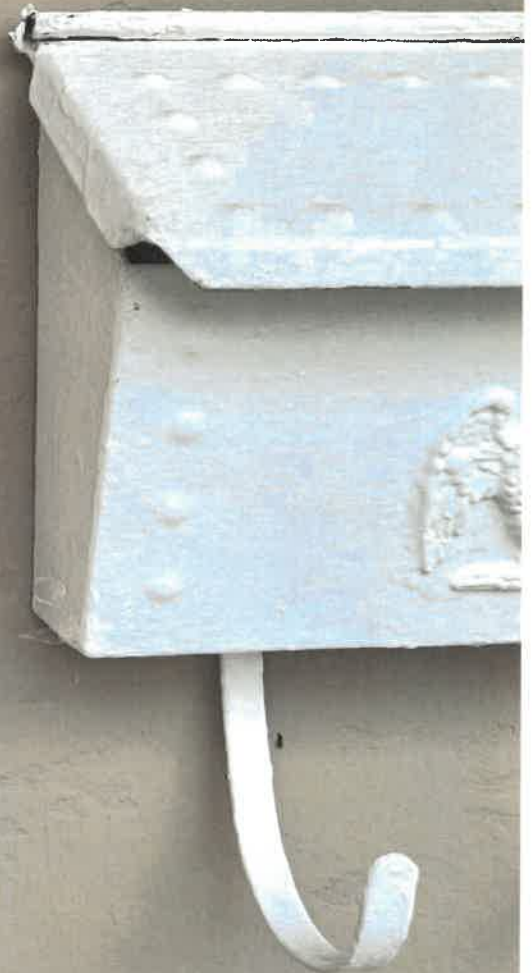
☒ VIOLATION! CORRECT AS NOTED

☐ 2nd REINSPECTION FEE OF \$55.00 MUST BE PAID IN
PERSON AT THE BUILDING DEPARTMENT. EACH
ADDITIONAL INSPECTION FEE INCREASES BY \$65.00.

☐ CALL 434-5092 FOR REINSPECTION

VILLAGE OF PALM SPRINGS, FLORIDA

4-2-21 Henry St. #252



Property Detail

Location Address : 352 LANIER DR
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-06-096-0040
Subdivision : PALM SPRINGS VILLAGE PL 1 IN PB 25 PGS 46 & 47
Official Records Book/Page : 28085 / 444
Sale Date : JAN-2016
Legal Description : VILLAGE OF PALM SPRINGS PLAT 1LT 4 BLK 96

Owner Information**Owner(s)**

SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR G &

Mailing Address

352 LANIER DR
LAKE WORTH BEACH FL 33461 1923

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JAN-2016	\$177,000	28085 / 00444	WARRANTY DEED	SANTANA EDGAR E &
JAN-1972	\$25,300	02050 / 00868		HARDY T E &

Exemption Information

Applicant/Owner(s)	Year	Detail
MORALES STELLA	2024	HOMESTEAD
MORALES STELLA	2024	ADDITIONAL HOMESTEAD
SANTANA EDGAR E &	2024	HOMESTEAD
SANTANA EDGAR E &	2024	ADDITIONAL HOMESTEAD
SANTANA EDGAR G &	2024	HOMESTEAD
SANTANA EDGAR G &	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 2234
Acres : 0.1894
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$246,743	\$201,841	\$166,720	\$157,012	\$172,698
Land Value	\$145,410	\$169,991	\$167,638	\$113,607	\$110,000
Total Market Value	\$392,153	\$371,832	\$334,358	\$270,619	\$282,698

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$222,608	\$216,124	\$209,829	\$203,717	\$200,904
Exemption Amount	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Taxable Value	\$172,608	\$166,124	\$159,829	\$153,717	\$150,904

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$3,512	\$3,416	\$3,363	\$3,336	\$3,309
NON AD VALOREM	\$516	\$511	\$483	\$427	\$422
TOTAL TAX	\$4,027	\$3,927	\$3,846	\$3,763	\$3,731

Account Information

Property Control Number: 70-43-44-18-06-096-0040	Property Type: Real Property	Status: Active
Mailing Address: 352 LANIER DR Lake Worth Beach, FL 33461-1923	Property Address: 352 LANIER PALM SPRINGS, FL 33461	Legal Description: VILLAGE OF PALM SPRINGS PLAT 1LT 4 BLK 96
Owner of Record: SANTANA EDGAR E &	Second Owner: MORALES STELLA, SANTANA EDGAR G &	

Last updated: 10/02/2024 10:40:58 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	 \$3,769.48 Net Tax: \$3,926.54 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$157.06	11/24/23	-\$3,769.48	 Paid
3/31/23	 \$3,692.03 Net Tax: \$3,845.86 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$153.83	11/5/22	-\$3,692.03	 Paid
3/31/22	 \$3,612.47 Net Tax: \$3,762.99 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$150.52	11/5/21	-\$3,612.47	 Paid

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/21	☐ \$3,581.41 Net Tax: \$3,730.64 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$149.23	11/15/20		- \$3,581.41  Paid
Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/20	☐ \$3,530.61 Net Tax: \$3,677.71 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$147.10	11/26/19		- \$3,530.61  Paid

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



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-58

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

**SANTANA EDGAR E &
MORALES STELLA
SANTANA EDGAR G
352 LANIER DRIVE
LAKE WORTH, FL 33461**

**MAILING ADDRESS:
SAME AS ABOVE**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1): Building permit needed for new beam(s) in car port.
SECTION 10-31 (FBC 110.1): Required inspections.

Address: 352 LANIER DRIVE
Legal Description: VILLAGE OF PALM SPRINGS PLAT 1LT 4 BLK 96
PCN: 70-43-44-18-06-096-0040

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 17th day of October 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 10-31 (FBC 105.1): Building permit needed for new beam(s) in car port.**
- ☐ **SECTION 10-31 (FBC 110.1): Required inspections.**

- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ **SECTION 10-31 (FBC 105.1): Building permit needed for new beam(s) in car port.**
 - ☐ **SECTION 10-31 (FBC 110.1): Required inspections.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024:**
- ☐ Administrative costs of **\$160.75**
 - ☐ 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 **November 17, 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 **October 31, 2024**.
- ☐ Administrative costs of **\$160.75**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Henry Stout** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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 17th day of October 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:

[352 Lanier Drive](#)

[Lake Worth Beach, FL 33461 1923](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-0061

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.

CASTANEDA NADIA LOZANO
3201 DREW WAY
WEST PALM BEACH FL 334406

PCN 70-43-44-18-01-000-0180

Respondent(s).

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on AUGUST 7ND, 2024, the Respondent (CASTANEDA NADIA LOZANO, the owner(s) of the property at 3201 DREW WAY WEST PALM BEACH, FL, 33406 violates local ordinances.

SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND FENCE PERMIT.

SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS SECTION 34.914- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.

SECTION 14-42- ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.

34.915- TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.

SECTION 10-9(C)- ALL HOMES MUST HAVE NUMBER ON MAY STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY

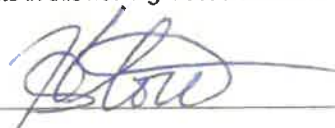
These violations must be corrected on or before **OCTOBER 16TH, 2024**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8523, **on THURSDAY OCTOBER 17TH, 2024 at 10:00 AM.** SUPPOSE THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE AS SET FORTH HEREIN. IN THAT CASE, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8523 and providing proof that violations have been corrected. A request for inspection must be made at least 1 day(s) before the requested inspection.

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

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



Code Enforcement Officer 561-584-8300 ext. 8523

HENRY L. STOUT

CE/ CEB Case No. 2024-17

Date Issued: OCTOBER 2, 2024

Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-61

RETURN OF SERVICE

**CASTANEDA NADIA LOZANO
3201 DREW WAY
WEST PALM BEACH FL 33406
Respondent**
_____ /

On the **02ND Day of October 2024 at 1:33 PM**, I served the attached NOTICE OF HEARING on the within-named Respondent(s), **CASTANEDA NADIA LOZANO** at **3201 DREW WAY**, WEST PALM BEACH 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 under F.S. 48.031.

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

VILLAGE OF PALM SPRINGS
POLICE DEPARTMENT

By: _____

3201

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 2024-0081

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v

CASTANEDA RADIA LOZANO
3201 DREW WAY
WEST PALM BEACH FL 33406

Respondent(s)

PCN 70-43-44-10-01-000-0100

STATE OF FLORIDA
COUNTY OF PALM BEACH

NOTICE OF VIOLATION AND NOTICE OF HEARING

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and lawfully grounds to believe, and does believe that on AUGUST 17TH 2024, the Respondent, CASTANEDA RADIA LOZANO, the owner(s) of the property at 3201 DREW WAY WEST PALM BEACH FL 33406, violates local ordinances.

SECTION 18-31 (FPC 18-31) WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND POOL PERMIT.

SECTION 18-31 (FPC 18-31) REQUIRED INSPECTIONS SECTION 14-914 NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.

SECTION 14-02 ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.

14-715-1 TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.

SECTION 18-267-1 ALL HOMES MUST HAVE NUMBER ON MAIN STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY.

These violations must be corrected on or before **OCTOBER 16TH 2024**, failing this matter shall be heard at a public hearing by a **THURSDAY OCTOBER 17TH 2024 AT 10 AM**. IF THE VIOLATION IS CORRECTED BEFORE THE HEARING DATE, AS SET FORTH HEREIN, IN THAT CASE, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATIONS, FEES 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: If in the responsibility of the Respondent to answer an indictment as soon as convenient, it is advised by calling the Code Enforcement Office at (561) 954-4300 ext. 6523 and requesting a trial that will take place before the court.** A request for a hearing must be made at least 5 days before the requested inspection.

If you are found in violation of the Village Code, the Special Magistrate has the legal authority to levy fines of up to \$500.00 per city, per violation, for each and every day that such violation continues, and to levy all administrative costs required to obtain compliance. ALL FEES 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 to call and question witnesses against you prior to a final determination by the Magistrate. If you are unable to appear at the hearing, you may contact the Village Clerk's Office at (561) 954-4300 ext. 6433. Persons who need special accommodation to attend or participate in the proceedings should contact the Village Clerk at (561) 954-4300 at least 10 days before the hearing.

Code Enforcement Officer 561-954-4300 ext. 6523

KELLY L. STOUT







PALM SPRINGS POLICE DEPARTMENT

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

October 02ND, 2024

CASTANEDA NADIA LOZANO
3201 DREW WAY
WEST PALM BEACH, FLORIDA 33406

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 **3201 DREW WAY, WEST PALM BEACH, FL 33406**

PCN: 70-43-44-18-01-000-0180

VIOLATION/HEARING CASE 2024-61

SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND FENCE PERMIT.

SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS SECTION 34.914- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.

SECTION 14-42- ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.

34.915- TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.

SECTION 10-9(C)- ALL HOMES MUST HAVE NUMBER ON MAY STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY The options available include coming into voluntary compliance on or before **OCTOBER 16TH, 2024, OR** arguing your case at the Special Magistrate hearing, on **Thursday, OCTOBER 17th, 2024, AT 10:00 AM.** This is part of your right under the judicial system.

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

Please feel free to call/text me if you have any questions or concerns at (561)801-9217.

Respectfully,

HENRY L. STOUT
Code Enforcement Officer
Palm Springs Police Department
Cell: 561-801-9217
Office: 561-584-8300 ext. 8523
HSTOUT@vpsfl.org
www.vpsfl.org

9489 0178 9820 3019 8763 95



PALM SPRINGS POLICE
CODE ENFORCEMENT
239 CYPRESS LANE
PALM SPRINGS, FL 3346



UNITED STATES
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10/02/2024 ZIP 33480
043M31255277

US POSTAGE

CASTANEDA NADIA LOZANO
3201 DREW WAY
WEST PALM BEACH FL 33406 7637

SECTION 105 PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

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

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

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

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

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

Building:

1. Building permits are not required for replacement or repair work having a value of less than \$1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.
2. Cabinets and countertops with no reconfiguration for one- and two- Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Traditional swings and other standard playground equipment accessory to detached one- and two-family dwellings, as determined by the Building Official, but they may be subject to Zoning permits.
- 5.

Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.

6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

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

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

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

Gas:

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

Mechanical:

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

Plumbing:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105.16 Inspection of existing residential building not impacted by construction.

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

105.17 Streamlined low-voltage alarm system installation permitting.

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

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

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

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain exposed and provided with access for inspection purposes until approved.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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

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

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

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

110.1.3 Affidavit for inspection. With specific prior approval of, and in a format acceptable to the Building Official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in

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

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

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

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

Building:

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

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

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

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

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

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

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

- Curtain wall framing
 - Energy insulation (Insulation R-factor as indicated on approved calculations)
 - Accessibility.
 - Verify rough opening dimensions are within tolerances.
 - Window/door buck attachment.
- 2.1. **Insulation Inspection:** To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal Includes wall and ceiling insulation.
- 2.2. **Lath and gypsum board inspection** for fire-resistance-rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
3. **Sheathing inspection.** To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
- Roof sheathing
 - Wall sheathing
 - Continuous air barrier
 - Exterior Siding/Cladding
 - Sheathing fasteners
 - Roof/wall dry-in

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material. Exception: ring shank nails shall be bent over and a new fastener installed.

4. **Exterior wall coverings.** Shall at a minimum include the following building components in progress inspections:
- Exterior wall coverings and veneers
 - Soffit coverings
5. **Roofing inspection.** Shall at a minimum be made in at least two inspections and include the following building components:
- Dry-in
 - Insulation
 - Roof coverings (including In Progress as necessary)
 - Insulation on roof deck (according to submitted energy calculation)
 - Flashing
 - Sheathing
- 5.1. **Re-Roof sheathing inspection.** An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the Building Official.
6. **Final inspection.** To be made after the building, including all sub-trade inspections, is completed and ready for occupancy.
- 6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
7. **Swimming pool inspection.** First inspection to be made after excavation and installation of reinforcing steel, bonding, and main drain and prior to placing of concrete shell.
- 1. Steel reinforcement inspection.
 - 2. Underground electric inspection.
 - 3. Underground piping inspection including a pressure test.
 - 4. Underground electric inspection under deck area (including the equipotential bonding)
 - 5. Underground piping inspection under deck area.

6. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
7. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
8. Final pool piping.
9. Final Electrical inspection.
10. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

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

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

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

Electrical:

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

Plumbing:

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

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

Mechanical:

- 1.

Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

2. *Rough-in inspection.* To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
 - includes mechanical provisions of the energy code and approved calculations provisions.
3. *Final inspection.* To be made after the building mechanical system is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas:

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

Site Debris:

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

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

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

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

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

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

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

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

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

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

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

110.3.10 Special inspections. Reserved.

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

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

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

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

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

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

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

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

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

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

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

110.8 Threshold building.

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

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

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

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

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

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

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

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

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

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

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

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

CASE PRESENTATION

CASE No. CASE 2024 - 61

1. Good morning, my name is HENRY STOUT, and I have been sworn in.
2. I am a Village of Palm Springs, Florida Code Enforcement Officer.
3. This is Case No. 2024-61. It concerns the property at 3201 DREW WAY in the Village of Palm Springs.
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 CASTANEDA NADIA LOZANO
5. Pursuant to observation there are Violations of local ordinances
SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND FENCE PERMIT.
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS SECTION 34.914- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.
SECTION 14-42- ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.
34.915- TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.
SECTION 10-9(C)- ALL HOMES MUST HAVE NUMBER ON MAY STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY
5. Code has ISSUED CCV ON AUGUST 7TH, 2024. THERE HAS NOT BEEN ANY CONTACT WITH THE RESIDENT UNTIL RECENTLY. THEY ARE WORKING WITH AN ENGINEER AND ARCHITECT TO GET ALL THE PERMITS NEEDED AS THEY SPOKE WITH OUR BUILDING OFFICIAL PETER. THEY HAVE COMPLIED WITH THE HOUSE NUMBERS, GETTING RID OF THE EXTRA RV AND CLOSING THE RV THAT HAD BEEN USED FOR LIVING. THEY JUST NEED THE ADDITION ON THE BACK, MINI-SPLIT AC SYSTEMS, AND RESIDENTIAL RENTAL PERMITS. THE CITY IS WILLING TO GIVE THEM 60 DAYS TO COME INTO FULL COMPLIANCE.
6. On OCTOBER 2ND, 2024, a Notice of Violation/ Notice of Hearing 2024-61 was issued for the Violations. The notice was mailed certified and regular to the respondent's address of record and posted at the property and Village Hall. The Green Card from the Certified Mail was signed and returned. The Property Owner(s) did speak with Code Enforcement Officer Tom Gehrman the day the Notice
7. The Village has also incurred costs of \$160.75 in conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than OCTOBER 31ST, 2024
8. Subject to any questions you might have, this concludes the Village Testimony.



Case Administrative / Court Costs

OCTOBER 17TH, 2024, 3201 DREW WAY		Case No. 2024-61		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	2.00	35.00	70.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	1.00	20.00	20.00
6	Additional certified copies for hearing	1.00	7.36	7.36
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.64	0.64
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case No. 2024-61				160.75



PALM SPRINGS POLICE DEPARTMENT

130 Cypress Lane - Palm Springs, Florida 33461 - Phone 941-854-8300 ext. 8520 - www.vpsfl.org

August 07, 2024

CASTANEDA NADIA LOZANO
3201 DREW WAY
PALM SPRINGS, FL 33406

Dear Property Owner

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This concerns the property at 3201 DREW WAY, Palm Springs, FL 33406.
PCN: 70434418010000180

This property violates local ordinances:
SECTION 10-31 (FBC 105.1)- WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND FENCE PERMIT.
SECTION 10-31 (FBC 110.1)- REQUIRED INSPECTIONS SECTION 34.914- NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.
SECTION 14-42- ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.
34.915- TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.
SECTION 10-9(C)- ALL HOMES MUST HAVE NUMBER ON MAY STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY

Compliance Date: AUGUST 14TH, 2024- TO OPEN ACCOUNT TO BEGIN PERMITTING PROCESS.

Failure to comply can result in a Citation Fine, Court Costs, and Possible Lien on the property. Please call Code Enforcement at (941) 584-8300 ext. 8520 or the Code Officer listed below if you have any concerns or questions.

Respectfully,

Henry Stout
Palm Springs Police Department
Code Enforcement Officer

hstout@vpsfl.org

Professionalism - Integrity - Excellence

3201



PALM SPRINGS POLICE DEPARTMENT

236 Cypress Lane • Palm Springs, Florida 33461 • Phone 561-964-8300 ext. 8520 • www.pspfl.org

August 27, 2024

SECOND AND FINAL WARNING!!!!

CASTANEDA NADIA LOZANO
3201 DREW WAY
PALM SPRINGS, FL 33406

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This concerns the property at 3201 DREW WAY, Palm Springs, FL 33406.
PCN: 70434418010000180

This property violates local ordinances.

SECTION 10-31 (FBC 105.1): WORK WITHOUT A VALID BUILDING, ELECTRICAL, PLUMBING, AND FENCE PERMIT.

SECTION 10-31 (FBC 110.1): REQUIRED INSPECTIONS SECTION 34.914: NO PARKING OF VEHICLES ON PROPERTY GRASS (FRONT LAWN) MAY USE SWALE.

SECTION 14-42: ALL PROPERTY WITH TENANTS MUST OBTAIN RESIDENTIAL RENTAL PERMITS.

34.915: TAILER AND/OR RV MAY NOT BE USED FOR SLEEPING AND/OR LIVING.
SECTION 10-9(C): ALL HOMES MUST HAVE NUMBER ON MAY STRUCTURE AND MUST BE VISIBLE FROM THE RIGHT OF WAY

Compliance Date: SEPTEMBER 3RD, 2024. TO OPEN ACCOUNT TO BEGIN PERMITTING PROCESS.

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 the Code Officer listed below if you have any concerns or questions.

Respectfully,


Henry Sibut

Palm Springs Police Department
Code Enforcement Officer

hsibut@pspdfl.org

561-801-8217-OFFICE CELL

Professionalism • Respect • Integrity • Duty • Excellence

Property Detail

Location Address : 3201 DREW WAY
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-18-01-000-0180
Subdivision : DREW MANOR IN
Official Records Book/Page : 33180 / 1747
Sale Date : DEC-2021
Legal Description : DREW MANOR LT 18

Owner Information**Owner(s)**

CASTANEDA NADIA LOZANO

Mailing Address

3201 DREW WAY
WEST PALM BEACH FL 33406 7637

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
DEC-2021	\$425,000	33180 / 01747	WARRANTY DEED	CASTANEDA NADIA LOZANO
NOV-2019	\$280,000	31050 / 01909	WARRANTY DEED	SALMERON JUAN
JUL-2018	\$85,063	30019 / 00444	QUIT CLAIM	AVERY PAULA
OCT-2010	\$125,500	24193 / 01507	WARRANTY DEED	DANZIG RUTH &
NOV-2009	\$10	24059 / 01264	QUIT CLAIM	VEGA JOSE
NOV-2007	\$10	22290 / 00967	QUIT CLAIM	VEGA JOSE &
NOV-2007	\$200,000	22290 / 00952	WARRANTY DEED	VEGA JOSE
SEP-1987	\$65,000	05499 / 01748	WARRANTY DEED	
AUG-1987	\$100	05381 / 00437	QUIT CLAIM	
JAN-1980	\$55,000	03330 / 00690	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 1
***Total Square Feet :** 2375
Acres : 0.6753
Property Use Code : 0100—SINGLE FAMILY
Zoning : RS—RESIDENTIAL SINGLE-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$260,643	\$211,410	\$173,380	\$122,162	\$135,335
Land Value	\$222,369	\$257,807	\$234,526	\$156,767	\$143,000

Total Market Value	\$483,012	\$469,217	\$407,906	\$278,929	\$278,335
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Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$483,012	\$448,697	\$407,906	\$278,929	\$278,335
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$483,012	\$448,697	\$407,906	\$278,929	\$278,335

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$9,385	\$8,923	\$8,168	\$5,742	\$5,780
NON AD VALOREM	\$516	\$511	\$483	\$427	\$422
TOTAL TAX	\$9,900	\$9,434	\$8,650	\$6,169	\$6,202

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

Account Information

Property Control Number: 70-43-44-18-01-000-0180	Property Type: Real Property	Status: Active
Mailing Address: 3201 DREW WAY West Palm Beach, FL 33406-7637	Property Address: 3201 DREW PALM SPRINGS, FL 33406	Legal Description: DREW MANOR LT 18
Owner of Record: CASTANEDA NADIA LOZANO	Second Owner:	

Last updated: 10/02/2024 02:26:37 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

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	 \$9,056.35 Net Tax: \$9,433.70 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$377.35	11/28/23	-\$9,056.35	 Paid
3/31/23	 \$8,304.35 Net Tax: \$8,650.37 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$346.02	11/29/22	-\$8,304.35	 Paid
3/31/22	 \$5,983.68 Net Tax: \$6,168.74 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$185.06	12/15/21	-\$5,983.68	 Paid

Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/21	☐ \$6,201.67 Net Tax: \$6,201.67 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00	3/3/21	- \$6,201.67	 Paid
Due Date	Net Tax	Last Paid	Amount Paid	Status
3/31/20	☐ \$6,058.40 Net Tax: \$6,310.83 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$252.43	11/19/19	- \$6,058.40	 Paid

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



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-61

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

**CASTANEDA NADIA LOZANO
3201 DREW WAY
WEST PALM BEACH FL, 33406**

**MAILING ADDRESS:
SAME AS ABOVE**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 (FBC 105.1): Work without a valid building, electrical, plumbing, and fence permit.

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

SECTION 34-914: No parking of vehicles on property grass.

SECTION 14-42: All property with tenants must obtain residential rental permits.

SECTION 34-915: Trailer and RV may not be used for sleeping or living.

SECTION 10-9(c): All homes must have house numbers on the main structure and must be visible from the right of way.

Address: 3201 DREW WAY
Legal Description: DREW MANOR LT 18
PCN: 70-43-44-18-01-000-0180

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 17th day of October 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 10-31 (FBC 105.1): Work without a valid building, electrical, plumbing, and fence permit.**
 - ☐ **SECTION 10-31 (FBC 110.1): Required inspections.**
 - ☐ **SECTION 34-914: No parking of vehicles on property grass.**
 - ☐ **SECTION 14-42: All property with tenants must obtain residential rental permits.**
 - ☐ **SECTION 34-915: Trailer and RV may not be used for sleeping or living.**
 - ☐ **SECTION 10-9(c): All homes must have house numbers on the main structure and must be visible from the right of way.**
- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ **SECTION 10-31 (FBC 105.1): Work without a valid building, electrical, plumbing, and fence permit.**
 - ☐ **SECTION 10-31 (FBC 110.1): Required inspections.**
 - ☐ **SECTION 34-914: No parking of vehicles on property grass.**
 - ☐ **SECTION 14-42: All property with tenants must obtain residential rental permits.**
 - ☐ **SECTION 34-915: Trailer and RV may not be used for sleeping or living.**
 - ☐ **SECTION 10-9(c): All homes must have house numbers on the main structure and must be visible from the right of way.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024:**
- ☐ Administrative costs of **\$160.75**
 - ☐ 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 **November 17, 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 **October 31, 2024.**
- ☐ Administrative costs of **\$160.75**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Henry Stout at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money 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 17th day of October 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:

[3201 Drew Way](#)
[West Palm Beach, FL 33406 7637](#)



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-57

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307
Respondent(s).

PCN 70-43-44-08-04-000-0552

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that she has just and reasonable grounds to believe, and does believe that on **SEPTEMBER 26, 2024**, the Respondent(s), **MN INVESTMENTS PROPERTIES HOLDINGS LLC**, owner(s) of the property at **1946 S CONGRESS AVENUE PALM SPRINGS, FL, 33406** is in violation of local ordinances.

SECTION 34-1365. Land Clearing, dredging and filling. It is unlawful to engage in land alteration without first obtaining a permit with payment of applicable fees

SECTION 10-31 (FBC 105.1). Permits required. Wood lean-to and chain-link enclosure along south elevation, picket fence enclosure along west elevation #1952. Remove all unpermitted deteriorated structures.

SECTION 34-143(a). Removal of rubbish; Public nuisance declared. Remove all trash and debris along service alley and drainage ditch.

SECTION 78-208. Illicit discharges – Generally. Discharge from dumpster, mop sink, sink outlet south elevation #1960-1966 and any other discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

SECTION 62-75 (3). Commercial development storage areas. Dumpster requires screened on three sides with gate and shall be landscaped with hedge.

SECTION 46-3. Graffiti. Public nuisance and must be removed from rental sign and dumpster.

SECTION 66-112. General maintenance requirements. All sidewalks located in the right-of way and parking lot curbing shall be cleaned of discoloration.

SECTION 10-9. Exterior of Structure or Building. Exterior shall be maintained in good repair, structurally sound and sanitary. Exterior painting – walls & ceiling of overhang extensions, pressure washing walls kept free of holes, breaks, loose or rotting materials, properly surface coated, replace broken roof tiles

SECTION 30-141. Excessive growth of weeds and vegetation. Hedge along west side of parking lot, vegetation at chain-link enclosure in rear.

SECTION 34-328 (c). Wall, under-canopy and window signs. Window signs shall not exceed 25 percent of the aggregate window area. Entry doors to be considered clear zones for security and safety purposes. Remove tint from entry doors and any graphics with exception of business name, address and hours of operation. Only one electronic "Open" sign allowed.

SECTION 70-94 – Application: local business tax receipt required: exemptions. Unit #'s 1952 (Restaurant), 1958, 1960, 1966 (Religious affiliation).

SECTION 34-916. Parking commercial vehicles on commercial property. Remove to park or store panel truck on property.

These violations must be corrected on or before **OCTOBER 8, 2024**. This matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8520, **at 10:00 A.M., THURSDAY OCTOBER 17, 2024**. IF THE VIOLATIONS ARE 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.

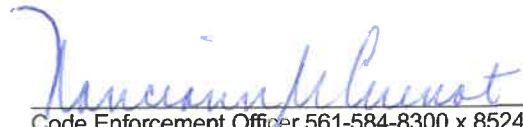
YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

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. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

CE/

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 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 x 8524

Date Issued: SEPTEMBER 26, 2024

Nanciann Cuenot
Printed Name of Officer



9/24/2024 11:18:35 AM

Sec 34-1365 - land alteration - permit required



9/24/2024 11:18:02 AM



9/24/2024 11:17:47 AM

Sec. 34-1365 unpermitted land alteration



9/24/2024 11:16:53 AM

Land Alteration at Canal without Permits
Sec 34-1365



1/4/2023 10:17



Sec. 34-1365

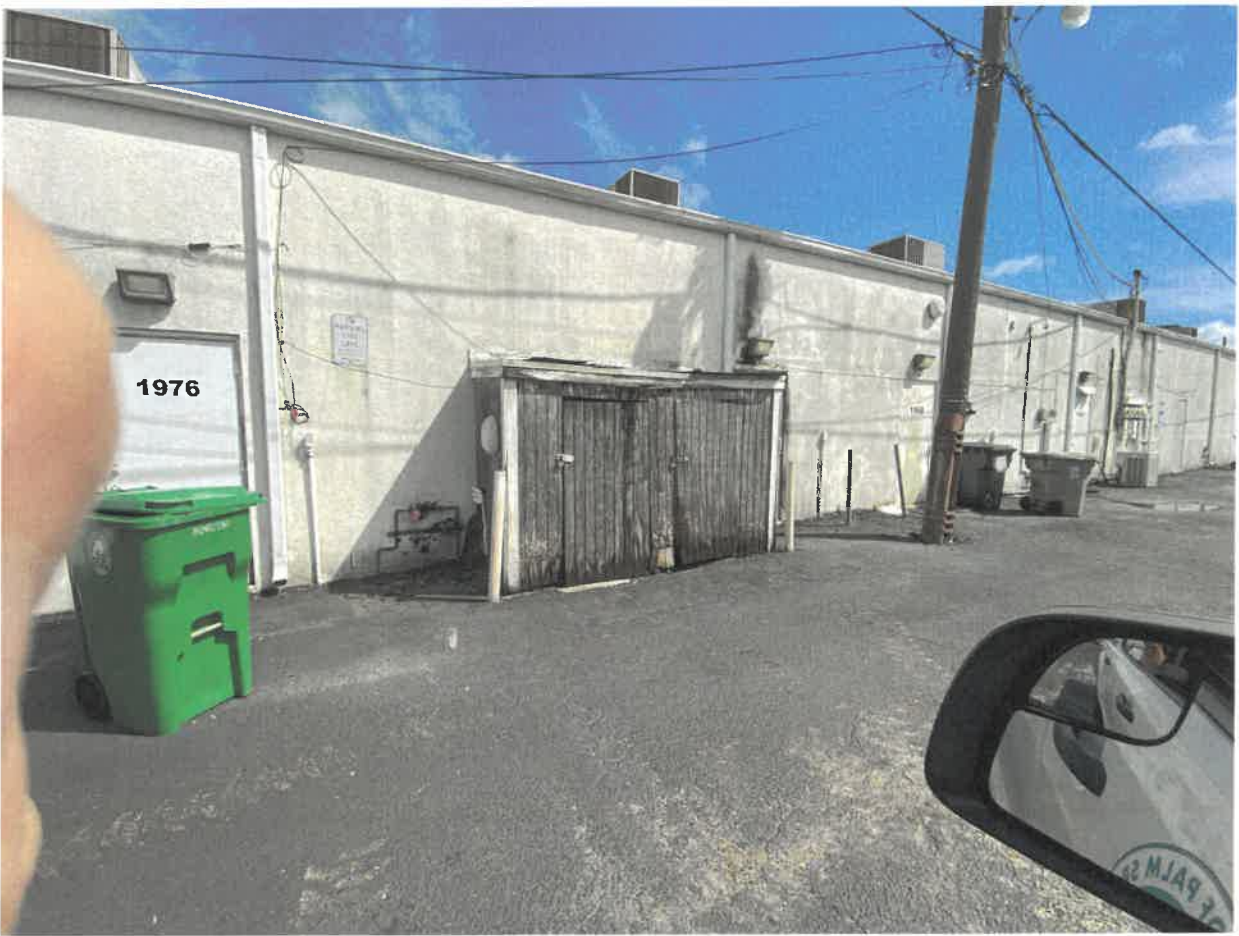
Land alteration
without Permits

12/28/2022 11:17







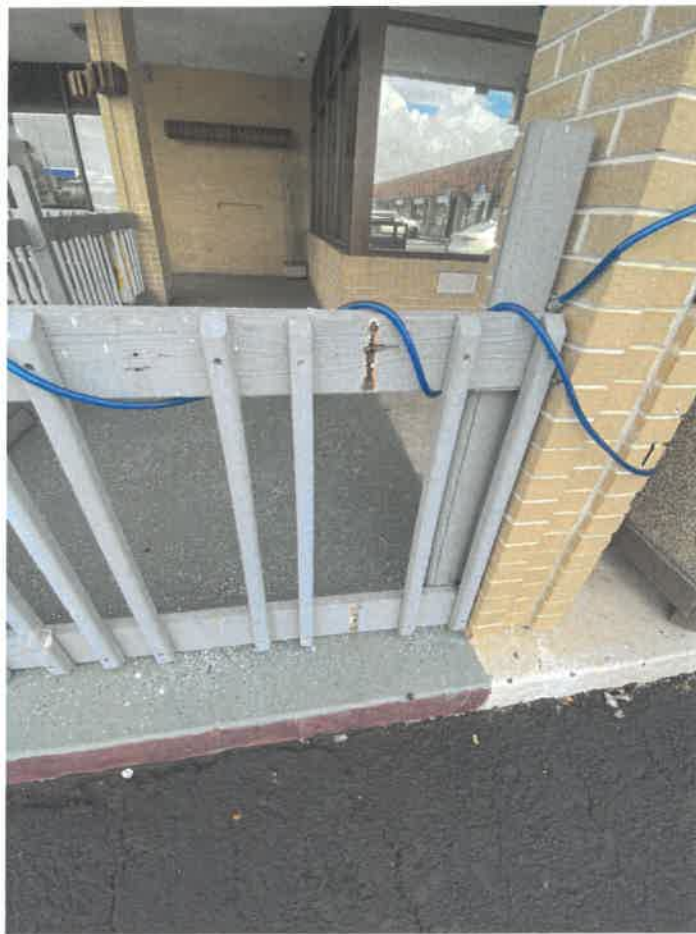


9/24/2024 11:14:57 AM

105.1 + 110.1 No permits for Lean-to Wood Structure
rotted wood and chain-link fence Enclosure remove.



9/24/2024 11:17:32 AM



9/24/2024 11:04:58 AM

105.1 + 110.1 Unpermitted/broken/deteriorated
wood picket fence. Remove



9/24/2024 11:04:51 AM



Trash/Debris

9/24/2024 11:26:29 AM



9/24/2024 11:19:11 AM



Sec. 34-143
Trash + Debris
Sec. 78-208
illicit discharge
into storm water
system.

9/24/2024 11:25:07 AM



9/24/2024 11:25:33 AM

Sec. 78-208
illicit discharge
dumpster leaking
into storm water
system.
Replace dumpster.



9/24/2024 11:25:14 AM

Sec. 62-75
dumpster Requires ENCLOSURE with gate + landscaping



9/24/2024 11:24:50 AM



9/24/2024 11:22:42 AM

Sec. 78.208

illicit discharge of sink into storm water system



9/24/2024 11:16:45 AM



9/24/2024 11:24:15 AM

unpermitted mop sink - drain is plugged -
discharges into storm water ditch.



9/24/2024 11:24:26 AM



Sec. 18-208 illicit discharge to storm water system. 9/24/2024 11:24:50 AM

Sec 46-3 Graffiti



9/24/2024 11:12:59 AM



Sec. 66-112

* Pressure wash sidewalk
and curb



9/24/2024 11:27:33 AM

Sec. 66.112 Remove discoloration from
sidewalks - curbs

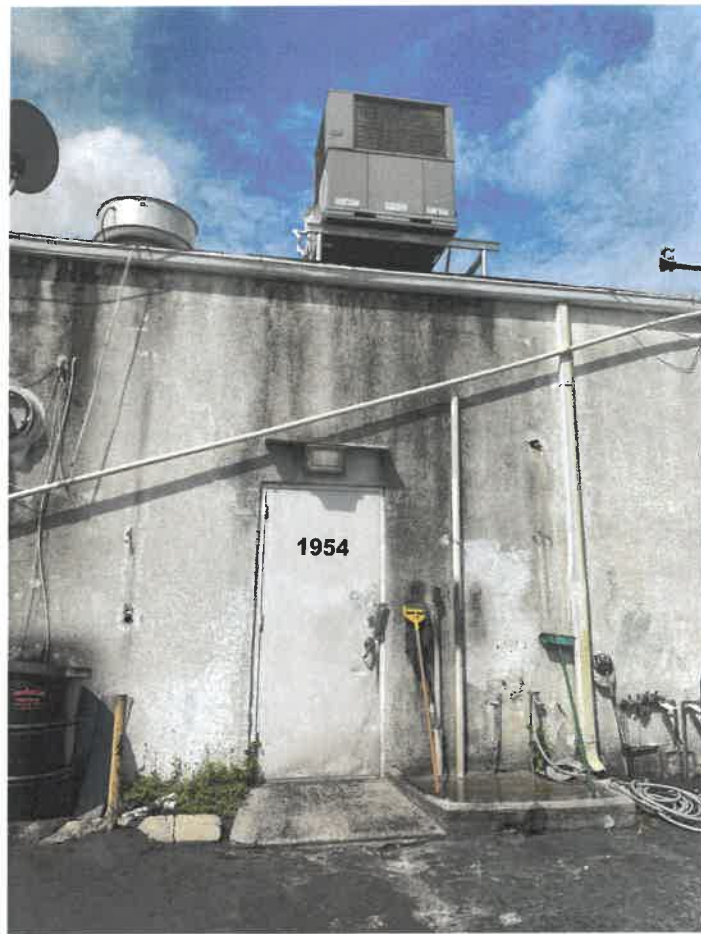
✓

10-9 Exterior of
Building -
remove discoloration
& paint



9/24/2024 11:26:16 AM

SEC. 10-9
Exterior of
Building. Remove
discoloration +
Paint



9/24/2024 11:23:01 AM

Sec 30-143 Trash + Debris



9/24/2024 11:19:11 AM



Sec. 10-9 Ext. Structure 9/24/2024 10:50:09 AM
Fix Broken Roof Tiles



9/24/2024 10:53:15 AM



9/24/2024 11:09:32 AM

Sec. 30-141 Excessive overgrowth



9/24/2024 11:10:15 AM



9/24/2024 11:11:39 AM

Sec. 30-141 Excessive overgrowth



9/24/2024 11:17:32 AM



9/24/2024 11:00:28 AM



NO BTR ON FILE
SEC. 70-94

9/24/2024 11:03:10 AM



NO BTR ON FILE
SEC. 70-94

9/24/2024 11:02:38 AM SEC 34-291 - FRONT DOORS
MUST BE CLEAR-ZONE



9/24/2024 10:49:08 AM



9/24/2024 10:49:24 AM

Sec. 34-1365. - Land clearing, dredging and filling.

(a) Permit required.

- (1) It shall be unlawful for any person to engage in land alteration, including land-clearing, land-removing or land-filling activities in the village, or to use, operate, propel or maintain in use any bulldozer, payload, front-end loader, backhoe, dragline, power shovel, road grader, dump truck, dredge, sand-pumping machine, pump line, fill spreader or other heavy-duty land-clearing, land-removing or land-filling equipment within the village limits, without first obtaining a permit from the land development department, with payment of applicable fees.
- (2) The application fee shall be paid at the time of submittal. The permit fee shall be paid at the time of issuance.
- (3) Where land alteration work, for which a permit is required, is started prior to obtaining a permit, the fee shall be tripled; but the payment of the fee shall not relieve any person from complying with this section nor from any other penalties which may be imposed.

(b) Application, compliance.

- (1) Applicants for land alteration, including land-clearing, land-removing or land-filling permits shall furnish to the land development department all information reasonably requested upon a form prescribed for such purposes. No such permit shall be issued without prior full compliance by the applicant with all other required permits and licenses by the city, including full compliance with the applicable provisions of article III, landscaping.
- (2) Application for an approval under this section shall be deemed abandoned 30 days after the date the land development department notifies the applicant of any deficiencies contained in the application. The department may, upon written request and justification by the applicant, grant not more than one 30-day extension. At the expiration of the 30-day period, or any extension thereof, the application shall automatically expire and become null and void.

(c) Protection against stormwater run-off. Protection measures shall be incorporated on-site during and after land alteration to ensure no off-site stormwater run-off occurs. Such measures may include siltation fencing, hay bales, vegetative preservation areas or vegetation storage or nursery areas.**(d) Sodding, seeding of property.** The applicant for a land alteration or vegetation removal permit shall be required to install sod or ground cover or provide another appropriate means to minimize the travel of off-site particular matter, consistent with section 34-188, if construction does not occur within 30 days after the finalization of land clearing and alteration.**(e) Violations.** Any person charged with a violation of this division shall be denied the issuance of any further permits for land clearing, removal or filling in the village until final disposition thereof, and if found guilty, shall also be denied the issuance of any further permits for land-clearing,

land-removing or land-filling operations in the village for a period of one year from date of conviction. Each day's violation shall constitute a separate offense.

(Ord. No. 2017-15, § 3, 7-27-2017)

SECTION 105 PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

SECTION 110 INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain exposed and provided with access for inspection purposes until approved.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

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.

or other law, rule, regulation or permit is prohibited.

(Code 1994, § 66-187)

Sec. 78-206. - Specific prohibitions.

By adoption of industrial activity stormwater regulations or assurance of industrial activity stormwater permits, or both, the director may impose reasonable limitations as to the quality of stormwater, including, without limitation, the designation of maximum levels of pollutants discharged into the stormwater system from sites of industrial activity. Any promulgation of such regulations and issuance of permits by the director shall be in accordance with applicable law.

(Code 1994, § 66-188)

Sec. 78-207. - National Pollutant Discharge Elimination System permits.

Any person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the director no later than the later of 60 calendar days after the effective date of the ordinance from which this article is derived or 60 calendar days after issuance.

(Code 1994, § 66-189)

Sec. 78-208. - Illicit discharges—Generally.

Except as set forth under section 78-210 or as in accordance with a valid National Pollutant Discharge Elimination System (NPDES) permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Code 1994, § 66-190)

Sec. 78-209. - Same—Specific prohibitions.

Any discharge to the stormwater system containing any sewage, industrial waste or other materials, or containing any materials in violation of federal, state, county, municipal or other laws, rules, regulations, orders or permits, is prohibited.

(Code 1994, § 66-191)

Sec. 62-75. Commercial development storage areas.

Recyclable material collection storage shall be provided on the site of all commercial developments for which an application for a development order is filed after the effective date of the ordinance from which this article is derived, in accordance with the following standards:

- (1) *Number and size.* At a minimum, at least one recyclable material collection and storage area, with a ten foot by ten foot pad, shall be designated on each site plan. Recycling enclosures may be connected to or be a section of garbage and trash enclosures.
- (2) *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.
- (3) *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.
- (4) *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.
- (5) *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, § 50-24)

Sec. 46-3. Graffiti.

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

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

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

Sec. 66-112. General maintenance requirements.

It is the responsibility of the contiguous property owner to maintain all grass, landscaping, and sidewalks that exist in the public rights-of-way and swales contiguous to the subject property in accordance with the following:

- (1) All grass and landscaping located in the public rights-of-way shall be maintained in accordance with the code of ordinances.
- (2) All sidewalks located in public rights-of-way shall be kept free of grass, weeds, and trash and shall be cleaned of sand, dirt, discoloration, mold, and debris. Structural deficiencies shall be the responsibility of the village. However, in the event of damage to a sidewalk caused by the negligent or intentional act of the contiguous property owner and/or utility provider, the party responsible for the damage shall make all necessary repairs to same.
- (3) Landscaping material root systems that show evidence of causing damage to public property shall be removed.

(Ord. No. 2018-13 , § 2, 6-14-2018)

Sec. 10-9. 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. 34-328. Wall, under-canopy and window signs.

(a) *Wall signs.* The maximum permitted area for a wall sign shall be determined by use of the following formula:

- (1) The basic factor shall be the square footage of the building face fronting on a public street right-of-way. Such square footage is computed by multiplying the height of the building, including parapets, not to exceed 30 feet, by the width of the building, by a constant, as provided in the following table:

Building Height	Primary Frontage Constants	Secondary Frontage Constants	
	All Areas	Commercial and Multifamily Areas	One-Family and Two-Family Residential Areas
10' or less	0.14	0.07	0.04
More than 10', up to 20'	0.12	0.06	0.03
More than 20'	0.10	0.05	0.02

Example: A building 60 feet (front) wide, 35 feet high and 80 feet deep, on a corner lot, with the secondary frontage facing a commercial area:

$$60' \times 30' = 1,800 \text{ square feet} \times 0.10 = 180 \text{ square feet sign area (primary frontage)}$$
$$80' \times 30' = 2,400 \text{ square feet} \times 0.05 = 120 \text{ square feet sign area (secondary frontage)}$$

Example: A building 30 feet (front) wide, 15 feet high and 30 feet deep, on a corner lot, with the secondary frontage facing a residential area:

$$30' \times 15' = 450 \text{ square feet} \times 0.12 = 54 \text{ square feet sign area (primary frontage)}$$
$$30' \times 15' = 450 \text{ square feet} \times 0.06 = 27 \text{ square feet sign area (secondary frontage)}$$

- (2) When a building fronts on more than one street, one building face shall be considered the primary frontage (usually the street address side) and the other face shall be considered as secondary frontage.
- (3) When there is more than one use in any building, each use shall be permitted a wall sign for each frontage attached to the building, and a proportional percentage of the area of the whole allowable wall signage.
- (4) When one face of a building fronts on a street and a second face fronts on an internal or external driveway, then the building face fronting on the street shall be considered as the only frontage.
- (5) Buildings which simultaneously front on two major roadways, such as Congress Avenue, Tenth Avenue North, Military Trail, Lake Worth Road and Forest Hill Boulevard, shall be considered to have two primary frontages.
- (b) *Under-canopy signs.* In addition to other signage permitted in the commercial land development districts, tenants of shopping centers shall be permitted to erect an illuminated or nonilluminated under-canopy sign, which shall not exceed one sign per tenant, a maximum of six-inch letters and a total area of six square feet.

(c) *Window signs.* In addition to other signage permitted in the commercial land development districts, nonresidential uses shall be permitted to erect non illuminated window signs, which shall not exceed 25 percent of the aggregate window area. All sign materials must be semi-permanent. Paper, cardboard, etc., are prohibited. No window sign shall be permitted to obscure any means of ingress or egress to the store. Entry doors to a business shall be considered clear zones for security and safety purposes and shall remain:

- (1) Clear of any window signs/graphics, with the exception of text for the business name, address and hours of operation, which shall not exceed three square feet in area; and
- (2) Free of dark tint that obscures view into the business.

Sign placement on windows shall allow for a clear and unobstructed view from outside the building to the interior along a normal line of sight when viewing the cash register and sales transaction area. Light banding of windows is prohibited. A business is allowed one electronic "OPEN" sign, which must provide a static message and shall not exceed three square feet, and shall contain no other message.

(Code 1994, § 30-219; Ord. No. 2014-27, § 3, 11-13-2014 ; Ord. No. 2015-13, § 2, 5-14-2015; Ord. No. 2018-01 , § 5, 7-12-2018)

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. 34-916. Parking commercial vehicles on commercial property.

- (a) It shall be unlawful for any owner, operator, or person having custody of any commercial vehicle to park or store the vehicle such as, but not limited to:
- (1) Tractor trailers, and semi-trailer trucks;
 - (2) Tow trucks, wreckers or flatbed vehicle carriers;
 - (3) Commercial buses, school buses, or vans accommodating more than 16 passengers;
 - (4) Dump trucks;
 - (5) Construction equipment and vehicles, whether self-propelled or towed, including farm tractors, backhoes, front-end loaders, cranes, cement mixers, pitch buckets or similar items;
 - (6) Step vans and panel trucks, and any vehicle used for the commercial sale of food or beverages;
 - (7) More than three, in total, of any taxi, car service vehicle, limousine, or stretch limousine provided the allowable vehicles are able to be parked on a paved surface and not obstructing any sidewalk or extending into any swale areas;
 - (8) Boom or bucket trucks;
 - (9) Swamp buggies and half-tracks.
- (b) On commercially zoned property for more than two hours unless the vehicle has business with an on-site business, such as loading or delivering goods, and then only with the express permission of the property owner and within an area nonobstructive to other vehicles using the site and not obstructing designated parking spaces. In no case shall a refrigeration truck be allowed to operate on commercially zoned property before 7:00 a.m. or after 11:00 p.m. nor shall a commercial vehicle be used primarily as storage space.

(Code 1994, § 30-629; Ord. No. 2017-19, § 3, 9-28-2017)

CASE PRESENTATION
CASE No. CASE 2024-13

1. Good morning, my name is Nanciann Cuenot, and I have been sworn in.
2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.
3. This is Case No. 2024-57 concerns the property at 1946 S Congress Avenue. in the Village of Palm Springs, FL.
4. According to the Palm Beach County Property Appraiser's records and Palm Beach County Tax Collector records the current owner(s) of the property is MN Investments Properties LLC.

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

SECTION 34-1365. Land Clearing, dredging and filling. It is unlawful to engage in land alteration without first obtaining a permit with payment of applicable fees to the Village of Palm Springs.

SECTION 10-31 (FBC 105.1). Permits required. Remove all unpermitted and/or deteriorated structures specifically wooded lean-to and chain-link enclosure along south elevation and picket fence enclosure along west elevation #1952.

SECTION 34-143(a). Removal of rubbish; Public nuisance declared. Remove all trash and debris along service alley and drainage ditch.

SECTION 78-208. Illicit discharges – Generally. Discharges from dumpster, mop sink and plumbing sanitary discharge from the building along the south elevation between doors labeled #1960-1966 and any other discharge to the stormwater system that is not composed entirely of stormwater is prohibited. Remove and cap-off the mop sink and plumbing discharge from the building.

SECTION 62-75 (3). Commercial development storage areas. Dumpster enclosure required, screened on three sides with gate and shall be landscaped with hedge.

SECTION 46-3. Graffiti. Public nuisance and must be removed from rental sign and dumpster.

SECTION 66-112. General maintenance requirements. All sidewalks located in the right-of way and parking lot curbing shall be cleaned of discoloration. Road Right-of way includes Congress Avenue and Floweva Street.

SECTION 10-9. Exterior of Structure or Building. Exterior shall be maintained in good repair, structurally sound and sanitary; kept free of holes, breaks, loose or rotting materials, properly surface coated. Exterior pressure washing and painting of walls & ceiling of overhang extensions, pressure washing and replacement of broken roof tiles

SECTION 30-141. Excessive growth of weeds and vegetation. Hedge along west side of parking lot, vegetation at chain-link enclosure in rear.

SECTION 34-328 (c). Wall, under-canopy and window signs. Window signs shall not exceed 25 percent of the aggregate window area. Remove any excess signage from windows. Entry doors to be considered clear zones for security and safety purposes. Remove tint from entry doors and any graphics with exception of business name, address and hours of operation. Only one electronic "Open" sign allowed.

SECTION 70-94 – Application; local business tax receipt required: exemptions. Unit #'s 1952 (Restaurant), 1958, 1960, 1966 (Religious affiliation) must submit application for Local Business Tax.

SECTION 34-916. Parking commercial vehicles on commercial property. Remove panel truck on property or submit proof truck is registered to business or business owner and keep parked no visible to any street Right-of Way.

3. Courtesy Notices were posted at the location and phone conversations with the property manager, Jason Young. Photos of the violations are included in the file. The property remains in violation.

CASE No. _____

4. On **September 26, 2024**, Notice of Violation/Notice of Hearing 2024-57 was issued for the violations. The notice was mailed certified and regular to the respondents address of record and posted at the property and at Village Hall. The digital status of the Certified Mail letter appears as delivered as of September 30, 2024.

5. I request that the Respondent be Ordered to come into compliance with actions to correct the violations and gain compliance by **December 18, 2024**. If not in compliance by the stated date a \$100.00 per day, per violation fine shall commence.

6. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$517.46** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **October 31, 2024**.

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



Case Administrative / Court Costs

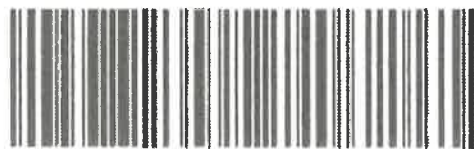
9/17/24, 1946 S Congress Ave - MN Investments Properties Holdings LLC		Case 2024-57		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	4.00	35.00	140.00
2	Additional Inspector Time - 1 hour Bldg	0.50	60.00	30.00
3	Additional Inspector Time - 1 hour LD Director	1.00	70.00	70.00
4	Additional photos re-inspections - 5.00 per photo	4.00	5.00	20.00
5	Additional photos re-inspections - 5 for 20.00	8.00	20.00	160.00
6	Additional certified copies for hearing	4.00	8.16	32.64
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	3.00	0.69	2.07
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
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Total Costs for Case 2024-57				517.46



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226 CYPRESS LANE
PALM SPRINGS, FL 33461
Attn: N. Cuenot

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MUHAMMAD ARIF, Reg. Agent
1703 WHITEHALL DRIVE, Ste. 101
DAVIE, FL 33324



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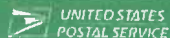
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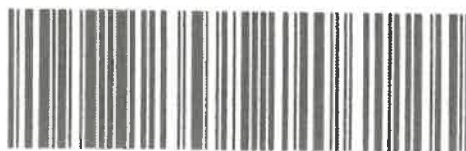
MN INVESTMENTS PROPERTIES HOLDINGS LLC
C/O YOUNG UNITED REALTY
9 S.E. 11TH AVENUE
POMPANO BEACH, FL 33060



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CODE ENFORCEMENT DIVISION
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Delivered, Front Desk/Reception/Mail Room

FORT LAUDERDALE, FL 33324

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POMPANO BEACH, FL 33060
September 30, 2024, 2:08 pm

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



PALM SPRINGS POLICE DEPARTMENT

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

July 11, 2023

MN INVESTMENTS PROPERTIES HOLDINGS LLC
C/O YOUNG UNITED REALTY
9 S.E. 11TH AVENUE
POMPANO BEACH, FL 33060

Dear Property Owner,

You have been issued a SECOND courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **1946 S Congress Ave in Palm Springs, FL**

PCN: 70-43-44-08-04-000-0552

This property is in violation of local ordinances.

SECTION 10-8

EXTERIOR PROPERTY AREAS

All parking lots, parking spaces and similar area shall be kept in a proper state of repair and maintained free from hazardous conditions.

SECTION 34-1366

BUILDING DESIGN GUIDELINES

(10) Dumpsters shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall landscaping, or other approved methods.

Compliance Date: September 15, 2023

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

Respectfully,

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



PALM SPRINGS POLICE DEPARTMENT

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

February 9, 2023

**MN INVESTMENTS PROPERTIES HOLDINGS LLC
C/O YOUNG UNITED REALTY
9 S.E. 11TH AVENUE
POMPANO BEACH, FL 33060**

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 **1946 S Congress Ave in Palm Springs, FL**
PCN: 70-43-44-08-04-000-0552

This property is in violation of local ordinances.

SECTION 10-8

EXTERIOR PROPERTY AREAS

All parking lots, parking spaces and similar area shall be kept in a proper state of repair and maintained free from hazardous conditions.

SECTION 34-265

RESPONSIBILITY OF MAINTENANCE; UNSAFE SIGNS; ABANDONED SIGNS.

All signs must be property maintained. Damaged parts shall be replaced.

SECTION 34-1366

BUILDING DESIGN GUIDELINES

(10) Dumpsters shall be located in the rear or side yard. All such service equipment and service areas shall be screened from view from any street or adjoining property by means of a wall landscaping, or other approved methods.

Compliance Date: 90 days – May 9, 2023

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

Respectfully,

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

Case not taken to Magistrate



PALM SPRINGS POLICE DEPARTMENT

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

February 8, 2023

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIER AVENUE
FORT LAUDERDALE, FL 33325 6307

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 **1946 S Congress Avenue in Palm Springs, FL** PCN: 70-43-44-08-04-000-0552

VIOLATION/HEARING CASE 2023-08

SECTION 34-1365 – Land Clearing Dredging and Filling **Land Alteration – Land filling without the Required Permit.**

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY MARCH 16, 2023, AT 10:00 AM.** This is part of your right under the judicial system.

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

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

Respectfully,

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

7020 1290 0000 7827 4977

U.S. Postal Service™ CERTIFIED MAIL® R Domestic Mail Only	
For delivery information, visit our web	
OFFICIAL	
Certified Mail Fee \$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage \$	
Total Postage and Fees \$	
Sent To	MN Investments Prop
Street and Apt. No.	700 Greenbrier A
City, State, Zip+4	Fort Lauderdale, F
PS Form 3800, April 2015 PSN 7530-02-000-9047	

Professionalism · Respect · Integrity · Duty · Excellence

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2023-8

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIER AVENUE
FORT LAUDERDALE, FL 33325 6307
Respondent.

PCN 70-43-44-08-04-000-0552

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that she has just and reasonable grounds to believe, and does believe that on **FEBRUARY 8, 2023**, the Respondent, **MN INVESTMENTS PROPERTIES HOLDINGS LLC**, owners of the property at **1946 S CONGRESS AVE, PALM SPRINGS, FL, 33415** is in violation of local ordinances.

SECTION 34-1365 – Land Clearing Dredging and Filling **Land alteration: Land Filling without the Required Permit.**

This violation must be corrected on or before **MARCH 10, 2023**, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8200 Ext 8524, **at 10:00 a.m., on THURSDAY MARCH 16, 2023.** IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at 561 584-8200 Ext 8524 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

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

Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at 561 584-8200 Ext. 8430 at least 36 hours prior to the hearing.


Code Enforcement Officer 561-584-8300 ext. 8524

Date Issued: FEBRUARY 8, 2023

NANCIANN CUENOT
Printed Name of Officer



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



7020 1290 0000 7827 4977

NEOPOST

FIRST-CLASS MAIL

02/09/2023

US POSTAGE

\$007.82⁰



ZIP 33461
041M11460879

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIER AVENUE
FORT LAUDERDALE, FL 33325 6307

DELINQUENT BUSINESS LICENSE VIOLATION NOTICE

VPS Ord. 18-03 – 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 an annual business license.

Date: 2.7-2023 Posted

Time: 2:00 pm Billy
561-503-5804

Location of Business: 1966 S. Congress Ave

EGLISE - BAPTISTE PAR LA FOI

You are hereby directed to correct the violation within ten (10) days upon receipt of this notice.

Please contact PZB at (561) ~~965-4016~~ or at
VPSlicense@vpsfl.org 584-8200
EXT 8460

Compliance Date: 10 days

Print Name: NANCIANN CUENOT
CODE ENFORCEMENT

Signature: _____

PZB Department

APPLY FOR VILLAGE BUSINESS TAX

You have the option of paying the delinquent fees for the annual license and coming into voluntary compliance OR arguing your case at the Special Magistrate hearing. 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 will be court costs assessed in addition to the citation amount.

2-8-23 Called me. LM.

Emailed applications

Baptist Church



DELINQUENT BUSINESS LICENSE VIOLATION NOTICE

VPS Ord. 18-03 – 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 an annual business license.

Date: 2/7/2023 Posted

Time: 2:00 pm. 5 years.

Location of Business: 1960 S. Congress

MISSION EGLISE EVANGELIQUE DELA BIBLE

You are hereby directed to correct the violation within ten (10) days upon receipt of this notice.

Please contact PZB at (561) ~~965-4016~~ or at
VPSlicense@vpsfl.org 584-8200
EXT. 8460

Compliance Date: 10 days

Print Name: NANCIANN CUENOT

Signature: Code ENFORCEMENT

PZB Department

You have the option of paying the delinquent fees for the annual license and coming into voluntary compliance OR arguing your case at the Special Magistrate hearing. 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 will be court costs assessed in addition to the citation amount.

2-9-23 Called - will take longer

Divadar

Simonaire
561-275-

4613

3-7-23 Working on Arch.



Courtesy Code Violation Notice

Case# Empty.

Date: 2/7/2023 Time: _____

Location: 1946 S. Congress Ave

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

Please address the listed code violations:

Section 70-94 - Local
Business Tax Receipt
REQUIRED. 2-1-23

Application on Village of
Palm Springs Web site

561-768-3272

Jose Luis 1972 Honduras@gmail.com

Compliance Date: 5 days

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

Nanciann Cuenot 154
Name I.D. #

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

561-584-8200 Ext 8524



Property Detail

Location Address : 1946 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-08-04-000-0552
Subdivision : CONGRESS HGHTS IN
Official Records Book/Page : 29780 / 120
Sale Date : FEB-2018
Legal Description : CONGRESS HEIGHTS TRACT B /LESS N 132 FT OF W 125 FT/

Owner Information**Owner(s)**

MN INVESTMENTS PROPERTIES HOLDINGS LLC

Mailing Address

700 GREENBRIAR AVE
 FORT LAUDERDALE FL 33325 6307

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2018	\$2,200,000	29780 / 00120	WARRANTY DEED	MN INVESTMENTS PROPERTIES HOLDINGS LLC
AUG-2008	\$2,500,000	22833 / 01255	WARRANTY DEED	CHONG FAMILY INVESTMENT INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 22862
Acres : 1.6824
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$1,590,071	\$1,660,881	\$1,613,661	\$1,338,523	\$1,363,283
Land Value	\$762,886	\$762,886	\$726,244	\$622,914	\$622,914
Total Market Value	\$2,352,957	\$2,423,767	\$2,339,905	\$1,961,437	\$1,986,197

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$2,352,957	\$2,373,339	\$2,157,581	\$1,961,437	\$1,986,197
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$2,352,957	\$2,373,339	\$2,157,581	\$1,961,437	\$1,986,197

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$45,717	\$46,823	\$44,392	\$40,378	\$41,246
NON AD VALOREM	\$6,358	\$6,137	\$5,853	\$5,569	\$5,452
TOTAL TAX	\$52,075	\$52,960	\$50,245	\$45,947	\$46,698



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company

MN INVESTMENTS PROPERTIES HOLDINGS LLC

Filing Information

Document Number	L18000040114
FEI/EIN Number	82-4912508
Date Filed	02/13/2018
Effective Date	02/09/2018
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	04/24/2018
Event Effective Date	NONE

Principal Address

1946-1980 S CONGRESS AVE
WEST PALM BEACH, FL 33406

Mailing Address

700 GRENNBRIAR AVE
DAVIE, FL 33325

Changed: 03/18/2019

Registered Agent Name & Address

ARIF, MUHAMMAD
1703 WHITEHALL DRIVE
101
DAVIE, FL 33324

Name Changed: 03/18/2019

Address Changed: 03/18/2019

Authorized Person(s) Detail

Name & Address

Title MGR



Account Information

Property Control Number:
70-43-44-08-04-000-0552

Mailing Address:
700 GREENBRIAR AVE
Fort Lauderdale, FL 33325-6307

Owner of Record:
MN INVESTMENTS PROPERTIES HOLDINGS
LLC

Property Type:
Real Property
Property Address:
1946 CONGRESS
PALM SPRINGS, FL 33406

Second Owner:

Status: Active
Legal Description:
CONGRESS HEIGHTS TRACT B /LESS N 132
FT OF W 125 FT/

Last updated: 9/25/2024 03:27:03 PM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).



Tax Bills

Add Tax Bills to the cart then select cart icon (🛒) above to checkout.

Total Payable: \$0.00

+ Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	\$50,841.93 Net Tax: \$52,960.34 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$2,118.41	11/24/23	-\$50,841.93	Paid
3/31/23	\$48,235.19 Net Tax: \$50,244.99 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$2,009.80	11/21/22	-\$48,235.19	Paid
3/31/22	\$44,109.50 Net Tax: \$45,947.40 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$1,837.90	11/22/21	-\$44,109.50	Paid



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-57

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

**MN INVESTMENTS PROPERTIES HOLDINGS LLC
1946 SOUTH CONGRESS AVENUE
WEST PALM BEACH, FL 33406**

**MAILING ADDRESS:
MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307**

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 34-1365: Land clearing, dredging and filling. It is unlawful to engage in land alteration without first obtaining a permit with payment of applicable fees.

SECTION 10-31 (FBC 105.1): Permits required. Remove all unpermitted and/or deteriorated structures specifically wooded lean-to and chain-link enclosure along south elevation and picket fence enclosure along west elevation #1952.

SECTION 34-143(a): Removal of rubbish. Public nuisance declared. Remove all trash and debris along service alley and drainage ditch.

SECTION 78-208: Illicit discharges – Generally. Discharges from dumpster, mop sink and plumbing sanitary discharge from the building along the south elevation between doors labeled #1960-1966 and any other discharge to the stormwater system that is not composed entirely of stormwater is prohibited. Remove and cap-off the mop sink and plumbing discharge from the building.

SECTION 62-75 (3): Commercial development storage areas. Dumpster enclosure required, screened on three sides with gate and shall be landscaped with hedge.

SECTION 46-3: Graffiti. Public nuisance and must be removed from rental sign and dumpster.

SECTION 66-112: General maintenance requirements. All sidewalks located in the right-of way and parking lot curbing shall be cleaned of discoloration. Road right-of way includes Congress Avenue and Floweva Street.

SECTION 10-9: Exterior of structure or building. Exterior shall be maintained in good repair, structurally sound and sanitary. Exterior painting – walls & ceiling of overhang extensions, pressure washing walls kept free of holes, breaks, loose or rotting materials, properly surface coated, replace broken roof tiles.

SECTION 30-141: Excessive growth of weeds and vegetation. Hedge along west side of parking lot, vegetation at chain-link enclosure in rear.

SECTION 34-328 (c): Wall, under-canopy and window signs. Window signs shall not exceed 25 percent of the aggregate window area. Remove any excess signage from windows. Entry doors to be considered clear zones for security and safety purposes. Remove tint from entry doors and any graphics with exception of business name, address and hours of operation. Only one electronic "Open" sign allowed.

SECTION 70-94: Application; local business tax receipt required: exemptions. Unit #'s 1952 (Restaurant), 1958, 1960, 1966 (Religious affiliation) must submit application for local business tax.

SECTION 34-916: Parking commercial vehicles on commercial property. Remove panel truck on property or submit proof truck is registered to business or business owner and keep parked no visible to any street right-of way.

Address: 1946 SOUTH CONGRESS AVENUE
Legal Description: CONGRESS HEIGHTS TRACT B /LESS N 132 FT OF W 125 FT/
PCN: 70-43-44-08-04-000-0552

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 17th day of October 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 34-1365: Land clearing, dredging and filling. It is unlawful to engage in land alteration without first obtaining a permit with payment of applicable fees.**

☐ **SECTION 10-31 (FBC 105.1): Permits required. Remove all unpermitted and/or deteriorated structures specifically wooded lean-to and chain-link enclosure along south elevation and picket fence enclosure along west elevation #1952.**

☐ **SECTION 34-143(a): Removal of rubbish. Public nuisance declared. Remove all trash and debris along service alley and drainage ditch.**

☐ **SECTION 78-208: Illicit discharges – generally. Discharges from dumpster, mop sink and plumbing sanitary discharge from the building along the south elevation between doors labeled #1960-1966 and any other discharge to the stormwater system that is not composed entirely of stormwater is prohibited. Remove and cap-off the mop sink and plumbing discharge from the building.**

- ☐ SECTION 62-75 (3): Commercial development storage areas. Dumpster enclosure required, screened on the three sides with gate and shall be landscaped with hedge.
 - ☐ SECTION 46-3: Graffiti. Public nuisance and must be removed from rental sign and dumpster.
 - ☐ SECTION 66-112: General maintenance requirements. All sidewalks located in the right-of way and parking lot curbing shall be cleaned of discoloration. Road right-of-way includes Congress Avenue and Floweva Street.
 - ☐ SECTION 10-9: Exterior of structure or building. Exterior shall be maintained in good repair, structurally sound and sanitary. Exterior painting – walls & ceiling of overhang extensions, pressure washing walls kept free of holes, breaks, loose or rotting materials, properly surface coated, replace broken roof tiles.
 - ☐ SECTION 30-141: Excessive growth of weeds and vegetation. Hedge along west side of parking lot, vegetation at chain-link enclosure in rear.
 - ☐ SECTION 34-328 (c): Wall, under-canopy and window signs. Window signs shall not exceed 25 percent of the aggregate window area. Remove any excess signage from windows. Entry doors to be considered clear zones for security and safety purposes. Remove tint from entry doors and any graphics with exception of business name, address and hours of operation. Only one electronic “Open” sign allowed.
 - ☐ SECTION 70-94: Application; local business tax receipt required: exemptions. Unit #'s 1952 (Restaurant), 1958, 1960, 1966 (Religious affiliation) must submit application for local business tax.
 - ☐ SECTION 34-916: Parking commercial vehicles on commercial property. Remove panel truck on property or submit proof truck is registered to business or business owner and keep parked no visible to any street right-of way.
- ☐ Respondent was in violation of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ SECTION 34-1365: Land clearing, dredging and filling. It is unlawful to engage in land alteration without first obtaining a permit with payment of applicable fees.
 - ☐ SECTION 10-31 (FBC 105.1): Permits required. Remove all unpermitted and/or deteriorated structures specifically wooded lean-to and chain-link enclosure along south elevation and picket fence enclosure along west elevation #1952.
 - ☐ SECTION 34-143(a): Removal of rubbish. Public nuisance declared. Remove all trash and debris along service alley and drainage ditch.
 - ☐ SECTION 78-208: Illicit discharges – generally. Discharges from dumpster, mop sink and plumbing sanitary discharge from the building along the south elevation between doors labeled #1960-1966 and any other discharge to the stormwater system that is not composed entirely of stormwater is prohibited. Remove and cap-off the mop sink and plumbing discharge from the building.
 - ☐ SECTION 62-75 (3): Commercial development storage areas. Dumpster enclosure required, screened on the three sides with gate and shall be landscaped with hedge.

- ☐ SECTION 46-3: Graffiti. Public nuisance and must be removed from rental sign and dumpster.
- ☐ SECTION 66-112: General maintenance requirements. All sidewalks located in the right-of way and parking lot curbing shall be cleaned of discoloration. Road right-of-way includes Congress Avenue and Floweva Street.
- ☐ SECTION 10-9: Exterior of structure or building. Exterior shall be maintained in good repair, structurally sound and sanitary. Exterior painting – walls & ceiling of overhang extensions, pressure washing walls kept free of holes, breaks, loose or rotting materials, properly surface coated, replace broken roof tiles.
- ☐ SECTION 30-141: Excessive growth of weeds and vegetation. Hedge along west side of parking lot, vegetation at chain-link enclosure in rear.
- ☐ SECTION 34-328 (c): Wall, under-canopy and window signs. Window signs shall not exceed 25 percent of the aggregate window area. Remove any excess signage from windows. Entry doors to be considered clear zones for security and safety purposes. Remove tint from entry doors and any graphics with exception of business name, address and hours of operation. Only one electronic “Open” sign allowed.
- ☐ SECTION 70-94: Application; local business tax receipt required: exemptions. Unit #'s 1952 (Restaurant), 1958, 1960, 1966 (Religious affiliation) must submit application for local business tax.
- ☐ SECTION 34-916: Parking commercial vehicles on commercial property. Remove panel truck on property or submit proof truck is registered to business or business owner and keep parked no visible to any street right-of-way.

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024:**
 - ☐ Administrative costs of **\$517.46**
 - ☐ 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 **\$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 **October 31, 2024.**
 - ☐ Administrative costs of **\$517.46**
 - ☐ 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 CodeInspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 17th day of October 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:

[1946 South Congress Avenue](#)
[West Palm Beach, FL 33406](#)



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-64

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611
Respondent(s).

PCN 70-43-44-07-02-003-0080

NOTICE OF REPEAT VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that she has just and reasonable grounds to believe, and does believe that on **OCTOBER 7, 2024**, the Respondent(s), **YENNY VIDAL & ADISBEL VALDES**, owner(s) of the property at **1965 S CONGRESS AVE., PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 70-94 (a) Application: local business tax receipt required; exemptions. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.

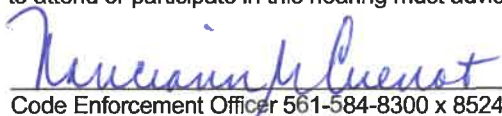
These violations must be corrected on or before **OCTOBER 16, 2024**. This matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL. 33461, Tel. 561-584-8300 Ext 8520, at **10:00 A.M., THURSDAY OCTOBER 17, 2024**. IF THE VIOLATIONS ARE 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. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

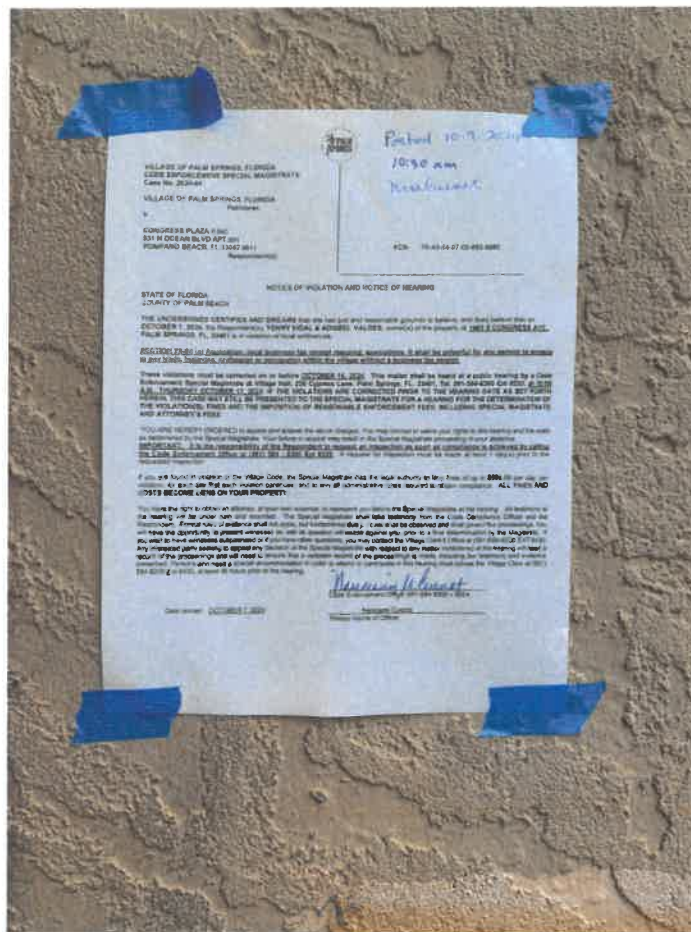
If you are found in violation of the Village Code, the Special Magistrate has the legal authority to levy fines of up to **\$500.00** per day, per violation, for each day that each violation continues, and to levy all administrative costs required to obtain compliance. **ALL FINES AND COSTS BECOME LIENS 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 x 8524

Date Issued: **OCTOBER 7, 2024**

Nanciann Cuenot
Printed Name of Officer



10/7/2024 10:33:33 AM



10/7/2024 10:33:29 AM

Tracking Number:

Remove X

9489017898203019876487

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

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:59 pm on October 9, 2024 in POMPANO BEACH, FL 33062.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

POMPANO BEACH, FL 33062

October 9, 2024, 2:59 pm

See All Tracking History

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

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus®



Product Information



See Less ^

Feedback



**CODE ENFORCEMENT SPECIAL MAGISTRATE
VILLAGE OF PALM SPRINGS, FLORIDA**

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-64

RETURN OF SERVICE

**CONGRESS PLAZA II INC
531 N OCEAN BLVD, APT. 201
POMPANO BEACH, FL 33062 4611**
_____ /

Respondent

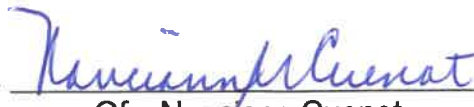
On the **7th Day of OCTOBER 2024 at 10:33 pm**, I served the attached Notice of Violation / Notice of Hearing Letter on the within named Respondents, **CONGRESS PLAZA II INC** at **1965 S. CONGRESS AVENUE.**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, 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. Also mailed regular & certified mail. **PHOTOS INCLUDED**

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

By: 
Ofc. Nannann Cuenot

Alterman <marc@marcbrownpa.com>; Miarrinc@gmail.com <Miarrinc@gmail.com>

Subject: Re: Reinspection got 1965 S Congress

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.

Thank you Nancy for staying on top of it. Attorney adding him to existing lease as we speak.

Regards,

Billy Sahni

www.rwbholdings.com

9549146467 Cell

9549411057 Office

7862911600 Leasing

On Tue, Aug 20, 2024, 9:42 AM Nanciann M. Cuenot <ncuenot@vpsfl.org> wrote:

I just returned from property inspection, and I have NEVER seen this place look so good. They are working very hard to comply. The vegetation that was cut down will be removed from the property today.

I will put this property in compliance and the fines will stop running.

Now, the most important thing is that Mr. Rodriguez submits a lease to the Planning Zoning & Building Department for a BTR so that he can go back to work. Please advise.



Nanciann Cuenot, CEP

Code Enforcement Officer

[226 Cypress Lane | Palm Springs, Florida 33461](https://www.palm-springs.com/226-Cypress-Lane)

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: James W. Sahni <jwsahni@gmail.com>

Sent: Tuesday, August 20, 2024 8:26 AM

To: Nanciann M. Cuenot <ncuenot@vpsfl.org>

Cc: billy sahani <billysahni@gmail.com>; Krissy Clobes <kristine.rwb@gmail.com>

Subject: Re: Reinspection got 1965 S Congress

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.

Re: Reinspection got 1965 S Congress

From billy sahani <billysahni@gmail.com>

Date Tue 8/20/2024 9:53 AM

To Nanciann M. Cuenot <ncuenot@vpsfl.org>

Cc James W. Sahni <jwsahni@gmail.com>; Krissy Clobes <kristine.rwb@gmail.com>; Mark Brown Michael Alterman <marc@marcbrownpa.com>; Miarrinc@gmail.com <Miarrinc@gmail.com>

 1 attachments (16 KB)

Outlook-ak2lhkj3.png;

7

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.

Marc Brown my attorney is working on the same...

Regards,

Billy Sahni

www.rwbholdings.com

9549146467 Cell

9549411057 Office

7862911600 Leasing

On Tue, Aug 20, 2024, 9:51 AM Nanciann M. Cuenot <ncuenot@vpsfl.org> wrote:
Perfect! Could you please send me a copy of the executed lease?



Nanciann Cuenot, CEP

Code Enforcement Officer

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

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: billy sahani <billysahni@gmail.com>

Sent: Tuesday, August 20, 2024 9:43 AM

To: Nanciann M. Cuenot <ncuenot@vpsfl.org>

Cc: James W. Sahni <jwsahni@gmail.com>; Krissy Clobes <kristine.rwb@gmail.com>; Mark Brown Michael



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



9489 0178 9820 3019 8764 87

Label 880-QDT, March 2023



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

10/07/2024 ZIP 33480
043M31255277

US POSTAGE

**CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611**



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

10/07/2024 ZIP 33480
043M31255277

US POSTAGE

**CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611**

CASE PRESENTATION

CASE No. 2024-64

1. Good morning, my name is NANCIANN CUENOT, and I have been sworn in.
2. I am a Code Enforcement Officer for the Village of Palm Springs, Florida.
3. This is Case No. 2024-64. This case concerns the property at 1965 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(s) of the property is CONGRESS PLAZA II INC.
5. Pursuant to observation there are Violations of local ordinances. SECTION 70-94 (a) application; local business tax receipt required; exemptions. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.
6. Code Enforcement had been actively working with the property owner's representative James Sawhney, on multiple violations that existed for several years at this business Hec Mar Auto Services Corp. Mr. Hector Marcelo was previously cited on November 20, 2023, Citation 2023-2776 for operating without a local business tax receipt. The Village found out that in April 2024 Mr. Roiler Rodriguez purchased the business from Hector Marcelo. The new business owner was required to obtain a Local Business Tax Receipt. Planning Zoning & Building requires a copy of the lease. The property owner's attorney prepared a amended lease and added Rodriguez to a lease with Hector Marcelo. Marcelo was evicted and will not sign a new lease.
7. On OCTOBER 07, 2024, Notice of Violation/ Notice of Hearing 2024-64 was issued for a Repeat Violation. The notice was mailed certified and regular to the respondents address of record and posted at the property and at Village Hall. The digital status of the Certified Mail letter delivered as of October 9, 2024. The Village is asking that the Respondent and tenant submit the required lease and application and obtain a Local Business Tax Receipt with the Village of Palm Springs.
8. I request that the Respondent be ordered to come into compliance by no later than November 20, 2024, If not in compliance by the stated date a \$100.00 per day, FINE shall commence.
9. The Village has also incurred costs in the amount of \$216.60 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than OCTOBER 31, 2024.
10. Subject to any questions you might have, this concludes the Village Testimony.



Case Administrative / Court Costs

October 17, 2024, 1965 S Congress Avenue - Tcongress Plaza II Inc		Case 2024-64		
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	0.50	60.00	30.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	2.00	5.00	10.00
5	Additional photos re-inspections - 5 for 20.00	0.00	20.00	0.00
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
		0.00	0.00	0.00
Total Costs for Case 2024-64				216.60

Property Detail

Location Address : 1965 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-07-02-003-0080
Subdivision : BRYANT PARK RESUB IN
Official Records Book/Page : 26325 / 344
Sale Date : AUG-2013
Legal Description : BRYANT PARK RESUB LTS 8 & 9 & LTS 10 & 11 (LESS E 10 FT CONGRESS AVE R/W) BLK C

Owner Information**Owner(s)**

CONGRESS PLAZA II INC

Mailing Address

531 N OCEAN BLVD APT 201
POMPANO BEACH FL 33062 4611

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
AUG-2013	\$100,000	26325 / 00344	DEED OF TRUST	CONGRESS PLAZA II INC
APR-2007	\$10	21834 / 00979	QUIT CLAIM	LAN JOHN &
JUN-1994	\$175,000	08313 / 01496	WARRANTY DEED	
DEC-1990	\$100	06693 / 00232	QUIT CLAIM	
JUN-1984	\$247,500	04255 / 01618	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 1764
Acres : 0.6247
Property Use Code : 2700—AUTO SALES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$248,907	\$219,603	\$197,116	\$165,550	\$165,184
Land Value	\$383,173	\$383,173	\$364,940	\$312,961	\$312,961
Total Market Value	\$632,080	\$602,776	\$562,056	\$478,511	\$478,145

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$632,080	\$578,998	\$526,362	\$478,511	\$450,402
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$632,080	\$578,998	\$526,362	\$478,511	\$450,402

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$12,281	\$11,497	\$10,773	\$9,851	\$9,548
NON AD VALOREM	\$789	\$770	\$745	\$720	\$707
TOTAL TAX	\$13,070	\$12,267	\$11,517	\$10,570	\$10,255

Account Information

Property Control Number: 70-43-44-07-02-003-0080	Property Type: Real Property	Status: Active
Mailing Address: 531 N OCEAN BLVD APT 201 Pompano Beach, FL 33062-4611	Property Address: 1965 CONGRESS PALM SPRINGS, FL 33406	Legal Description: BRYANT PARK RESUB LTS 8 & 9 & LTS 10 & 11 (LESS E 10 FT CONGRESS AVE R/W) BLK C
Owner of Record: CONGRESS PLAZA II INC	Second Owner:	

Last updated: 10/11/2024 09:09:05 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

Installment	Due Date	Net Tax	Last Paid	Amount Paid	Status
1	7/31/24	\$2,882.78 Net Tax: \$3,066.79 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$184.01	6/12/24	-\$2,882.78	Paid
2	9/30/24	\$2,928.78 Net Tax: \$3,066.79 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$138.01	9/10/24	-\$2,928.78	Paid

Installment	Due Date	Net Tax	Last Paid	Amount Paid	Status
1	7/31/23	\$2,706.61 Net Tax: \$2,879.37 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$172.76	6/12/23	-\$2,706.61	Paid
2	10/2/23	\$2,749.79 Net Tax: \$2,879.36 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$129.57	9/8/23	-\$2,749.79	Paid



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
CONGRESS PLAZA II, INC.

Filing Information

Document Number	P13000050212
FEI/EIN Number	46-3009321
Date Filed	06/10/2013
Effective Date	06/06/2013
State	FL
Status	ACTIVE

Principal Address

1965 S. Congress Avenue
Palm Springs, FL 33406

Changed: 04/11/2018

Mailing Address

531 N OCEAN BLVD
SUITE 201
POMPANO BEACH, FL 33062

Registered Agent Name & Address

PAL, JAI
531 N OCEAN BLVD
SUITE 201
POMPANO BEACH, FL 33062

Officer/Director Detail

Name & Address

Title President

Sawhney, Pankaj Bill
531 N OCEAN BLVD
SUITE 201
POMPANO BEACH, FL 33062

Title VP

Sawhney, Sachin
531 N OCEAN BLVD
SUITE 201
POMPANO BEACH, FL 33062

Title Secretary, Treasurer

Sawhney, Nirmal
531 N OCEAN BLVD
SUITE 201
POMPANO BEACH, FL 33062

Annual Reports

Report Year	Filed Date
2022	03/22/2022
2023	01/10/2023
2024	01/15/2024

Document Images

01/15/2024 – ANNUAL REPORT	View image in PDF format
01/10/2023 – ANNUAL REPORT	View image in PDF format
03/22/2022 – ANNUAL REPORT	View image in PDF format
02/02/2021 – ANNUAL REPORT	View image in PDF format
03/26/2020 – ANNUAL REPORT	View image in PDF format
03/21/2019 – ANNUAL REPORT	View image in PDF format
04/11/2018 – ANNUAL REPORT	View image in PDF format
02/13/2017 – ANNUAL REPORT	View image in PDF format
01/20/2016 – ANNUAL REPORT	View image in PDF format
01/13/2015 – ANNUAL REPORT	View image in PDF format
01/08/2014 – ANNUAL REPORT	View image in PDF format
06/10/2013 – Domestic Profit	View image in PDF format



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-64

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

**CONGRESS PLAZA II INC
1965 SOUTH CONGRESS AVENUE
PALM SPRINGS, FL 33406**

**MAILING ADDRESS:
531 NORTH OCEAN BLVD, APT 201
POMPANO BEACH, FL 33062**

Respondent(s).

ORDER FINDING VIOLATION

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

**SECTION 70-94 (a): Application; local business tax receipt required; exemptions.
It shall be unlawful for any person to engage in any trade, business, profession
or occupation within the village without a business tax receipt.**

Address: 1965 SOUTH CONGRESS AVENUE
Legal Description: BRYANT PARK RESUB LTS 8 & 9 & LTS 10 & 11 (LESS E 10 FT
CONGRESS AVE R/W) BLK C
PCN: 70-43-44-07-02-003-0080

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 17th day of October 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 70-94 (a): Application; local business tax receipt required; exemptions. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.**

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

☐ **SECTION 70-94 (a): Application; local business tax receipt required; exemptions. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the village without a business tax receipt.**

ORDER

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

☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **October 31, 2024**:

- ☐ Administrative costs of **\$216.60**
- ☐ 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 code violation by obtaining a local business tax receipt from the Village of Palm Springs no later than **November 20, 2024**. If Respondent fails to comply within the time given, a fine of **\$100 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **October 31, 2024**.

- ☐ Administrative costs of **\$216.60**
- ☐ Citation fine of **\$ N/A**
- ☐ Re-inspection fee of **\$ N/A**

All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative

costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.

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

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

DONE AND ORDERED this 17th day of October 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:

[1965 South Congress Avenue](#)
[Palm Springs, FL 33406](#)



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CIT CASE: 2023-2776

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

**CONGRESS PLAZA II INC
1965 S CONGRESS AVENUE
PALM SPRINGS, FL 33406**

**MAILING ADDRESS:
531 N OCEAN BLVD, APT 201
POMPANO BEACH, FL 33062
Respondent(s).**

ORDER FINDING VIOLATION

Re: Violation of: **SECTION 70-95 Due Date Delinquencies – Business Tax Receipt due for tax year 2022-2023 and 2023-2024 and a penalty of \$250.00 per offense as authorized by F.S. chapter 205.**

Address:	1965 S CONGRESS AVE
Legal Description:	BRYANT PARK RESUB LTS 8 & 9 & LTS 10 & 11 (LESS E 10 FT CONGRESS AVE R/W) BLK C
PCN:	70-43-44-07-02-003-0080

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

CONCLUSIONS OF LAW

- ☒ Respondent is in violation of **SECTION 70-95 Due Date Delinquencies – Business Tax Receipt due for tax year 2022-2023 and 2023-2024 and a penalty of \$250.00 per offense as authorized by F.S. chapter 205.**

- ☒ Respondent was in violation of **SECTION 70-95 Due Date Delinquencies – Business Tax Receipt due for tax year 2022-2023 and 2023-2024 and a penalty of \$250.00 per offense as authorized by F.S. chapter 205.** *but has complied.*

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 31, 2023**:
Administrative costs of **\$186.91**
Citation fine of **N/A**
Re-inspection fee of **N/A**

- ☒ Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **December 31, 2023**. *If Respondent fails to comply within the time given, a fine of \$50.00 per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance.* Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 31, 2023**:
Administrative costs of **\$186.91**
Citation fine of **N/A**
Re-inspection fee of **N/A**

2023-2024 BTR \$279.68 \$349.60

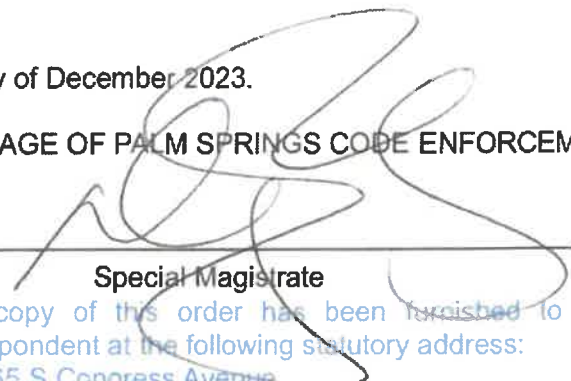
All payments shall be made to Village at 226 Cypress Lane, Palm Springs, Florida 33461.

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) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 21st day of December 2023.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY: 

Special Magistrate

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

1965 S Congress Avenue
Palm Springs, FL 33406



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 11, 2023

CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611

Dear Property Owner,

A **CITATION** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **1965 S CONGRESS AVENUE in Palm Springs, FL.**
PCN: 70-43-44-07-02-003-0080

CITATION NO. 2023-2776

SECTION 70-95

DUE DATE; DELINQUENCIES

Business tax receipts shall be sold by the village beginning August 1 of each year, are due and payable on or before September 30 of each year and shall expire on September 30 of the succeeding year. Payment of the renewal tax is required. Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due is subject to a penalty of up to \$250.00 per offense (F.S. chapter 205)

The options available include coming into voluntary compliance on or before **DECEMBER 18, 2023, OR** arguing your case at the Special Magistrate hearing, **THURSDAY DECEMBER 21, 2023, AT 10:00 AM.** This is part of your right under the judicial system.

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

Please feel free to call/text me if you have any questions or concerns at (561)584-8300 Ext. 8524.

Respectfully,

Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Cell: 561-307-7157
Office: 561-584-8300 ext. 8524
ncuenot@vpsfl.org
www.vpsfl.org

VILLAGE OF PALM SPRINGS, FLORIDA CODE CITATION

CITATION NO. 2776

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Monday	Nov.	20	2023	
FIRST NAME	MID INT.	LAST NAME		
A. R.	Car Repair	Inc.		
STREET ADDRESS				
1965 S. Congress Ave				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33406		
TAG NO.	DESCRIPTION PROPERTY OWNER			
	CONGRESS PLAZA II INC 531 N. OCEAN BLVD. APT 201 PALM SPRINGS, FL 33406			
VIOLATION CODE SECTION(S) & DESCRIPTION:				
SEC. 70-95 DUE-DATE DELINQUENCIES				
TAX YEAR 2022-23 \$337.96				
TAX YEAR 2023-24 \$268.03				
F.S. CHAPTER 205 PENALTY \$250.00				
TOTAL AMT DUE \$855.99				
☐ REPEAT VIOLATION				

Nancyann August 154
Code Enforcement Officer ID#

This citation is issued pursuant to Chap. 162, Florida Statutes and Section 2-233. The violation charge is a civil infraction and may subject you to a fine of up to \$250 per day (or \$500 per day for Repeat Violations), plus costs assessed by a Magistrate before whom this matter is heard. You are scheduled to appear before the Magistrate at a hearing for this violation on:

Dec. 21, 2023 at 10:00 am
Hearing Date Time

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

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-304-4826 or 561-304-4829 and paying a fine of \$ TAX PENALTY, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 855.99. 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 Nov. 24, 2023, 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.

Hector Marcelo
Respondent Signature

Hector Marcelo
Printed Name

**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**



CODE CASE: 2024-13

VILLAGE OF PALM SPRINGS, FLORIDA

Petitioner,

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

MAILING ADDRESS:
(SAME AS ABOVE)

Respondent(s).

ORDER FINDING VIOLATION

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

SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits

SECTION 10-31 FBC 110.1: No Inspections

SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign

SECTION 34-262: Prohibited signs – banner sign

SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations

Address: 3959 LAKE WORTH ROAD
Legal Description: SUB 19-44-43 N 143 FT OF S 165 FT OF E 155.34 FT OF TRACT 66
PCN: 70-43-44-19-20-066-0150

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of February 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

-  **SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits for the following:**
 - Repave asphalt parking lot and stripe
-  **SECTION 10-31 FBC 110.1: No Inspections**
-  **SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign**
 - Nonconforming sign erected on property line within front set-back
-  **SECTION 34-262: Prohibited signs – banner sign**
- SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations**

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

SECTION 10-31 FBC (Florida Building Code) 105.1: No Permits for the following:

- Repave asphalt parking lot and stripe

SECTION 10-31 FBC 110.1: No Inspections

SECTION 34-265: Responsibility of maintenance; unsafe signs; abandoned sign

- Nonconforming sign erected on property line within front set-back

SECTION 34-262: Prohibited signs – banner sign

SECTION 10-9 (o): Exterior of Structure or Building – Holiday decorations

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 February 09, 2024:
- ☐ Administrative costs of \$202.54
 - ☐ 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 March 21, 2024. If Respondent fails to comply within the time given, a fine of \$50.00 per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent is ordered to pay the following amounts on or before February 23, 2024:
- ☒ Administrative costs of \$202.54
 - ☐ Citation fine of \$ N/A
 - ☐ Re-inspection fee of \$ N/A

All payments shall be made to The Village of Palm Springs at 226 Cypress Lane, Palm Springs, Florida 33461.

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nanciann Cuenot at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat.

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561)584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of February 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:


Special Magistrate

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

3959 LAKE WORTH ROAD
LAKE WORTH, FL 33461

VILLAGE OF PALM SPRINGS, FLORIDA

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

Code Enforcement Officer: Cuenot

Date: October 17, 2024

Case No.: 2024-13

Respondent(s): Bella Raza Inc

Violation Address (Subject Property): 3959 Lake Worth Road

BACKGROUND

On **February 15, 2024**, the above referenced case was adjudicated by the Special Magistrate as being in violation of Code Section 10-31 (FBC 105.1) Work without permits - resurface and stripe parking lot and 10-31 (FBC 110.1) No Inspections. The Respondent was given 6 months to come into compliance. Administration fees have been paid.

RECOMMENDATION.

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

- A. ☒ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for an Extension of time.
- B. ☐ That based upon the criteria of Section 162.06(2), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for an Extension of time. This recommendation is based on the following fact:

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based their recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: In order to apply and receive a permit for the parking lot paving, the respondent has had to hire a Planner to draw and submit Site Plans to Planning Zoning and Building. They are also submitting for a change of use (Restaurant). The extensive plans are going through review process with the Planning, Zoning & Building Board, Village Council Approval and also require Right-of Way approval from Palm Beach County. This can be a lengthy process which requires additional time to comply. The Property Owner is working with Village Code Enforcement who agree that an extension to **April 16, 2025**, is acceptable.

Dated: October 17, 2024

By: Nanciann Cuenot,
Code Enforcement Officer

Village of Palm Springs
Code Enforcement Magistrate Hearing



CODE CASE: 2024-13

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
BELLA RAZA INC
3959 LAKE WORTH RD
LAKE WORTH, FL 33461

Respondent(s).

PCN: 70-43-44-19-20-066-0150

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on OCTOBER 17, 2024, by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

The above Respondent is the owner or occupant of THE PROPERTY DESCRIBED AS: SUB 19-44-43 N 143 FT OF S 165 FT OF E 155.34 FT OF TRACT 66

1. On FEBRUARY 15, 2024, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of SECTION 10-31 FBC (Florida Building Code) 105.1 & 110.1 Work without Permits and required Inspections (Parking Lot), of the Village of Palm Springs Code of Ordinances. The Respondent was given until August 9, 2024, within which to comply with the code, failing a fine of \$50.00 per day, per violation was assessed to be against the respondent.

IT IS HEREBY ORDERED, that

- A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), shall/shall not be given an extension until, April 16, 2025, to comply with the Notice of Violation issued in this matter on or about February 15, 2024, requiring compliance on or before August 19, 2024.
- B. If the Respondent shall not bring the alleged violations into compliance on or before the extended compliance date of April 16, 2025, the fine of \$50.00 per day, per violation shall commence from the original date of compliance of August 19, 2024, and continue for each and every day of non-compliance.

DONE AND ORDERED this 17TH day of OCTOBER 2024.

By: _____
Special Magistrate

Copies Furnished to the Parties by U. S. MAIL