



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

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

AGENDA CHANGES

MOTION HEARINGS

1. Case No. 2024-67 - 4455 South Congress Avenue (Units 107 & 109) - Congress Pointe Inc.
Tangible Account Address is 4469 South Congress Avenue
CE Officer Tom Gehrman
Violation of Village Code of Ordinances
Section 14-61: Hours of operation of establishments served.
Citation Fine: N/A
Admin Cost: \$361.76
Recommendation: \$5,000 per day (13 violations, irreparable) = \$65,000.00 accrued violations stipulated agreement in discussion with the Village and property owners.
Compliance Date: December 20, 2024
2. Case No. 2024-75 - 3731 Lake Worth Road - Marvelous Associates Inc.
CE Officer Tom Gehrman
Violation of Village Code of Ordinances 60 days to obtain permits
Section 10-31 (FBC 105.1): No required permits issued for interior renovations and building changes.
Section 10-31 (FBC 110.1): No required inspections.
Section 14-32: No required business tax receipt for operations.
Section 34-898: No required approval for mobile food vendor, must meet requirements, no overnight parking.

Citation Fine:	N/A
Admin Cost:	TBD
Recommendation:	\$100.00 per day, per violation
Compliance Date:	60 days for permit violations, Food Truck five (5) days (no overnight parking)

3. CIT Case No. 2020-2467 and 2022-2512 - 2620 Donald Road - Linda S. Thomas and William S. Thomas
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 34-914: Parking.

Section 30-141: Overgrowth.

Section 10-19: Nuisance waste & debris.

Section 10-9: Building exterior maintenance.

Section 10-8: Exterior property areas.

Citation Fine:	Lien with accrued fines
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Admin Cost:	\$95.00
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Recommendation:	Stipulated agreement offered by the Village
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Compliance Date:	90 Days
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4. Case No. 2024-70 - 3912 South Congress Avenue - Insurance for Everyone LLC
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 30-141: Overgrowth. Excessive growth of weeds and vegetation, including trees.

Section 30-143: Nuisance. Removal of rubbish, weeds and overgrowth.

Section 34-221: Responsibility of owner; practices enumerated. Maintain landscaping.

Section 34-262: (26) prohibited signs, pole signs.

Section 34-224: Replacement of vegetation.

Section 10-8: Exterior of property areas. Weeds over 12", replace fence in disrepair.

Section 10-9: Exterior of structure or building, doors, windows, rotted materials, paint.

Section 34-914: Parking on grass, no current tag or registration.

Section 34-1327: Off-street parking shall be located on the same site as the use for which parking is provided. Remove commercial insurance company vehicle.

Citation Fine:	N/A
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Admin Cost:	\$392.95
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Recommendation:	\$100.00 per day, per violation
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Compliance Date:	March 19, 2025
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5. Case No. 2024-74 - 4420 Lake Worth Road - Tacos Al Carbon Inc.
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 2-233: Irreversible or Irreparable. Life safety.

Section 34-572: Violation of Village Council Ordinance No. 2014-35 Annexation Agreement (6)(iii)(d) Hours of Operation. Mobile food trailer shall be limited to operate between 7:00 a.m. and 11:00 p.m.

Citation Fine: N/A
Admin Cost: \$279.10
Recommendation: Fine Amount \$250.00
Compliance Date: Complied

6. CIT Case 2024-2794 - 2nd Avenue North - Prolacto Mich Inc.
CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

Section 2-233: Irreparable, irreversible.

Section 10-31 (FBC 105.1): No permit for a special event.

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

Citation Fine: \$500.00 + \$30.00 = \$530.00
Admin Cost: \$281.11
Recommendation: N/A
Compliance Date: January 9, 2025

7. CIT Case 2024-2795 - 3078 2nd Avenue North - Prolacto Mich Inc.
CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

Section 2-233: Irreparable, irreversible.

Section 10-31 (FBC 105.1): No permit for a special event.

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

Citation Fine: \$500.00 + \$30.00 = \$530.00
Admin Cost: Included in Case 2024-2794
Recommendation: N/A
Compliance Date: January 9, 2025

8. CIT Case 2024-2796 - 3092 2nd Avenue North - Prolacto Mich Inc.
CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

Section 2-233: Irreparable, irreversible.

Section 10-31 (FBC 105.1): No permit for a special event.

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

Citation Fine: \$500.00 + \$30.00 = \$530.00
Admin Cost: Included in Case 2024-2794
Recommendation: N/A
Compliance Date: January 9, 2025

9. CIT Case 2024-2797 - 3112 2nd Avenue North - Prolacto Mich Inc.

CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

Section 2-233: Irreparable, irreversible.

Section 10-31 (FBC 105.1): No permit for a special event.

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

Citation Fine: \$500.00 + \$30.00 = \$530.00

Admin Cost: Included in Case 2024-2794

Recommendation: N/A

Compliance Date: January 9, 2025

10. Case 2024-64 - 1965 South 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; 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.

Citation Fine: N/A

Admin Cost: \$216.60

Recommendation: \$100.00 per day

Compliance Date: January 9, 2025

11. Case No. 2024-76 - 3673 Almar Road - Heidy Giselle Perez

CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 30-143: Trash, debris, and construction materials. Remove all trash, debris, and construction materials stored on the property.

Section 34-913: Vehicles. Remove all prohibited commercial vehicles off the property.

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

Section 34-221: Landscape maintenance. Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.

Citation Fine: N/A

Admin Cost: \$256.60

Recommendation: \$100.00 per day, per violation

Compliance Date: January 01, 2025

12. Case No. 2024-77 - 3550 Laurette Lane - Renee Frias

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 30-141: Overgrowth. Trim all overgrown trees and vegetation.

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

Section 10-8: Driveway maintenance. Remove all oil stains and pressure wash

both driveways.

Section 30-143: Trash, debris, materials, and rubbish. Remove all trash, debris, materials, rubbish stored around the property.

Section 34-250: Management of grass clippings and vegetative matter. Remove all vegetative waste obstructing the stormwater drains.

Section 10-9: Exterior property maintenance. Replace both mailboxes and label each mailbox with house ID numbers. Remove green stain off the exterior wall. Repair damaged rear patio enclosure screens. Paint fascia located on the left side of the property.

Citation Fine:	N/A
Admin Cost:	\$276.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	January 01, 2025

13. Case No. 2024-78 - 4217 Narcissus Avenue - Gobi Trading Corp
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 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.

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

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

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

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

Section 10-31 (FBC 105.1 & 110.1): Work w/o permits. Remove all unpermitted structures and pavers.

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

Section 10-9: Exterior property maintenance. Replace all broken mailboxes and label each mailbox with house ID numbers. Repair damaged accessory structure vent and fascia. Remove all metal shutters and wood boards covering the windows. Remove all black discoloration off the fascia.

Citation Fine:	N/A
Admin Cost:	\$316.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	January 01, 2025

PETITION FOR REDUCTION OR ABATEMENT OF FINE

14. CIT Case No. 2023-46 - Meadow Road (vacant lot) - Angel Ponce Torres
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 30-143: Public nuisance, debris, wild overgrowth.

Initial Violation:	September 7, 2023
Order Finding Violation:	September 21, 2023
Compliance Deadline:	October 16, 2023
Compliance Date:	November 11, 2024
Fine Amount:	\$36,600.00
Citation Fine:	N/A
Admin Cost:	No receipt
Recommendation:	TBD
Compliance Date:	TBD

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

15. Case No. 2024-57 - 1946 South Congress Avenue - MN Investments Properties Holdings LLC

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 70-94: Application business tax receipt required.

Initial Violation:	September 26, 2024
Order Finding Violation:	October 17, 2024
Compliance Deadline:	December 18, 2024
Fine Amount:	\$75.00 per day
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	60 days
Compliance Date:	February 17, 2025

STIPULATION AND AGREED ORDER

**Next Magistrate Hearing is
January 16, 2025 at 10 a.m. at the Village Council Chambers**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

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

II. Persons with Disabilities:

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

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

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

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

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

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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 – 67

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

Notices

Notification 12-9-24
9489 0178 9820 3034 7922 05

Regular 12-9-24

Posting 12-9-24

PCN 70-43-44-30-16-001-0000

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **OCTOBER 10, 2024**, the Respondent, **CONGRESS POINTE INC.**, owner of the property at **4455 S CONGRESS AVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances. **Tangible Account within Parcel 70-43-44-30-16-001-0000 is 4469 S Congress Ave, EL TORITO Units 107 & 109**

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

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

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/3/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/8/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/9/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/16/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/17/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/22/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
12/6/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
12/7/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 13 (nights) = \$65,000.00

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

CE/ CEB Case No. 2024-67

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

Date Issued: DECEMBER 9, 2024

TOM GEHRMAN
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-67

RETURN OF SERVICE

**CONGRESS PONT INC.
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144**
_____ /

Respondent

On the 9th Day **DECEMBER 2024** at **10:29 am pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **CONGRESS POINT INC.** at **4455 S CONGRESS AVENUE. Units 107 & 109**, at **Tangible Account 4469 S Congress Ave within this Parcel** in 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:

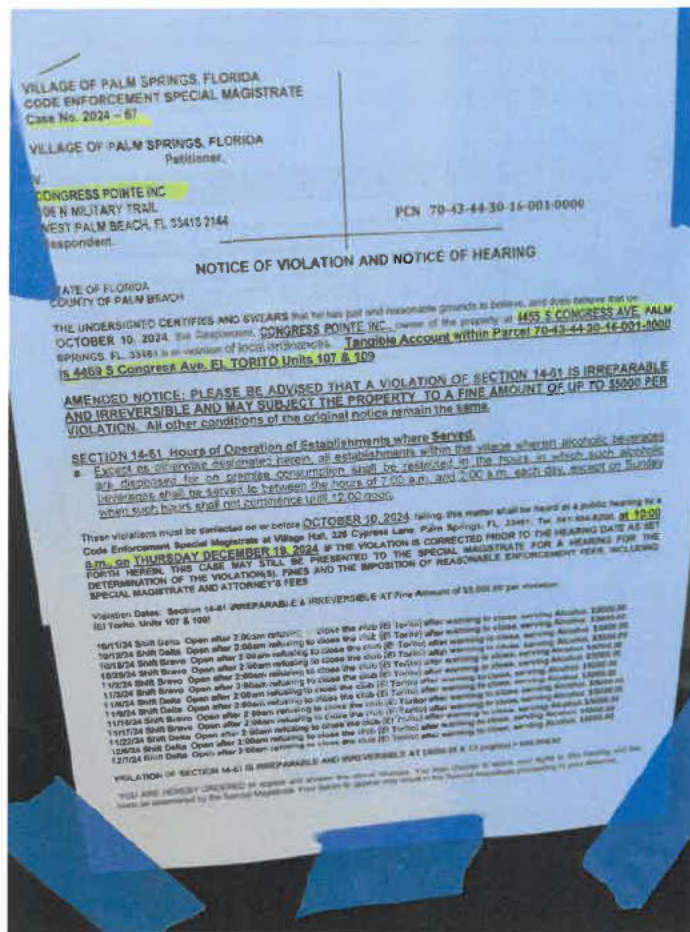
_____ **INDIVIDUAL SERVICE:** By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.

_____ **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.

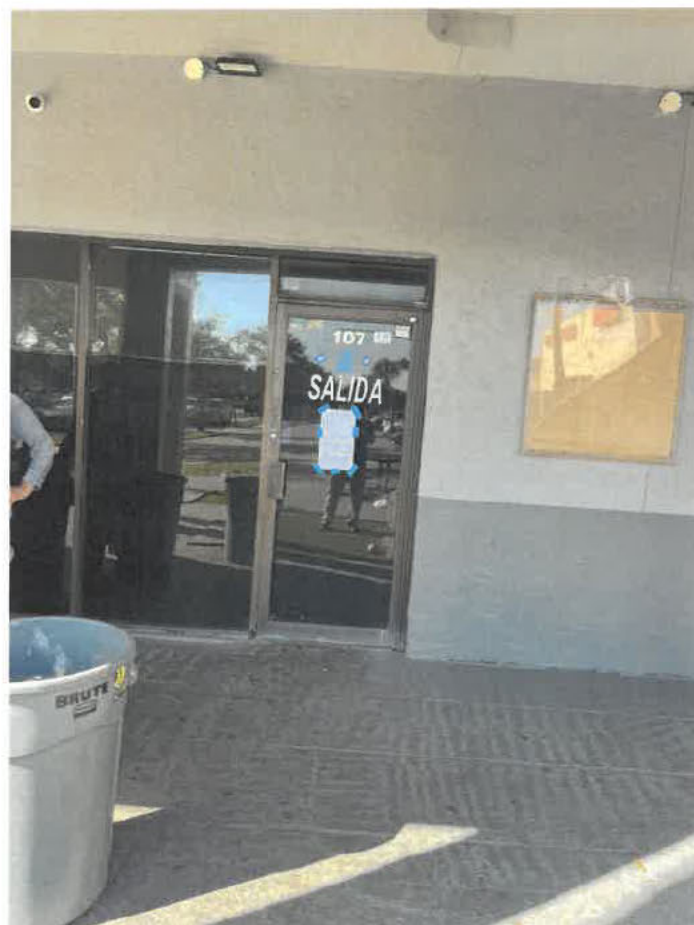
_____ **XX** **POSTED BY:** Securely affixing a copy to a conspicuous place on the property described within. **PHOTO INCLUDED**

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

By: 



12/9/2024 10:29:37 AM



12/9/2024 10:29:55 AM



12/9/2024 10:30:25 AM



12/9/2024 10:30:35 AM



PALM SPRINGS POLICE DEPARTMENT

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

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 - 67

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

PCN 70-43-44-30-16-001-0000

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on OCTOBER 10, 2024, the Respondent, CONGRESS POINTE INC., owner of the property at 4455 S CONGRESS AVE, PALM SPRINGS, FL, 33461 is in violation of local ordinances. 4469 S Congress Ave, EL TORITO Units 107 & 109

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

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

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
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10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
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VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00

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

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

11/8/2024 10:49

CASE 2024-67

4455 Congress Ave
UNITS 107 & 109 EL TORITO

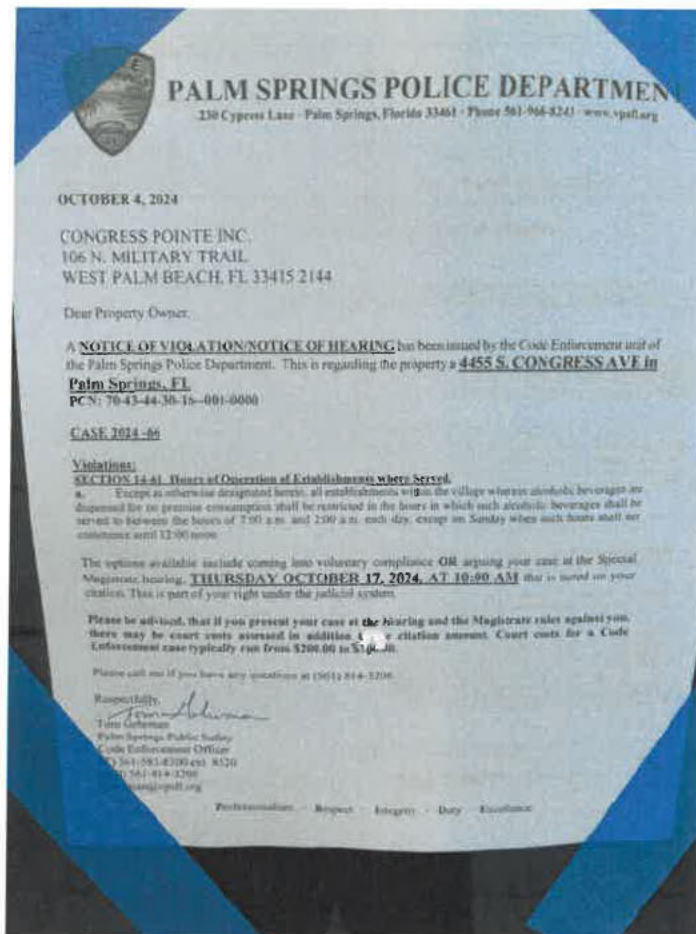


11/8/2024 10:49:20 AM

4455 S. Congress Ave
UNITS 107 + 109
El Torito



11/8/2024 10:49:35 AM



10/7/2024 3:02:16 PM

2024-67 (6772)

4455 S. Congress Ave (PCN 70-43-44-30-16-001-0000)

Congress Point Plaza

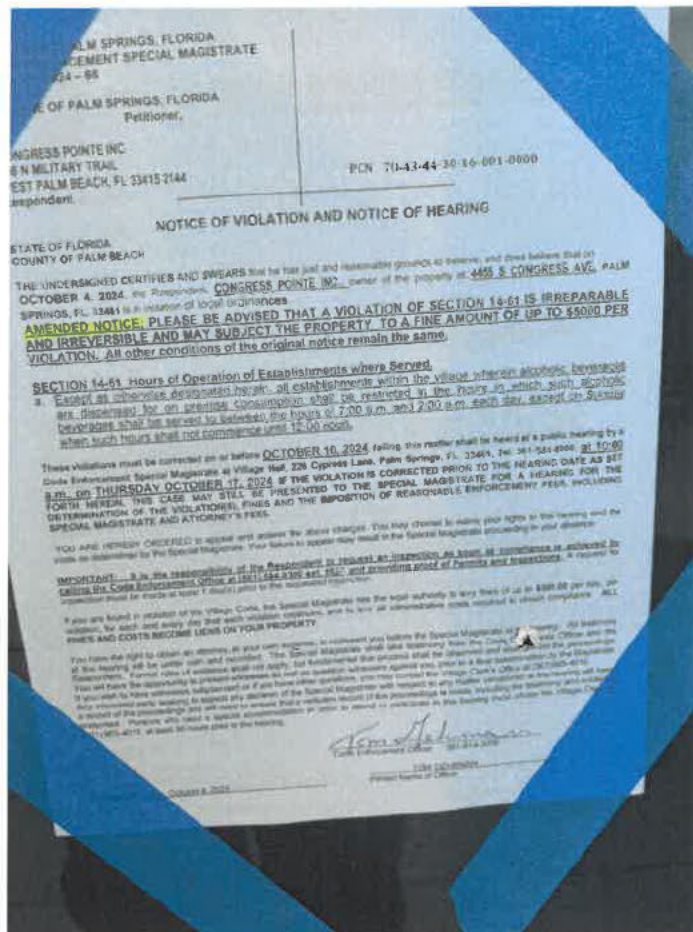
4469 S. Congress Ave
EL BRITO
(IN PLAZA)



10/7/2024 3:02:26 PM



10/7/2024 3:02:37 PM



10/11/2024 2:44:26 PM

2024-671A

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

DECEMBER 9, 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

Tangible Account with this parcel is 4469 S Congress Ave, El Torito Units 107 & 109

CASE 2024 -67

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

b. Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (EL TORITO, Units 107 & 109)

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11/8/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/9/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/16/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/17/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/22/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
12/6/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
12/7/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 13 (nights)
= \$65,000.00.



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



9489 0178 9820 3034 7922 05

Label 890-QDT, March 2023



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

12/09/2024 ZIP 33480
043M31255277

US POSTAGE

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WST PALM BEACH, FL 33415 2144



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

12/09/2024 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 10-8) (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 563.80(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



Office of the Village Manager
226 Cypress Lane
Palm Springs, FL 33461
(561) 584-8200
www.vpsfl.org

December 14, 2023

Mr. Nelson Tiburcio, President
Palm Beach Toro, Inc./El Torito Sports Pub & Cantina
4469 S. Congress Avenue
Suite 107/108
Lake Worth Beach, FL 33461

Re: El Torito Sports Pub & Cantina - Hours of Operation

Dear Mr. Tiburcio:

I am writing to address an issue that has come to my attention concerning your business, El Torito Sports Pub & Cantina ("El Torito"). During the past year, there have been multiple police calls to the location during the early morning hours, including disturbance calls related to El Torito, a stabbing that occurred outside Mr. Pizza in the same plaza, and other calls where it appeared alcohol was being consumed at Mr. Pizza. As a result, the Village has looked into Mr. Pizza and the plaza's hours of operation, including the hours of operation for El Torito. It is my understanding that, on days when the establishment is open, El Torito serves customers from 10:00 p.m. until 5:00 a.m., which is in violation of the Village Code provision regarding hours of operation.

Section 14-61 of the Village of Palm Springs Code (copy attached) addresses the permitted hours of operation for establishments where alcohol is served. This code section provides that all establishments where alcohol sold for on-site consumption may be open only between the hours of 7:00 a.m. until 2:00 a.m., except on Sunday, where the hours shall not commence before noon.

Village code section 14-61(f) further provides that all establishments annexed into the village limits after September 11, 2014, shall comply with these hours of operation. As you know, the property located at 4469 S. Congress Avenue was annexed into the Village of Palm Springs in 2016. Thus, even if El Torito had been permitted to remain open past 2:00 a.m. prior to annexation, upon annexation it was required to comply with the Village Code. You have the option to apply for a variance from the hours of operation, as provided in section 14-61(e); however, the decision whether to grant or deny such variance is within the discretion of the Village Council.

Accordingly, this letter serves as notification that the Village of Palm Springs intends to enforce the hours of operation set forth in code section 14-61 with respect to El Torito. The Village understands that this will represent a significant change for your business. As a courtesy, the Village will refrain from enforcement for a period of four (4) months from the date of this letter, to allow time for you to prepare for this change.

While I do not anticipate the Village changing its position, I will be happy to meet with you to discuss this matter further.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael Bornstein", written over a light blue horizontal line.

Michael Bornstein
Village Manager

Enclosures

cc: Thomas Ceccarelli, Chief of Police
Glen J. Torcivia, Village Attorney

CASE PRESENTATION
CASE No. CASE 2024- 67

1. GOOD MORNING, MY NAME IS TOM GEHRMAN, and I have been sworn in.
2. I AM A CODE ENFORCEMENT OFFICER FOR THE VILLAGE OF PALM SPRINGS, FLORIDA.
3. THIS CASE CONCERNS THE PROPERTY AT 4455 S CONGRESS AVENUE IN THE VILLAGE OF PALM SPRINGS.

4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNER OF THE PROPERTY CONGRESS POINT INC.

5. PERSUANT TO Complaints and Observation there is an ongoing VIOLATION OF ORDINANCE **Section 14-61 at Units 107 & 109.**

SECTION 14-61 Hours of Operation of Establishments where Served.

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation of Section 14-61 is irreparable and irreversible and may subject the property to a fine amount of up to and not to exceed \$5000.00.

This is an ongoing violation of SECTION 14-61. Palm Springs Police have repeatedly advised the El Torito Club to Close at 2:00am warnings ignored. The Proprietor refuses to close the club.

5. On **NOVEMBER 6, 2024, Notice of Violation/Notice of Hearing 2024-67** was issued for the repeat violations the violation the notice was mailed Certified and Regular to the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall. Notice 2024-67 includes Fines for Irreparable-Irreversible Violations of Section 14-61 open after hours serving alcohol.

6. Section 14-61 Requires very specific "Hours of Operation of Establishments where Served(alcohol). Congress Point Plaza continues to have after-hour sales and consumption of alcoholic beverages in violation of Section 14-61. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE by December 20, 2024.** Failure to comply will continue to result in fines NOT To Exceed \$5000.00, per violation fine for non-compliance. **13 violations of Section 14-61 are included in this notice at \$5000.00 for each violation now totaling \$65,000 in accrued violations.**

7. **Village Council Denied** the El Torito and Congress Point Inc. request for a variance for hours of operation and Serving Alcohol. El Torito in Units 107 & 109 Continued to serve Alcohol and remain open after 2:00am. Palm Springs Police Officers are here today to testify as to the continuing violations.

CASE No. 2024-67

8. In each case El Torito ignored warnings and remained open past 2:00am and continued to serve alcohol. Accruing Violations at \$5000.00 each adding an additional Fines. Palm Springs Police Officers here to Testify as to the violations.

9. The Village has also incurred costs in the amount of **\$361.76** conducting this Hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than, **December 31, 2024.**

10. Subject to any questions you might have, this concludes the Village testimony.



The Village of Palm Springs FLORIDA



Case Administrative Costs

November 21, 2024, 4455 S CONGRESS AVENUE

Case 2024-67

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.00	35.00	105.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	0.00	5.00	0.00
5	Additional photos re-inspections - 5 for 20.00	2.00	20.00	40.00
6	Additional certified copies for hearing	2.00	8.16	16.32
7	Additional clerk time - 1 hour	1.00	28.00	28.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.69	0.69
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	3.00	41.00	123.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case 2024-67				361.76

Sec. 14-61. Hours of operation of establishments where served.

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(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.

Property Detail

Location Address : 4455 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-16-001-0000
Subdivision : CONGRESS POINT PLAZA
Official Records Book/Page : 22129 / 1647
Sale Date : SEP-2007
Legal Description : CONGRESS POINT PLAZA PAR A

Owner Information**Owner(s)**

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 36933
Acres : 3.78
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,073,975	\$3,152,275	\$3,051,458	\$2,492,335	\$2,570,191
Land Value	\$1,913,926	\$1,913,926	\$1,823,413	\$1,563,396	\$1,563,396
Total Market Value	\$4,987,901	\$5,066,201	\$4,874,871	\$4,055,731	\$4,133,587

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$96,913	\$97,170	\$92,029	\$83,491	\$85,839
NON AD VALOREM	\$25,489	\$24,607	\$23,357	\$22,106	\$21,701
TOTAL TAX	\$122,402	\$121,777	\$115,385	\$105,598	\$107,540

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

Search Results - TANGIBLE ACCOUNT - WITHIN PARCELS 4455 S. CONGRESS

Owner Name	Location	Municipality	Account Number	Mall Address	Mall City State Zip	Homesteaded
AYALIBBY HAIR SALON	4469S CONGRESS AVE 111	PALM SPRINGS	237136	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
BOOKSMART ENTERPRISES INC	4469S CONGRESS AVE STE 116	PALM SPRINGS	103908	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
CONGRESS LAUNDROMATS	4469S CONGRESS AVE STE 112	PALM SPRINGS	123891	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
EL TORITO SPORTS PUB	4469S CONGRESS AVE STE 107	PALM SPRINGS	123892	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
FOOD POINT	4469S CONGRESS AVE STE 103	PALM SPRINGS	065633	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
GUADALUPA MEDICAL CENTER	4469S CONGRESS AVE STE 106	PALM SPRINGS	165529	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
LAKE WORTH CHIROPRACTOR REHAB	4469S CONGRESS AVE STE 105	PALM SPRINGS	190422	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
METRO BY T MOBILE DEALER	4469S CONGRESS AVE STE 122	PALM SPRINGS	170649	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
MR PIZZA	4469S CONGRESS AVE STE 110	PALM SPRINGS	223286	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
PALM SMOKE SHOP	4469S CONGRESS AVE STE 123	PALM SPRINGS	223285	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
REMIX BARBER SHOP THE	4469S CONGRESS AVE STE 119	PALM SPRINGS	194535	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
SBA	4455S CONGRESS AVE	PALM SPRINGS	188038	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
T-MOBILE SOUTH LLC	4469S CONGRESS AVE	PALM SPRINGS	185437	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
TACOS AL CARBON OF LAKE WORTH LLC	4469S CONGRESS AVE STE 117	PALM SPRINGS	200208	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N
WINGS PLUS	4455S CONGRESS AVE	PALM SPRINGS	129452	106 N MILITARY TRL	WEST PALM BEACH FL 33415 2144	N



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
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24-24604 S-75 4469 S. Congress Ave.
4455 S. Congress Ave
CONGRESS POINT PLAZA

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Owner: Tiburcio, Nelson W/M [REDACTED]
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.

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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
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

→ E. Talaro
4455 S. Congress Ave
Congress Bldg Plaza

Owner: Tiburcio, Nelson W/M [REDACTED]
Tiburcio refused to close the club after 02:00 after being advised to shut down.



Palm Springs Police Department Supervisor's Shift Report



Date 10/18/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-25461 CFS# End 24-25522

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-25505 S-75 4469 S. Congress Ave.

• 4455 S. Congress
• Congress Point Plaza

Subject: Tiburcio, Nelson [REDACTED] W/M
El Torito nightclub stayed open past 2AM and continued to serve patrons.

[REDACTED]



Palm Springs Police Department Supervisor's Shift Report



Date 10/25/24 Shift Delta ☐ Supervisor Sgt Kubiak ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26115 CFS# End 24-26155

Shift Calls Summary

Case # Signal Address

Brief of Case

24-26140 S-75 4469 S. Congress Avenue

Manager: Tartaro, Sal W/M DOB: [REDACTED]
Contact was made with the manager, who stated that the nightclub was staying open until 05:00. Alcohol was still being served.



Palm Springs Police Department Supervisor's Shift Report



Date 11/2/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26820 CFS# End 24-26874

Shift Calls Summary

Case #	Signal	Address
24-26872	S-75	4469 S. Congress Ave.

Brief of Case

Subject: Tiburcio, Nelson [REDACTED] W/M
Tiburcio was advised that he was in violation of the hours of operation ordinance. The club remained open.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Palm Springs Police Department Supervisor's Shift Report



Date 11/3/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-26919 CFS# End 24-26956

Shift Calls Summary

Case #	Signal	Address
24-2695		
24-26872	S-75	4469 S. Congress Ave.

El TORITO
4455 S. Congress (Congress Drive)

Brief of Case

Subject: Tartano, Salvatore F. () W/M
Tartano was advised that he was in violation of the hours of operation ordinance. The club remained open.



**Palm Springs Police Department
Supervisor's Shift Report**



Date 11/8/24 Shift Delta ☐ Supervisor Sgt Kubiak ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-27464 CFS# End 24-27545

*NOT on
CASE 2024-67*

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

24-27536 S-75 4469 S. Congress Avenue

Manager: Tartaro, Salvatore W/M DOB: [REDACTED]
El Torito's stayed open, without a detail present and was found to be
serving alcohol past allowed time.



Palm Springs Police Department Supervisor's Shift Report



Date 11/9/24 Shift Delta ☐ Supervisor Sgt Kubiak

☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-27600 CFS# End 24-27667

NOT on
Case 2424-67

Shift Calls Summary

Case #	Signal	Address	Brief of Case
--------	--------	---------	---------------

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

24-27661 S-75 4469 S. Congress Avenue

Manager: Tartaro, Salvatore W/M DOB: [Redacted]
El Toritos

4455 S. Congress
Congress Street

The nightclub was found operating past 02:00 and the manager was advised of the ordinance.

[Redacted]

[Redacted]



**Palm Springs Police Department
Supervisor's Shift Report**



Date 11/16/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒

Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

*Not on
Case 2024-67*

CAD Narrative Review CFS# Start 24-28249 CFS# End 24-28291

Shift Calls Summary

Case #	Signal	Address	Brief of Case
--------	--------	---------	---------------

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

24-28282 S-75 4469 S. Congress Ave.

El Torrito's violated the ordinance for hours of operation.

[Redacted]

[Redacted]



Palm Springs Police Department
Supervisor's Shift Report



Date 11/17/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues
10-61 Village Facilities ☒ 10-61 Directed ☒
Response to Resistance ☐ Case#
Pursuit ☐ Case#
CAD Narrative Review CFS# Start 24-28331 CFS# End 24-28378

Not on
Case 2024-67

Shift Calls Summary

Case #	Signal	Address	Brief of Case
24-28377	S-75	4469 S. Congress Ave.	Subject: Tartano, Salvatore F. [REDACTED] W/M El Torito was in violation of the hours of operation and stayed open past 2:00 a.m.



Palm Springs Police Department
Supervisor's Shift Report



Date 11/22/24 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 24-28803 CFS# End 24-28857

Shift Calls Summary

Case #	Signal	Address	Brief of Case

24-28850 S-75 4469 S. Congress Avenue El Toritos still open past 2am.

4455 S Congress Ave
(Congress Bldg)



**Palm Springs Police Department
Supervisor's Shift Report**



Date 12/6/24 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 24-30143 CFS# End 24-30202

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-30196 S-75 4469 S. Congress Avenue

****Patrols were conducted at Congress Point Plaza - El Toritos
remained open beyond 2 am and refused to close ****



Palm Springs Police Department Supervisor's Shift Report



Date 12/7/24 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 24-30244 CFS# End 24-30306

Shift Calls Summary

Case # Signal Address

Brief of Case

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-30293 S-75 4469 S. Congress Avenue

Manager: Tartaro, Salvatore W/M DOB: [REDACTED]
El Toritos was found open past the 2 am restriction.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Outlook

FW: Special Magistrate Docket - November 21, 2024

From Christy Goddeau <christy@torcivialaw.com>**Date** Mon 11/18/2024 10:15 AM**To** Ruth A. Holmes <rholmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>**Cc** Thomas Ceccarelli <tceccarelli@vpsfl.org>; Thomas Gehrman <tgehrman@vpsfl.org>

1 attachment (261 KB)

November 21, 2024.pdf;

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

Good Morning, Just so you know, on Thursday, the Village Council denied El Toritos' request for a variance for the hours of serving alcohol. I don't know if they remained open after 2am this weekend and continued to serve alcohol. If so, I recommend having the police department show up to testify if there are additional days of non-compliance.

If you have any questions, please let me know.

Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407
(561) 686-8700
(561) 686-8764 fax
christy@torcivialaw.com
www.torcivialaw.com

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RE: Timeline for El Toritos

From Christy Goddeau <christy@torcivialaw.com>

Date Thu 11/14/2024 12:44 PM

To Thomas Ceccarelli <tceccarelli@vpsfl.org>; Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>

Cc Ruth A. Holmes <rhomes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>

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.

I think that may be another issue to address in terms of what their compliance looks like whether granted the variance or not. Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

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From: Thomas Ceccarelli <tceccarelli@vpsfl.org>

Sent: Thursday, November 14, 2024 12:39 PM

To: Christy Goddeau <christy@torcivialaw.com>; Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>

Cc: Ruth A. Holmes <rhomes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>

Subject: RE: Timeline for El Toritos

Thanks

During the weekend of 10/25, they had a band and a line out the door.

They never requested a special event permit.



Chief Thomas Ceccarelli

Palm Springs Police Department
230 Cypress Lane
Palm Springs, Florida 33461
561-584-8300 ext. 8511

From: Christy Goddeau <christy@torcivialaw.com>

Sent: Thursday, November 14, 2024 12:10 PM

To: Michael Bornstein <mbornstein@vpsfl.org>; Iramis Cabrera <icabrera@vpsfl.org>

Cc: Thomas Ceccarelli <tceccarelli@vpsfl.org>; Ruth A. Holmes <rholfmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>; Thomas Gehrman <tgehrman@vpsfl.org>

Subject: RE: Timeline for El Toritos

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

Just FYI, according to their Instagram page, they have had and have planned the following band events despite the October 10 deadline:

October 11, 12, 13, 18, 19, 20, 25, 26, and 27

November 1, 2, 3, 8, 9, 10, 16, 17, 22 and 27.

Like the attached ad, it advertises to be open from 10pm to 5am.

Thanks!

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

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From: Christy Goddeau

Sent: Thursday, November 14, 2024 11:29 AM

To: Michael Bornstein <mbornstein@vpsfl.org>; icabrera@vpsfl.org

Cc: Thomas Ceccarelli <tceccarelli@vpsfl.org>; Ruth A. Holmes <raholmes@torcivialaw.com>; Amelia Jadoo <AJadoo@torcivialaw.com>

Subject: Timeline for El Toritos

Just so we are all on the same page tonight – below is the timeline with this issue.

Thanks!

Christy L. Goddeau, Esquire
 Board Certified City County and Local
 Government Attorney

TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

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 701 Northpoint Parkway, Suite 209
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From: Christy Goddeau

Sent: Monday, September 30, 2024 2:07 PM

To: Ciklin, Alan J. <ACiklin@jonesfoster.com>; Iramis Cabrera <icabrera@vpsfl.org>; Kimberly K. Glas-Castro <kglas-castro@vpsfl.org>

Cc: Michael Bornstein <mbornstein@vpsfl.org>

Subject: RE: Please see the attached letter.

Dear Alan, Thank you for your September 23, 2024 letter. I have reviewed your letter with the Village. Your letter seeks another time extension for El Toritos to comply with (or obtain a variance to) the Village Code's hours of operation for

alcohol sales. As you may know, the following timeline exists with regards to this matter:

December 2016: Village involuntarily annexes the property without an annexation agreement;

- El Toritos owner claims the prior Village Manager agreed to allow El Toritos to continue to operate in violation of the Village's hours of operation for alcohol sales
- Prior Village Manager had no authority to waive Village Code requirements
- Village Police provided after hours detail without knowing the property lacked an annexation agreement (like other after hour establishments) to allow for after-hours alcohol sales

December 13, 2023: New/Current Village Manager Bornstein sends letter to El Toritos affording it four (4) months to come into compliance with the Village Code's hours of operation for alcohol sales

February 13, 2024: Meeting at Village Hall between representatives of Village and representatives of El Toritos to discuss compliance issue

April 17, 2024: Village Attorney sends letter to El Toritos Attorney affording El Toritos until May 9th to comply with Village Code's hours of operation for alcohol sales or obtain a variance from Village Council for same

May 9, 2024: Deadline extended to July 12th based on Village comments to application for variance and El Toritos' request for assistance on comments

July 12, 2024: Deadline extended to September 12th to account for El Toritos' need for a photometric lighting plan to accompany variance application (which requirement was identified by the Village at the outset)

September 12, 2024: Deadline extended to October 10th due to El Toritos' attorney not being available for hearing and needing more time to complete application

Based on the foregoing, it appears that El Toritos has had almost eight (8) years of operation in violation of the Village's Code and over six (6) months of time extensions to come into compliance. Accordingly, the Village is requiring compliance no later than **October 10, 2024**. If El Toritos fails to comply thereafter, the Village will commence code enforcement proceedings.

If El Toritos is not ready to move forward with its variance application on October 10, 2024, please advise Iramis Cabrera and she may move the hearing date on the application to a date that works for El Toritos.

Thank you,

Christy L. Goddeau, Esquire
Board Certified City County and Local
Government Attorney

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

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From: Ciklin, Alan J. <ACiklin@jonesfoster.com>

Sent: Monday, September 23, 2024 3:58 PM

To: Iramis Cabrera <icabrera@vpsfl.org>; Kimberly K. Glas-Castro <kglas-castro@vpsfl.org>; Christy Goddeau <christy@torcivialaw.com>

Cc: nelson tiburcio <neltib106@yahoo.com>; lrm@bellsouth.net

Subject: Please see the attached letter.



Alan J. Ciklin
JONES FOSTER Shareholder



D 561 650 0431 O 561 659 3000

aciklin@jonesfoster.com

505 South Flagler Drive, Suite 1100 West Palm Beach, FL 33401
jonesfoster.com

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Alan J. Ciklin
Shareholder

JONES FOSTER

D 561 650 0431 O 561 659 3000

ACiklin@jonesfoster.com



505 South Flagler Drive, Suite 1100, West Palm Beach, FL 33401
jonesfoster.com

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PERMIT NO.

N/A

VIOLATION DO NOT REMOVE

CORRECTIONS MUST BE
MADE AS NOTED BELOW

4455 S Congress Ave, (Congress Pointe Plaza)
4469 S Congress Ave ADDRESS (Tacos AL Carbon)

☐ BLDG. ☐ ELEC. ☐ MECH. ☐ PLBG. ☐

14-61- Hours of Operation of Establishments:

On 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 6 AM 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 965-4018

BETWEEN 8:30 - 4:30

☒ VIOLATION! CORRECT AS NOTED

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

☐ CALL 434-3032 FOR REINSPECTION

My contact info:

561-584-8300

EXT: 8525

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 Day of Week **Sunday** Time Occurred **06:26 AM** to
Assigned **3/24/2024 06:26 AM**
Dispatched Location **TACOS AL CARBON** Arrived **3/24/2024 06:26 AM**
Actual Location Cleared **3/24/2024 06:41 AM**
Incident Address **4469 S CONGRESS AVE** Beat Zone **ZONE 4**
City, ST Zip **PALM SPRINGS, FL 33461** Sub-Beat

INCIDENT SYNOPSIS

REPORTING PARTY 1

Reporting Party Sex Birth Date Age ☐ Juvenile
Eye Color Hair Color Race Ethnicity Height Weight
DL # Other ID # Other ID Type

PERMANENT ADDRESS

Address City State Zip
Local Phone # Cell Phone # Work Phone #

Notes

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

Dating 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.

Tom Gehrman
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 Lehman



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 - 6774

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

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

OCTOBER 4, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property a **4455 S. CONGRESS AVE in Palm Springs, FL**

PCN: 70-43-44-30-16--001-0000

CASE 2024 -06 67 r4

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

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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 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

OTHER PERSON 1

Name **TACOS AL CARBON** Type of Person **MISC** Sex ☐ Male ☐ Female Date of Birth ☐ Age ☐ Juvenile ☐ Will Testify
Eye Color Hair Color Race Ethnicity Height Weight
DL # Other ID # Other ID Type

PERMANENT ADDRESS

Address **4469 S CONGRESS AVE** City **PALM SPRINGS** State **FL** Zip **33461**
Local Phone # **(561) 432-8474** Cell Phone # Work Phone #

Notes **OTHER PERSON 2**

Name Type of Person **MISC** Sex **Female** 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 # **(561) 932-2882** Cell Phone # Work Phone #

Notes **STATUS**Exceptional 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 Francisco. 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, Francisco. SO Francisco stated he had an intoxicated subject (Case #24-006697) who was refusing to leave the restaurant. SO Francisco wanted the subject to leave, but he did not want the subject trespassed. Officer Pope instructed the subject to leave and he left.

We observed that the restaurant was in violation of the following ordinance:

1. Hours of operation of establishments where served, Sec. 14-61

Sgt. Annunziata was notified and provided the additional information in regard to the ordinance violation.

"All establishments within the village wherein alcoholic beverages are dispensed for on-premises consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day".

I made contact with Tacos Al Carbon Waitress, Danae Resendiz (W/F, DOB: [REDACTED]). Resendiz stated that they were serving food and alcohol until 6:00 a.m. Resendiz stated that she was in charge and that the Manager, Alicia (unknown last name), was not present. Resendiz was advised of the ordinance and provided with a case card. Resendiz stated they would close.

Property Detail

Location Address : 4455 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-16-001-0000
Subdivision : CONGRESS POINT PLAZA
Official Records Book/Page : 22129 / 1647
Sale Date : SEP-2007
Legal Description : CONGRESS POINT PLAZA PAR A

Owner Information**Owner(s)**

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
 WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 36933
Acres : 3.78
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,073,975	\$3,152,275	\$3,051,458	\$2,492,335	\$2,570,191
Land Value	\$1,913,926	\$1,913,926	\$1,823,413	\$1,563,396	\$1,563,396
Total Market Value	\$4,987,901	\$5,066,201	\$4,874,871	\$4,055,731	\$4,133,587

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$4,987,901	\$4,907,434	\$4,461,304	\$4,055,731	\$4,133,587

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$96,913	\$97,170	\$92,029	\$83,491	\$85,839
NON AD VALOREM	\$25,489	\$24,607	\$23,357	\$22,106	\$21,701
TOTAL TAX	\$122,402	\$121,777	\$115,385	\$105,598	\$107,540

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

Property Detail

Location Address : 4455 S CONGRESS AVE
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WEST PALM BEACH FL 33415 2144

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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
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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
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 36933
Acres : 3.7780
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,073,975	\$3,152,275	\$3,051,458	\$2,492,335	\$2,570,191
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TOTAL TAX	\$122,489	\$121,777	\$115,385	\$105,598	\$107,540

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

Property Detail

Location Address : 4455 S CONGRESS AVE
 Municipality : PALM SPRINGS
 Parcel Control Number : 70-43-44-30-16-001-0000
 Subdivision : CONGRESS POINT PLAZA
 Official Records Book/Page : 22129 / 1647
 Sale Date : SEP-2007
 Legal Description : CONGRESS POINT PLAZA PAR A

Returned is in this Parcel

Owner Information

Owner(s)

CONGRESS POINTE INC

Mailing Address

106 N MILITARY TRL
 WEST PALM BEACH FL 33415 2144

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
SEP-2007	\$5,650,000	22129 / 01647	WARRANTY DEED	CONGRESS POINTE INC

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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.pbcpao.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, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 – 67

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
CONGRESS POINTE INC
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144
Respondent.

Notices
Certified 11-8-24
9489 0178 9820 3034 7920 69
Regular 11-8-24
Posting 11-8-24

PCN 70-43-44-30-16-001-0000

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **OCTOBER 10, 2024**, the Respondent, **CONGRESS POINTE INC.**, owner of the property at **4455 S CONGRESS AVE**, PALM SPRINGS, FL, 33461 is in violation of local ordinances. **4469 S Congress Ave, EL TORITO Units 107 & 109**

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

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

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (El Torito, Units 107 & 109)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00
11/2/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00

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

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

CE/ CEB Case No. 2024-67

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)965-4010. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

Date Issued: NOVEMBER 6, 2024

TOM GEHRMAN
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-67

RETURN OF SERVICE

**CONGRESS PONT INC.
106 N MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144**
_____ /

Respondent

On the 8th Day **NOVEMBER 2024** at **10:49 am pm**, I served the attached Notice of Violation/Notice of Hearing on the within named Respondent, **CONGRESS POINT INC.** at **4455 S CONGRESS AVENUE, Units 107 & 109**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

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

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

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

By: Thomas R. Ahern



PALM SPRINGS POLICE DEPARTMENT

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

NOVEMBER 6, 2024

CONGRESS POINTE INC.
106 N. MILITARY TRAIL
WEST PALM BEACH, FL 33415 2144

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property a **4455 S. CONGRESS AVE in Palm Springs, FL**
PCN: 70-43-44-30-16-001-0000

CASE 2024 -67

AMENDED NOTICE: PLEASE BE ADVISED THAT A VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AND MAY SUBJECT THE PROPERTY TO A FINE AMOUNT OF UP TO \$5000 PER VIOLATION. All other conditions of the original notice remain the same.

Violations:

SECTION 14-61 Hours of Operation of Establishments where Served.

- a. Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation Dates: Section 14-61 IRREPARABLE & IRREVERSIBLE AT Fine Amount of \$5,000.00 per violation (EL TORITO, Units 107 & 108)

10/11/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/12/24 Shift Delta Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/18/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

10/25/24 Shift Bravo Open after 2:00am refusing to close the club (El Torito) after warning to close, serving Alcohol. \$5000.00

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

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

VIOLATION OF SECTION 14-61 IS IRREPARABLE AND IRREVERSIBLE AT \$5000.00 X 6 (nights) = \$30,000.00.

CASE PRESENTATION
CASE No. CASE 2024- 67

1. GOOD MORNING, MY NAME IS TOM GEHRMAN, and I have been sworn in.
2. I AM A CODE ENFORCEMENT OFFICER FOR THE VILLAGE OF PALM SPRINGS, FLORIDA.
3. THIS CASE CONCERNS THE PROPERTY AT 4455 S CONGRESS AVENUE IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNER OF THE PROPERTY CONGRESS POINT INC.

5. PERSUANT TO Complaints and Observation there is an ongoing VIOLATION OF ORDINANCE **Section 14-61 at Units 107 & 109.**

SECTION 14-61 Hours of Operation of Establishments where Served.

Except as otherwise designated herein, all establishments within the village wherein alcoholic beverages are dispensed for on premise consumption shall be restricted in the hours in which such alcoholic beverages shall be served to between the hours of 7:00 a.m. and 2:00 a.m. each day, except on Sunday when such hours shall not commence until 12:00 noon.

Violation of Section 14-61 is irreparable and irreversible and may subject the property to a fine amount of up to and not to exceed \$5000.00.

This is an ongoing violation of SECTION 14-61. Palm Springs Police have repeatedly advised the El Torito Club to Close at 2:00am warnings ignored. The Proprietor refuses to close the club.

5. On **NOVEMBER 6, 2024, Notice of Violation/Notice of Hearing 2024-67** was issued for the repeat violations the violation the notice was mailed Certified and Regular to the Property Owner's Address of Record AND ALSO POSTED AT THE PROPERTY and at Village Hall. Notice 2024-67 includes Fines for Irreparable-Irreversible Violations of Section 14-61 open after hours serving alcohol. *-Letter Palm Village mgr DATED December 14, 2023 Defining Hours of Operation*

6. Section 14-61 Requires very specific "Hours of Operation of Establishments where Served(alcohol). Congress Point Plaza continues to have after-hour sales and consumption of alcoholic beverages in violation of Section 14-61. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE by NOVEMBER 22, 2024.** Failure to comply will continue to result in fines NOT To Exceed \$5000.00, per violation fine for non-compliance. **6 violations of Section 14-61 are included in this notice at \$5000.00 for each violation now totaling \$30,000 in accrued violations.**

7. **Village Council Denied** ¹¹⁻¹⁴⁻²⁴ the El Torito and Congress Point Inc. request for a variance for hours of operation and Serving Alcohol. El Torito in Units 107 & 109 Continued to serve Alcohol and remain open after 2:00am. Palm Springs Police Officers are here today to testify as to the continuing violations.

8. Additional Violations of Section 14-61 occurred after the Notice of Violation/ Notice of Hearing was posted on November 8, 2024. Beginning on 11/8/24, 11/9/24,

CASE No. _____

11/16/24 and 11/17/24 in each case El Torito ignored warnings and remained open past 2:00am and continued to serve alcohol. Accruing another 4 Violations at \$5000.00 each adding an additional \$20,000.00 since this Notice and Case #2024-67 was Issued. Palm Springs Police Officers here to Testify as to the violations.

9. The Village has also incurred costs in the amount of **\$361.76** conducting this Hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than, **DECEMBER 18, 2024**.

10. Subject to any questions you might have, this concludes the Village testimony.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY NOVEMBER 21, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,



Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

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

Professionalism • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE
250 CYPRESS LANE
PALM SPRINGS, FL 3346



UNITED STATES
POSTAL SERVICE®

CERTIFIED MAIL®



9489 0178 9820 3034 7920 69

Label 890-QDT, March 2023



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FIRST-CLASS MAIL
IMI

\$008.16⁹

11/08/2024 ZIP 33480
043M31255277

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WST PALM BEACH, FL 33415 2144



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CONGRESS POINTE INC.
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quadiant

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IMI

\$000.69⁰

11/08/2024 ZIP 33480
043M31255277

US POSTAGE

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY DECEMBER 19, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,



Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

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

Professionalism • Respect • Integrity • Duty • Excellence



**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.

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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](#)

Notices

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024 – 75 (Maintstar 24-01277)

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.
MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH RD
LAKE WORTH BEACH, FL 33461 3547
Respondent.

Certified 12-5-2024
9489 - 0178 - 9820 - 3034 - 7921 - 68

Regular 12-5-2024

Posting 12-6-2024

PCN 70-43-44-19-11-002-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **DECEMBER 5, 2024**, the Respondent, **MARVELOUS ASSOCIATES INC.**, owner of the property at **3731 LAKE WORTH RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-31 (FBC 105.1) No Required Permit Issued for interior renovations and building changes.

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

SECTION 14-32 No Required Business Tax Receipt for operations.

SECTION 34-898 No Required Approval for Mobile Food Vendor on the property, must meet requirements as specified.

These violations must be corrected on or before **DECEMBER 16, 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 DECEMBER 19, 2024**. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

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

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

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate at the hearing. All testimony at the hearing will be under oath and recorded. The Special Magistrate shall take testimony from the Code Compliance Officer and the Respondent. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. You will have the opportunity to present witnesses as well as question witnesses against you, prior to a final determination by the Magistrate. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Village Clerk's Office at (561)965-4010. Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need a special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561) 965-4010, at least 36 hours prior to the hearing.


Code Enforcement Officer 561-814-3208

TOM GEHRMAN
Printed Name of Officer

Date Issued: December 5, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-75

RETURN OF SERVICE

**MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461 3547**
_____ /

Respondent

On the 6th Day of **DECEMBER 2024** at 11:54 am, I served the attached Notice of Violation/Notice of Hearing on the within named Respondents, **MARVELOUS ASSOCIATES INC.** at **3731 LAKE WORTH ROAD**, Palm Springs, FL 33406 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

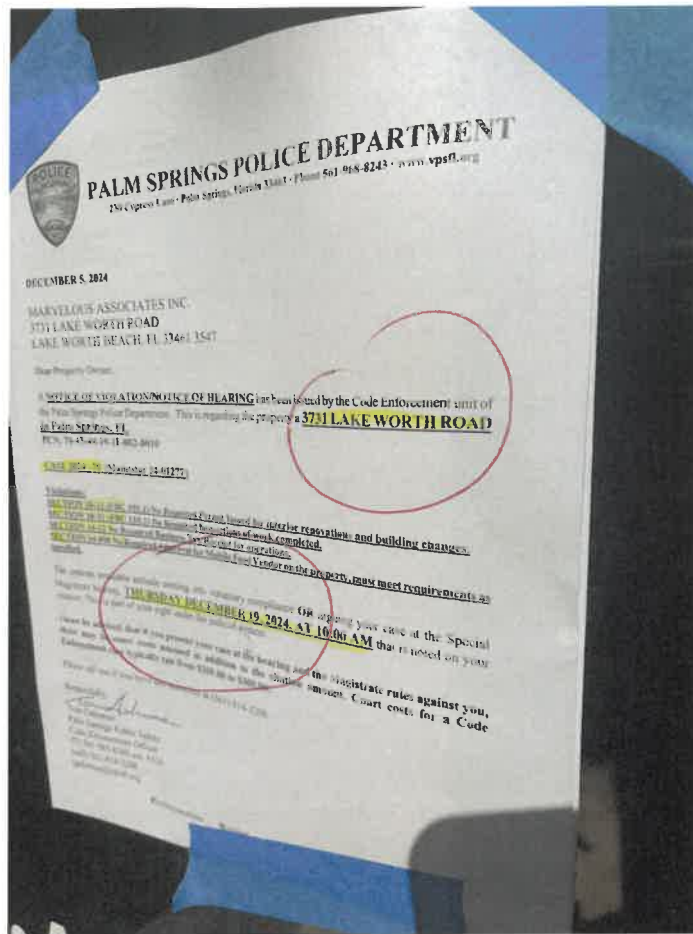
_____ **INDIVIDUAL SERVICE:** By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.

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

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

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Tom Aheuman



12/6/2024 11:54:22 AM

Posting 3731 LAKE WORTH Rd Case 2024-75



12/6/2024 11:54:28 AM



12/6/2024 11:59:16 AM

3731 LAKE WORTH Rd.

Case 2024-75



12/6/2024 11:58:50 AM



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 5, 2024

MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461 3547

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 **3731 LAKE WORTH ROAD in Palm Springs, FL**
PCN: 70-43-44-19-11-002-0010

CASE 2024 -75 (Maintstar 24-01277)

Violations:

SECTION 10-31 (FBC 105.1) No Required Permit Issued for interior renovations and building changes.

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

SECTION 14-32 No Required Business Tax Receipt for operations.

SECTION 34-898 No Required Approval for Mobile Food Vendor on the property, must meet requirements as specified.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY DECEMBER 19, 2024, AT 10:00 AM** that is noted on your citation. This is part of your right under the judicial system.

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

Please call me if you have any questions at (561) 814-3208.

Respectfully,

Tom Gehrman

Palm Springs Public Safety

Code Enforcement Officer

(T) 561-583-8300 ext. 8520

(cell) 561-814-3208

tgehrman@vpsfl.org

Professionalism • Respect • Integrity • Duty • Excellence



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 5, 2024

MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461 3547

Dear Property Owner,

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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 DE
230 CYPRESS LANE
PALM SPRINGS, FL 33461

RRX



9489 0178 9820 3034 7921 68

9489 0178 9820 3034 7921 68

MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461 3547

Label 890-QDT, March 2023



quadiant

FIRST-CLASS MAIL
IMI

\$008.16⁰

12/05/2024 ZIP 33480
043M31255277

US POSTAGE



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



quadiant

FIRST-CLASS MAIL
IMI

\$000.69⁰

12/05/2024 ZIP 33480
043M31255277

US POSTAGE

MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD
LAKE WORTH BEACH, FL 33461 3547

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.

Florida Building Code (FBC) PERMITS

FBC 105.1 Required. Any contractor, 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— Regulatory fees authorized, F.S. § 166.221.

CASE PRESENTATION
CASE No. CASE 2024-75

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 3731 LAKE WORTH ROAD ROAD IN THE VILLAGE OF PALM SPRINGS.

4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND PALM BEACH COUNTY TAX COLLECTOR RECORDS THE CURRENT OWNERS OF THE PROPERTY ARE MARVELOUS ASSOCIATES INC. Est.

5. PERSUANT TO Complaints and Personal Observation there are VIOLATIONS OF ORDINANCES,

Section 10-31 (FBC 105.1) No Required Permits for interior renovation and changes.

Section 10-31 (FBC 110.1) No required inspections of work completed.

Section 14-32 No Required Business Tax Receipt for Operations.

Section 34-898 No required Approval for Mobile Food Vendor, No overnight parking.

The Permit violations continue, FBC requires Permits & Inspections for Interior work and Business Tax Receipt has not been approved.

5. On DECEMBER 5, 2024, I WROTE Notice of Violation/Notice of Hearing 2024-75 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 Violations remain on the property. Code Officer NanciAnn Cuenot, Building Official Peter Ringle and Planner Chris Melendez are present today to testify as to the inspections and concerns they have had at the property. Code Enforcement has met with the Property Owner without resolution of the issues.

7. **I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE in 60 Days (February 17, 2025) for the Permit violations and 10 Days (December 29, 2024) for the Food Truck Violations, including prohibited overnight parking.** Failure to GAIN COMPLIANCE with Village Requirements in time designated will result in a \$100.00 per day, per violation fine for non-compliance.

8. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF \$235.60 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, December 29, 2024.

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



The Village of Palm Springs FLORIDA



Case Administrative Costs

DECEMBER 19, 2024, 3731 LAKE WORTH ROAD

Case 2024- 75

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	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	4.00	5.00	20.00
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	1.00	28.00	28.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	1.00	0.69	0.69
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case 2024-75				235.60

Sec. 34-898. - Mobile food dispensing vehicles and mobile vendors.

- (a) No person, natural or corporate, shall conduct any business from within the public rights-of-way within the municipal limits of the village. Specifically prohibited under this section is the sale of food of any kind, goods, wares or merchandise from a vehicle whether motorized or not, regardless of the number of wheels affixed thereto, or on foot.
- (b) There is a general prohibition of mobile vending within private or public property, except as expressly provided herein for mobile food dispensing vehicles, and except as allowed through a special event permit pursuant to section 34-896.
- (c) Mobile food dispensing vehicles shall be permitted on all ongoing construction sites within the village on a temporary basis, irrespective of the zoning category, during normal hours of construction specified in section 34-891.
- (d) Mobile food dispensing vehicles shall be prohibited in the village, other than in the commercial general (CG) land development (zoning) district, and subject to the following requirements:
 - (1) Written permission shall be obtained from the property owner stating that the mobile food dispensing vehicle may operate on the premises.
 - (2) Limitation of one mobile food dispensing vehicle per property.
 - (3) Hours of operation for mobile food dispensing vehicles shall not be earlier or later than those of the principal business, however, in no event shall a mobile food dispensing be allowed to remain on the property after 9:00 p.m. or before 7:00 a.m.
 - (4) Mobile food dispensing vehicle shall be removed from the premises when not in operation. Location shall be picked up of any litter and all refuse shall be removed from the property. No fluids shall be discharged from the vehicle.
 - (5) Public restroom shall be available on the property for customers of mobile food dispensing vehicle.
 - (6) On-site parking shall be maintained for the principal use of the property, as well as for customers of the mobile food dispensing vehicle.
 - (7) No mobile vending shall be located within 500 feet of the grounds of any nursery, elementary, middle or high school between one hour prior to the start of the school day and one hour after dismissal at the end of the school day.
 - (8) No mobile vending shall occur in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property or an obstruction to adequate access to fire/medic, police or sanitation vehicles.
 - (9) Mobile food dispensing vehicle shall be parked on paved or non-dusting surface.
 - (10) No outside display of products.

- (11) No use of tables, seats, umbrellas or similar furnishings for customers, with exception of garbage receptable.
- (12) All mobile vendors must provide for their own trash and garbage removal such that no trash or garbage remains on the premises upon which the sale or vending transaction was conducted. Vendors are prohibited from utilizing village-owned receptacles for disposal of trash or garbage.
- (13) No advertising, except the posting of prices and products and name of the vendor on the vehicle. No freestanding advertising, nor waving of flags or motioning to vehicles on the street. No use of public address system or amplified music.

(Ord. No. 2020-09, § 3, 7-9-2020)

Fw: Life Safety Plan

From Nanciann M. Cuenot <ncuenot@vpsfl.org>

Date Wed 12/4/2024 1:53 PM

To Thomas Gehrman <tgehrman@vpsfl.org>

 2 attachments (262 KB)

PBC Fire Rescue Life Safety Requirements.pdf; LIFE SAFETY PLAN.pdf;



Nanciann Cuenot, CEP

Code Enforcement Officer

226 Cypress Lane | Palm Springs, Florida 33461

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: Nanciann M. Cuenot

Sent: Monday, August 21, 2023 10:54 AM

To: jearme@yahoo.com <jearme@yahoo.com>

Subject: Life Safety Plan

Good afternoon, Jean,

Attached you will find the LifeSafety plan which is just an example of what is needed to be submitted along with the application for Local Business Tax Receipt. You can call Planning Zoning Building with any questions you may have (561) 584-8200 Ext. 8460

As I mentioned, the Village of Palm Springs does not have any LifeSafety plan on file for Conviva at your location at 3731 Lake Worth Road. Please do not hesitate to contact an Engineer or Architect for these plans.

Regards,

Courtesy Code Violation Notice

10-25 EMMA

Case#

Date: 7-24-2023 Time: 9:00am

Location: 3731 Lake Worth Rd

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

Please address the listed code violations:

Section 34-262

Prohibited Signs

Remove Banner Signs
from Fence

Flag Signs & Signs
in Road Row Prohibited

IF grand-opening - Sign

Permit Required 561-584-8200

EXT 8460 - Planning-Zoning Bldg.

Compliance Date: 1 day

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

Narciso Cuervo 754

Name

I.D. #

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



Ext 8524



The Marvelous Associates, Inc

INSURANCE • IMMIGRATION • ACCOUNTING
INCOME TAX • REAL ESTATE & MORE



PH: 561.229.0078

E-MAIL: INFO@THEMARVELOUSASSOCIATES.COM

WEB: THEMARVELOUSASSOCIATES.COM



2 LOCATIONS TO SERVE YOU BETTER

3731 LAKE WORTH RD,
LAKE WORTH, FL 33461

201 SW PORT ST LUCIE BLVD, STE 101-6
PORT ST LUCIE, FL 34984

NOU PA KREYOL

OFFICE HOURS: MONDAY TO FRIDAY 9:00AM - 5:00PM | SATURDAY 9:00 - 2:00PM | CLOSED SUNDAY

SE HABLA
ESPAÑOL

MARVELOUS CLEANING SERVICES
OFFICE • HOUSE • CONDO • CARPET
CONSTRUCTION • CAR WASH & MORE
Residential & Commercial
FREE ESTIMATE

CALL ENIEL PIERRE
561.718.5403
3731 LAKE WORTH RD, LAKE WORTH, FL 33461

7-29-23 Business came

BTR
was 3923 #107
US556
chq address + new App-
Life safety plan.

TO PZB -
nothing noted
in Muns.
7-31-23
8-17-23

Courtesy Code Violation Notice

Case# THE Marvelous Associates

Date: 7-25-23 Time: 12:07

Location: 3731 Lake Worth Rd

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

Please address the listed code violations:

70-94(a) Local Business
tax receipt required;

Application submitted
to Planning, Zoning &
Building Department

561-584-8200 Ext 8460

Compliance Date: 30 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



Ext 8524

3923 #107

Change of address - 3767 LW RD

Courtesy Code Violation Notice

Case# Marvelous Cleaning Serv.

Date: 7-25-23 Time: 12:07pm

Location: 3731 Lake Worth Rd

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

Please address the listed code violations:

Section 70-94(a)

Local Business Tax Receipt
Required.

Mobile Car Wash Not Allowed in lot
Call PZ+B for Info.
Application online

561-584-8200 Ext. 8460

Compliance Date: 30 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



Ext 8524

Courtesy Code Violation Notice

Case# Marvelous Ins.
Date: 8-18-23 Time: 2:55pm
Location: 3731 Lake Worth Rd

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

Please address the listed code violations:

70-94 Business Tax
Receipt Required
Past due 30 days

No CAR Wash allowed in
parking lot requires

Compliance Date: immediate Attention

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

Nanciann Cuenot 154
Name I.D. #

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

Ext 8524



Property Detail

Location Address : 3731 LAKE WORTH RD 1
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-11-002-0010
Subdivision : LAKEWOOD GARDENS PL 1 IN
Official Records Book/Page : 34389 / 32
Sale Date : JUN-2023
Legal Description : LAKEWOOD GARDENS PLAT 1 TR 1 (LESS W 2.50 FT & LAKE WORTH RD R/WS) BLK 2

Owner Information**Owner(s)**

MARVELOUS ASSOCIATES INC

Mailing Address

3923 LAKEWOOD RD # 107
 LAKE WORTH BEACH FL 33461 3547

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUN-2023	\$2,115,000	34389 / 00032	WARRANTY DEED	MARVELOUS ASSOCIATES INC
AUG-1998	\$133,600	10578 / 00596	QUIT CLAIM	ERMAR PROPERTIES
JUN-1988	\$100	05716 / 01787	WARRANTY DEED	
APR-1985	\$172,000	04522 / 00747	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 4982
Acres : .80
Property Use Code : 1700—OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$998,159	\$987,696	\$978,248	\$828,207	\$838,152
Land Value	\$537,227	\$452,036	\$405,442	\$347,720	\$347,720
Total Market Value	\$1,535,386	\$1,439,732	\$1,383,690	\$1,175,927	\$1,185,872

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$1,535,386	\$1,422,872	\$1,293,520	\$1,175,927	\$1,185,872
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$1,535,386	\$1,422,872	\$1,293,520	\$1,175,927	\$1,185,872

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$29,832	\$27,985	\$26,489	\$24,208	\$24,626
NON AD VALOREM	\$1,479	\$1,441	\$1,384	\$1,328	\$1,300
TOTAL TAX	\$31,311	\$29,426	\$27,873	\$25,536	\$25,926

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 Profit Corporation

THE MARVELOUS ASSOCIATES INC

Filing Information

Document Number P16000044315

FEI/EIN Number 81-2642439

Date Filed 05/17/2016

Effective Date 05/15/2016

State FL

Status ACTIVE

Last Event AMENDMENT

Event Date Filed 08/22/2016

Event Effective Date NONE

Principal Address

3731 LAKE WORTH RD
PALM SPRING, FL 33461

Changed: 04/23/2024

Mailing Address

3731 LAKE WORTH RD
PALM SPRING, FL 33461

Changed: 04/23/2024

Registered Agent Name & Address

SIMOLIA, DACHEMY
1826 17TH CT N
LAKE WORTH, FL 33461

Address Changed: 04/28/2021

Officer/Director Detail

Name & Address

Title P

MERVILUS, JEAN RENAL
3731 LAKE WORTH RD
PALM SPRING, FL 33461



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-75

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

**MARVELOUS ASSOCIATES INC.
3731 LAKE WORTH ROAD 1
WEST PALM BEACH, FL 33461 3547**

**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): No required permits for interior renovation and changes.

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

Section 14-32: No required business tax receipt for operations.

Section 34-898: No required approval for mobile food vendor. No overnight parking.

Address: 3731 LAKE WORTH ROAD 1
Legal Description: LAKEWOOD GARDENS PLAT 1 TR 1 (LESS W 2.50 FT & LAKE
WORTH RD R/WS) BLK 2
PCN: 70-43-44-19-11-002-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **19th** day of **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 10-31 (FBC 105.1): No required permits for interior renovation and changes.
- ☐ Section 10-31 (FBC 110.1): No required inspections of work completed.
- ☐ Section 14-32: No required business tax receipt for operations.
- ☐ Section 34-898: No required approval for mobile food vendor. No overnight parking.
- ☐ 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 required permits for interior renovation and changes.
- ☐ Section 10-31 (FBC 110.1): No required inspections of work completed.
- ☐ Section 14-32: No required business tax receipt for operations.
- ☐ Section 34-898: No required approval for mobile food vendor. No overnight parking.

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 29, 2024:**
- ☐ Administrative costs of **\$235.60**
 - ☐ 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 permit code violations Sections: 10-31 (FBC 105.1), 10-31 (FBC 110.1), and 14-32 on or before **February 17, 2025**. Section 34-898: Food truck requirements, including no overnight parking on or before **December 29, 2024**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 29, 2024**.
- ☐ Administrative costs of **\$235.60**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Tom Gehrman**, at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings

necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8522 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[3731 Lake Worth Road 1](#)
[West Palm Beach, FL 33461 3547](#)



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT
SPECIAL MAGISTRATE

Case #: 2024-70

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.

INSURANCE FOR EVERYONE LLC
3912 S CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108
Respondent.

PCN: 70434420011040050

REVISED NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on November 12, 2024, INSURANCE FOR EVERYONE LLC, owners of the property at 3912 S CONGRESS AVE, Palm Springs, FL 33461 is in violation of local ordinances.

Section 30-141. Overgrowth - Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth, vegetation or other matter as shall create a hazard is declared to be a nuisance.

Section 30-143. Nuisance - Removal of rubbish, stagnant water, weeds and overgrowth required.

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

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.

Section 34-224 Replacement of vegetation. – Replace missing hedges on north and south side of parking lot.

Sec.34-262 (26) Prohibited signs – Pole signs are prohibited, nonconforming signs and must be removed.

Section 10-8 Exterior property areas. Maintain property neat, clean and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair – permit and inspection required.

Section 10-9 Exterior of structure or building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

Section 34-914 – Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.

Section 34-1327 off street parking. – All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

These violations must be corrected on or before December 13, 2024, failing, this matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 226 Cypress Lane, Palm Springs, FL, 33461 on December 19, 2024 at 10:00 a.m. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

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

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

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

Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented. Persons who need special accommodation in order to attend or participate in this hearing must advise the Village Clerk at (561)584-8200 ext. 8430, at least 36 hours prior to the hearing.


Code Enforcement Officer

Nanciann Cuenot

November 12, 2024
Date Issued



PALM SPRINGS POLICE
CODE ENFORCEMENT D
230 CYPRESS LANE
PALM SPRINGS, FL 3346
ATTN: NANCIAAN CUENOT



CERTIFIED MAIL®



9489 0178 9820 3034 7920 90

Label 890-QDT, March 2023



quodient
FIRST-CLASS MAIL
IMI
\$008.16²
11/12/2024 ZIP 33480
043M31265277

US POSTAGE

INSURANCE FOR EVERYONE LLC
Angel L. Ponce De Leon, Reg. Agent
3939 S Congress Ave #101
Lake Worth Beach, FL 33461 4108

Certified Mail
Refused Notice of Violation/Hearing

Tracking Number:

Remove X

9489017898203034792090

Copy

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

Latest Update

Your item was delivered to an individual at the address at 12:59 pm on November 15, 2024 in LAKE WORTH, FL 33461.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Left with Individual
LAKE WORTH, FL 33461
November 15, 2024, 12:59 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)

- Text & Email Updates
- Return Receipt Electronic
- USPS Tracking Plus®
- Product Information



**CODE ENFORCEMENT SPECIAL MAGISTRATE
VILLAGE OF PALM SPRINGS, FLORIDA**

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-70

RETURN OF SERVICE

**INSURANCE FOR EVERYONE LLC
3939 S. CONGRESS AVENUE
PALM SPRINGS, FL 33461**

Respondent

On the **9th Day of DECEMBER 2024 at 12:33 pm**, I served the attached Notice of Violation / Notice of Hearing Letter on the within named Respondents, **INSURANCE FOR EVERYONE LLC** at **3939 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.

X _____ 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: **TOM GRIGORIOU** and informing such person of their contents pursuant to F.S. 48.031.

_____ 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: Nanciann Cuenot
Ofc. Nanciann Cuenot



PALM SPRINGS POLICE DEPARTMENT

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

NOVEMBER 7, 2024

INSURANCE FOR EVERYONE LLC
Angel L. Ponce De Leon, Reg. Agent
3939 S Congress Ave #101
Lake Worth Beach, FL 33461 4108

Dear Registered Agent(s),

A **REVISED NOTICE OF VIOLATION / NOTICE OF HEARING** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the property at:
3912 S Congress Avenue in Palm Springs, FL. PCN: 70-43-44-20-01-104-0050

VIOLATION / HEARING CASE 2024-70

Section 30-141. Overgrowth - Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth, vegetation or other matter as shall create a hazard is declared to be a nuisance.

Section 30-143. Nuisance - Removal of rubbish, stagnant water, weeds and overgrowth required.

Sec. 34-221. Responsibility of owner: practices enumerated.

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.

Sec.34-262 (26) Prohibited signs – Pole signs are prohibited, nonconforming signs and must be removed.

Section 34-224 Replacement of vegetation. – Replace missing hedges on north and south side of parking lot.

Section 10-8 Exterior property areas. Maintain property neat, clean and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair – permit and inspection required.

Section 10-9 Exterior of structure or building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

Section 34-914 – Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.

Section 34-1327 off street parking. – All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

The options available include coming into voluntary compliance on or before **DECEMBER 13, 2024** OR arguing your case at the Special Magistrate Hearing on **Thursday, DECEMBER 19, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL.** This is part of your right under the judicial system.

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

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

Respectfully,



Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence

Professionalism · Respect · Integrity · Duty · Excellence

Remove
prohibited sign

overgrowth
Maintenance



9/12/2024 3:18:17 PM

Responsibility of owner



9/12/2024 3:18:01 PM



11/1/2024 10:45:03 AM



11/1/2024 10:45:06 AM



9/12/2024 3:19:40 PM

overgrowth



9/12/2024 3:19:21 PM



11/1/2024 10:45:11 AM

Replace vegetation that died



Exterior Bldg
Paint
Remove Rubbish

11/8/2024 11:45:53 AM



11/8/2024 11:45:37 AM



Trim Trees

11/1/2024 10:46:44 AM



overgrowth

11/1/2024 10:46:24 AM



11/1/2024 10:45:26 AM

Replace vegetation-

overgrowth



11/1/2024 10:45:15 AM



9/11/2023 11:24:56 AM

Parking lot with new landscaping - After Photo



9/11/2023 11:27:10 AM

CASE PRESENTATION
CASE No. CASE 2024-70

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. 2024-7- concerns the property at 3912 S CONGRESS AVE 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/are INSURANCE FOR EVERYONE LLC

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

Section 30-141. Overgrowth - Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth, vegetation or other matter as shall create a hazard is declared to be a nuisance.

Section 30-143. Nuisance - Removal of rubbish, stagnant water, weeds and overgrowth required.

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

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.

Sec.34-262 (26) Prohibited signs – Pole signs are prohibited, nonconforming signs and must be removed.

Section 34-224 Replacement of vegetation. – Replace missing hedges on the north and south side of parking lot.

Section 10-8 Exterior property areas. Maintain property neat, clean, and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair – permit and inspection required.

Section 10-9 Exterior of structure or building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

Section 34-914 – Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.

Section 34-1327 off street parking. – All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

6. Courtesy Notices were posted at the location and phone conversations with the property manager, Tom Grigoriou. These violations continued.
7. On November 12,, 2024, I wrote Revised Notice of Violation/Notice of Hearing 2024-70 for the violations. The Notice was mailed certified and regular to the respondents address of record and posted at the property. The USPS Tracking confirmed delivery.
8. Photos of the violations are included in the file. The property owner has complied with some of the violations and is in the process of complying with the

CASE No. _____

remaining violations. I met with the property owner's representative, Tom Grigoriou, on December 11, 2024. He has agreed to get everything into compliance within 90 days.

9. I REQUEST THAT THE RESPONDENT BE ORDERED to COME INTO COMPLIANCE with actions to correct the violations and gain compliance on **Sections 34-221 Responsibility of owner 34-224 Replacement of vegetation, 10-8 Exterior Property Areas, 10-9 Exterior of Building ,34-914 (parking) and 34-1327 off street parking, by March 19, 2025** If not in compliance by the stated date a \$100.00 per day, per violation FINE shall commence.

10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF **\$392.95** CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN, **March 19, 2025**.

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



Case Administrative / Court Costs

December 19, 2024, 3912 S Congress Avenue - Insurance for Everyone LLC		Case 2024-70		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	4.00	35.00	140.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	3.00	5.00	15.00
5	Additional photos re-inspections - 5 for 20.00	3.00	20.00	60.00
6	Additional certified copies for hearing	2.00	8.16	16.32
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
11	Special Magistrate	0.50	195.00	97.50
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 2024-70				392.95



PALM SPRINGS POLICE DEPARTMENT

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

November 04, 2024

**INSURANCE FOR EVERYONE LLC
3912 S CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108**

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 3912 S CONGRESS AVE, Palm Springs, FL 33470.

PCN: 70434420011040050

This property is in violation of local ordinances.

Sec.34-262 (26) Prohibited signs – Pole signs are prohibited, nonconforming signs and must be removed.

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

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching.

Compliance Date: November 15, 2024

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

Respectfully,

Nanciann Cuenot
Palm Springs Police Department
Code Enforcement Officer
561 584-8300 Ext. 8524
561 307-7157
ncuenot@vpsfl.org

3912-A



PALM SPRINGS POLICE DEPARTMENT

2701 Street Lane Palm Springs, Florida 33461 Phone: 561-884-8300 ext. 8520 www.opall.org

November 04, 2024

INSURANCE FOR EVERYONE LLC
3912 S CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108

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 3912 S CONGRESS AVE, Palm Springs, FL 33470. PCN: 70434420011040050.

This property is in violation of local ordinances.

Sec. 24-252 (26) Prohibited signs – Pole signs are prohibited, nonconforming signs and must be removed.

Sec. 24-221. Responsibility of owner; practices enumerated.

The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching.

Compliance Date: November 15, 2024

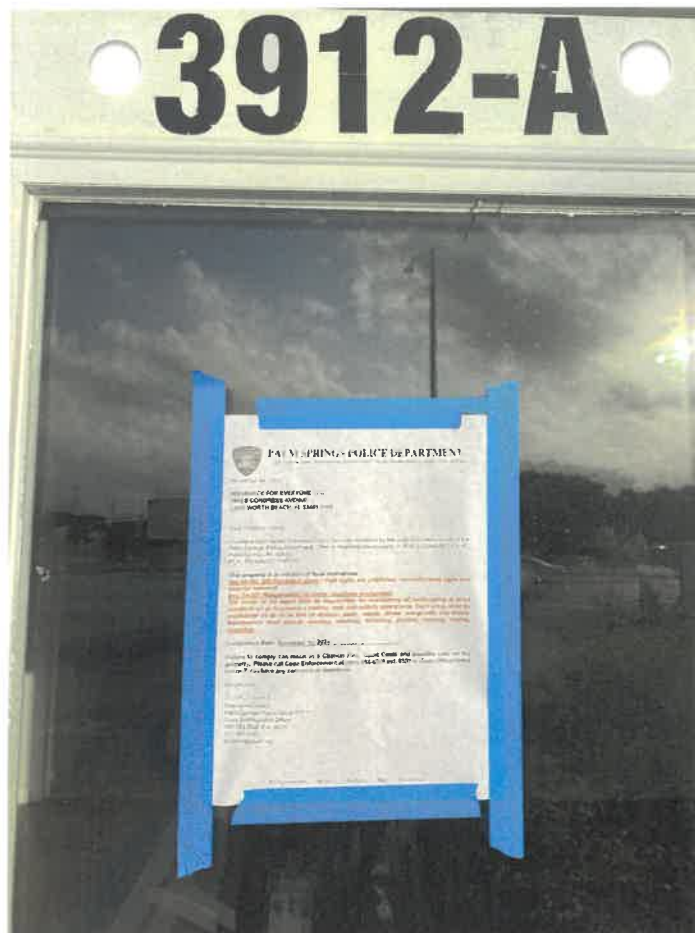
Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property. Please call Code Enforcement at (561) 584-8300 ext. 8520 or Code Officer listed below if you have any concerns or questions.

Respectfully,

Nanciann Cuenot
Palm Springs Police Department
Code Enforcement Officer
561 584-8300 Ext. 8524
561 307-7157
ncuenot@vpsfla.org

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Picture of Posting
Courtesy letter



11/4/2024 4:25:02 PM



11/4/2024 4:25:08 PM

Re: 3912 S Congress Ave - Code Violations

Nanciann M. Cuenot <ncuenot@vpsfl.org>

Thu 8/1/2024 2:27 PM

To: Gino <gino24cdi@gmail.com>

📎 2 attachments (8 MB)

IMG_0111.jpg; IMG_4790.JPG;

Good afternoon,

Thank you for the update.

Please note that the landscaping and vegetation must be kept in good condition. I have attached a photo of the landscaping when the parking lot was repaved. Any vegetation that dies must be replaced as well as the groundcover. Please replace the mulch/groundcover. The rear yard must be kept in a neat and clean condition. During my last inspection the trees and backyard were overgrown.

I am looking for voluntary compliance and thank you for making this progress.

Respectfully,



Nanciann Cuenot, CEP

Code Enforcement Officer

226 Cypress Lane | Palm Springs, Florida 33461

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: Gino <gino24cdi@gmail.com>

Sent: Thursday, August 1, 2024 2:00 PM

To: Nanciann M. Cuenot <ncuenot@vpsfl.org>

Subject: Re: 3912 S Congress Ave - Code Violations

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

Good morning Officer Cuenot,

Here is a quick update on the property at 3912 S Congress Ave. Please see photos attached.

Grass, weeds and tree cut and/or removed.

Sign painted, blank face insert it's in process

Emailed
Notice

Courtesy Code Violation Notice

Case# _____

Date: 7-26-2024 Time: 10:15am

Location: 3912 S. Congress

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:

Final Notice
Vacant Bldg.
30-141- Overgrown commercial property
Overgrowth front +
rear property
34-265- damaged unsafe sign Remove
Citations may be
issued

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.

N. Avenot 154
Name I.D. #

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

Ext
8524





PALM SPRINGS POLICE DEPARTMENT

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

May 17, 2024

**INSURANCE FOR EVERYONE LLC
3912 CONGRESS AVE
PALM SPRINGS, FL 33470**

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 3912 S CONGRESS AVE, Palm Springs, FL 33470.
PCN: 70434420011040050

This property is in violation of local ordinances.

- *Section 30-141. Overgrowth – Large bush in front of building *Complied*
 - *Section 30-143. Nuisance - Removal of rubbish, trash & Debris.
 - ✓ *Section 34-916. Prohibited Commercial vehicles – Box Truck - *Complied*
 - *Section 34-265 Abandoned sign
 - ✓ *Section 10-9 Wire grating or safety bars over windows prohibited. - *not prohibited per P. Ringle*
 - ✓ *Section 10-30 – Vacant and unimproved property registration required. - *Complied 5/17/24*
- Permit # 202400560*

Compliance Date: May 30, 2023

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

Respectfully,

Nanciann Cuenot
Palm Springs Police Department
Code Enforcement Officer
561 584-8300 Ext. 8524
561 307-7157
ncuenot@vpsfl.org



PALM SPRINGS POLICE DEPARTMENT

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

May 02, 2024

**INSURANCE FOR EVERYONE LLC
3912 CONGRESS AVE
PALM SPRINGS, FL 33470**

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 3912 S CONGRESS AVE, Palm Springs, FL 33470.
PCN: 70434420011040050

This property is in violation of local ordinances.

- *Section 30-141. Overgrowth - Excessive growth of weeds and vegetation**
- *Section 30-143. Nuisance - Removal of rubbish, trash & Debris.**
- *Section 34-916. Prohibited Commercial vehicles.**
- *Section 34-265 Abandoned sign**
- *Section 10-9 Wire grating or safety bars over windows prohibited.**
- *Section 10-30 – Vacant and unimproved property registration required.**

Compliance Date: May 13, 2024

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

Respectfully,

Nanciann Cuenot
Palm Springs Police Department
Code Enforcement Officer
561 584-8300 Ext. 8524
561 307-7157
ncuenot@vpsfl.org



PALM SPRINGS POLICE
CODE ENFORCEMENT I
226 CYPRESS LANE
PALM SPRINGS, FL 3346
Attn: N. Cuenot



UNITED STATES
POSTAL SERVICE

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Label 890-QDT, 11/07/2024



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11/07/2024 ZIP 33480
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US POSTAGE

*P.V.
11-12-24*

INSURANCE FOR EVERYONE LLC
3912 S CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108

RECEIVED
DEC 9 2024

BY: *N. Cuenot*

NIXIE 331 DE 1 0012/03/24

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

9327 11/07/2024 0012/03/24

33461 33484-4108

BC: 33461160426 *1787-00484-03-17





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



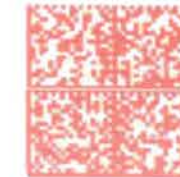
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11/04/2024 ZIP 33480
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US POSTAGE

**INSURANCE FOR EVERYONE LLC
3939 S CONGRESS AVENUE #101
LAKE WORTH BEACH, FL 33461 4108**



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



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FIRST-CLASS MAIL
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11/04/2024 ZIP 33480
043M31255277

US POSTAGE

**INSURANCE FOR EVERYONE LLC
3912 S CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108**

Property Detail

Location Address : 3912 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-20-01-104-0050
Subdivision : MODEL LAND CO
Official Records Book/Page : 34734 / 1369
Sale Date : DEC-2023
Legal Description : MODEL LAND CO S 50 FT OF N 215 FT OF W 165 FT OF TR 104 (LESS WLY 35 FT SR 807 R/W)

Owner Information**Owner(s)**

INSURANCE FOR EVERYONE LLC

Mailing Address

3912 S CONGRESS AVE
LAKE WORTH BEACH FL 33461 4108

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
DEC-2023	\$450,000	34734 / 01369	WARRANTY DEED	INSURANCE FOR EVERYONE LLC
JUL-2023	\$450,000	34444 / 01490	WARRANTY DEED	PONCE DE LEON ANGEL L
SEP-2016	\$175,000	28613 / 00103	WARRANTY DEED	SHAUKAT NIMRAH
JUN-2009	\$10	23286 / 01399	QUIT CLAIM	3912 CONGRESS AVENUE LAND TRUST
JUN-2008	\$10	22744 / 01767	QUIT CLAIM	3912 CONGRESS AVENUE LAND TRUST
NOV-2007	\$10	22359 / 01304	QUIT CLAIM	3912 CONGRESS AVENUE LAND TRUST
NOV-2007	\$10	22245 / 00638	QUIT CLAIM	REALE JOSEPH A
DEC-2006	\$87,000	21304 / 01139	WARRANTY DEED	3912 CONGRESS AVENUE LAND TRUST
JAN-2002	\$160,000	13306 / 01142	WARRANTY DEED	CYPRESS DEVELOPMENT CORP
JAN-1976	\$100	02545 / 01543		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 960
Acres : .15
Property Use Code : 1700—OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$108,614	\$66,294	\$64,014	\$56,152	\$58,352
Land Value	\$157,752	\$140,859	\$134,155	\$115,028	\$115,028
Total Market Value	\$266,366	\$207,153	\$198,169	\$171,180	\$173,380

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$266,366	\$207,128	\$188,298	\$171,180	\$173,380
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$266,366	\$207,128	\$188,298	\$171,180	\$173,380

Taxes

Tax Year	2024	2023	2022	2021	2020
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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
INSURANCE FOR EVERYONE "LLC"

Filing Information

Document Number	L15000099365
FEI/EIN Number	47-4231576
Date Filed	06/08/2015
Effective Date	06/05/2015
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	06/17/2019
Event Effective Date	NONE

Principal Address

3912 S CONGRESS AVE
LAKE WORTH, FL 33461

Changed: 01/03/2024

Mailing Address

3939 S CONGRESS AVE
101
LAKE WORTH, FL 33461

Changed: 01/03/2024

Registered Agent Name & Address

PONCE DE LEON, ANGEL L
3939 S CONGRESS AVE
101
LAKE WORTH, FL 33461

Address Changed: 01/03/2024

Authorized Person(s) Detail

Name & Address

Title MGR

PONCE DE LEON, ANGEL L
3939 S CONGRESS AVE #101
LAKE WORTH, FL 33461

Annual Reports

Report Year	Filed Date
2022	03/10/2022
2023	01/21/2023
2024	01/03/2024

Document Images

01/03/2024 -- ANNUAL REPORT	View image in PDF format
01/21/2023 -- ANNUAL REPORT	View image in PDF format
03/10/2022 -- ANNUAL REPORT	View image in PDF format
01/09/2021 -- ANNUAL REPORT	View image in PDF format
03/18/2020 -- ANNUAL REPORT	View image in PDF format
06/17/2019 -- LC Amendment	View image in PDF format
03/31/2019 -- ANNUAL REPORT	View image in PDF format
03/21/2018 -- ANNUAL REPORT	View image in PDF format
04/08/2017 -- ANNUAL REPORT	View image in PDF format
04/26/2016 -- ANNUAL REPORT	View image in PDF format
06/08/2015 -- Florida Limited Liability	View image in PDF format

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.

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

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

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

Sec. 34-262. Prohibited signs.

The following signs are prohibited:

- (1) Animated signs with surface movements, flashing lights, flashing and/or moving messages, bright flashing colors or exposed outdoor neon; or changeable sign copy (except as expressly permitted in this article), extruding figures, translucent fiberglass or composite awnings, illumination (interior or exterior) resulting in an unshielded light source visible from adjacent properties or public right-of-way, waving, fluttering, revolving or any other such device to attract attention. This prohibition includes any form of light treatments used with the intent to draw attention to a business, which is not within an approved sign package (except for seasonal, accent, building lighting, or landscape ornamental lighting), visible beyond the property line on which it is located.
- (2) Statuary of any kind, except that of a distinctly religious nature.
- (3) Signs which produce noise or sounds capable of being heard even though the sounds produced are not understandable.
- (4) Signs which emit visible smoke, vapors, particles or odors.
- (5) Signs or other advertising matter as regulated by this article, erected at the intersection of any street or in any street right-of-way in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "stop," "look," "drive-in," or any other word, phrase, symbol or character, in such a manner as to interfere with, mislead or confuse vehicular traffic as determined by the village council.
- (6) Signs erected, constructed or maintained so as to obstruct or be attached to any firefighting equipment, window, door or opening used as a means of ingress or egress, or for firefighting purposes, or placed so as to interfere with any opening required for proper light and ventilation as required by the building code of the village.
- (7) Signs with any lighting or control mechanism which causes radio, television or other communication interruption or interference.
- (8) Flags, except those exempted by section 34-291(b)(2), banners, streamers, twirling, A type, sandwich type, sidewalk or curb signs, balloons or other air-filled or gas-filled figures and blank copy signs, as well as vehicular signs.
- (9) Moving or stationary advertising signs on any vessel plying the canals or other waterbodies.
- (10) Outdoor advertising of any kind or character where any live animals or human beings are used as part of the advertising and which is visible from any public street or adjacent property, including use of human directionals.
- (11) Off-premises signs (i.e., signs/billboards offering services or products for sale or rent and not offered or provided on the same lot or premises as the advertising structure).
- (12) Any snipe sign.
- (13) Any banner over any street or sidewalk within any village playground or park, without permission from the village manager.
- (14) Any sign, portable or fixed, placed or erected on or over any part of the ultimate road right-of-way, other than directional signs erected by county, state or village officials.
- (15) Signs erected on public property including public rights-of-way, with the exception of signs erected by a public authority for public purposes and temporary signs as permitted by section 34-324.

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- (16) Any illuminated sign of an intensity that the vision of the observer becomes momentarily impaired.
 - (17) Any sign which exhibits any lewd, lascivious, indecent, pornographic or immoral material.
 - (18) Any sign attached to a tree, utility pole, trailer, roller casters, trash receptacle and any other unapproved supporting structure, including portable signs and vehicular signs, including those on trailers.
 - (19) Flashing signs, searchlights and beacons not operated by a governmental agency, and signs with chasing borders and twinkling lamps.
 - (20) Any roof sign or projecting sign.
 - (21) Bus bench advertising, except ads permitted per palm tran shelter/bench contracts, or where such bench advertises the bus or transit carrier for whose benefit the bench is installed.
 - (22) Murals require prior approval from the village council as set forth in section 34-295 and are otherwise prohibited.
 - (23) Any type of light banding around signs, windows, or gas canopies.
 - (24) Any flag pole taller than 25 feet.
 - (25) Electronic changeable copy signs; except time and temperature signs at financial institutions and gas/fuel price signs, and public service message signs on governmental/public/educational properties, all of which are subject to the requirements of section 34-267.
 - (26) Pole signs and pylon signs, except as provided in section 34-327(c).

(Code 1994, § 30-177; Ord. No. 2008-10, § 3, 8-28-2008; Ord. No. 2012-29, § 3, 1-10-2013; Ord. No. 2014-27, § 2, 11-13-2014; Ord. No. 2015-04, § 2, 3-12-2015; Ord. No. 2015-13, § 2, 5-14-2015; Ord. No. 2016-02, § 2, 3-10-2016)

Sec. 34-224. Replacement of vegetation.

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

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

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.

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

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

Sec. 34-914. - Parking in single-family residential land use districts; use of portable storage containers and roll-off dumpsters in all zoning districts. ** See Sections (2 + i) (3rd Page)*

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

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

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

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

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

Sec. 34-1327. Off-street parking.

- (a) The definitions of section 1-2 apply to this section.
- (b) All off-street parking facilities shall be located on the same site as the use for which the parking is provided. Parking spaces shall be located so that no spaces are a greater distance than 300 feet closest straight-line distance from the building or use for which they are assigned.
- (c) No fewer than four parking spaces shall be provided for any nonresidential use.
- (d) Required yards and setbacks may be used for off-street parking, if driveways or aisles and turning spaces shall be located within the lot lines. In computing off-street parking requirements, streets or sidewalk areas shall not be used for off-street parking purposes. Driveways shall be setback a minimum of three feet from the property line to accommodate sodded or landscaped pervious area along the perimeter of each parcel between the driveway and the property line.
- (e) When off-street parking facilities for any type of building, other than a single-family detached dwelling, are situated beneath a portion of or all of a building, a plan shall be submitted to the village and is subject to site plan review for approval of interior traffic circulations, for parking stall and aisle dimensions, proper traffic control signs and pavement markings for safe and efficient vehicular and pedestrian movements for location of entrances and exits to and from public roads for approval of site distances at corners of intersecting public streets and ways, and/or approval of the effective screening of the motor vehicles located in or on the parking structures from adjoining properties, the same property and public streets.
- (f) Off-street parking spaces shall be paved with asphalt, or concrete, paver block, or pervious pavement. It shall be unlawful to obstruct or hinder the free use of the parking area.
- (g) For uses other than single-family detached dwellings, parking spaces for the handicapped shall be provided in all required parking areas, lots, garages or other similar facilities as required by applicable and current state statutes.
- (h) At the time a building is erected or when any main building or outdoor activity area is enlarged by more than 25 percent or any use is increased in capacity by adding dwelling units, guest rooms, floor area, seats or other factors requiring additional parking, minimum off-street parking spaces with adequate provisions for ingress and egress shall be provided in accordance with minimum off-street parking and off-street loading requirements set forth in this division.
- (i) Each parking space or stall shall have appropriate access to a street or alley, and maneuvering and access aisles shall be sufficient to permit motor vehicles to enter and exit the parking area in a forward motion, with the exception of egress from a single-family detached dwelling, or as otherwise approved by the village.
- (j) Each off-street parking area or lot shall be designed with reference to size, street pattern, adjacent properties, buildings and other improvements in the general area; number of motor vehicles to be accommodated; hours; types of use; and any other factors contributing to the uniqueness of its location and design.
- (k) Parking space requirements shall be computed based on the principal use of a building or premises.
- (l) Where several principal uses exist in one building, on one lot or on one site, off-street parking space requirements shall be computed separately for each principal use, unless otherwise stated in section 34-1324.
- (m) A use shall be considered a principal use, for purposes of this section, if it could exist separately from all other uses in the same building or on the same lot, and would, by itself, generate significant parking demand.

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- (n) Where a use is located in a shopping center, office building or office-retail complex, the parking space requirements for the respective uses shall apply, except that, where a theater is located in any of such areas or buildings, the off-street parking requirement for theaters shall apply.
 - (o) Where several principal uses exist in one building or part of a building and the gross floor area or the gross leasable area, whichever is applicable, of each principal use cannot be clarified, the off-street parking requirement for the use requiring the greatest number of parking spaces shall apply.
 - (p) Where the number of required off-street parking spaces as computed includes a fraction, the number of required spaces shall be the computed number rounded up to the next whole number.
 - (q) Two or more owners of buildings or uses that require off-street parking facilities may make joint provisions for such facilities, provided that the total of the parking spaces, when combined or used together, shall not be less than the sum of the requirements computed separately. No part of an off-street parking area for any building or use shall be included as a part of an off-street parking area similarly required for another building or use.
 - (r) Off-site parking shall not be used to satisfy the off-street parking requirements for restaurants, bars, nightclubs or adult entertainment establishments.
 - (s) Off-street parking spaces required by this division for one building or use may be allocated, in whole or in part, for the required parking spaces of another building or use if quantitative evidence is provided showing that parking demand for the different buildings or uses would occur on different days of the week or at different hours. Evidence for joint allocation of required parking spaces shall be submitted to the village for staff review and comment, and approval of the joint allocation of required spaces shall be made by the village council after review and comment of the land development board.
 - (t) The following allowed modifications to off-street parking requirements are intended to permit and encourage the reduction of hard-surfaced parking areas to retain the maximum permeable soil surface and green area while still providing for adequate parking. It is not the intent of this subsection to define each site use where such modifications of off-street parking requirements may be feasible. The village may allow the use of such modifications in any instance where such a modification appears appropriate even though the specific site use may not be cited in the following subsections:
 - (1) The use of a grass parking surface shall be permitted on certain site uses where parking is on an irregular, intermittent or part-time basis. The village may allow such modifications of the off-street parking requirements when such modifications appear appropriate, and if the use of the grass parking surfaces does not adversely affect the appearance or condition of the site use. Such grass parking surfaces shall conform to appropriate village-adopted construction specifications. All requirements for landscaping off-street parking areas shall be met. Such grass parking surfaces are primarily intended to be allowed for parking associated with places of public assembly, theaters for the performing arts, private clubs, churches, auditoriums, schools and similar uses.
 - (2) For certain site uses, it shall be allowed for up to 25 percent of the required parking to be reserved in a grassed area. Such a reserved area shall be identified on the site plan and shall include space for all associated accessways, drives, aisles and landscaping. The reserved area may be used for temporary or overflow parking. All reserved area for temporary or overflow parking shall be designated on the plot it is to serve with a small permanent type sign. A reserved area, used for temporary or overflow parking, shall meet all landscaping requirements for an off-street parking area, except that the percentage for interior landscaping requirements for parking areas may also be used for parking. Conversion of a reserved area to hard-surfaced parking shall require compliance with all landscaping requirements for an off-street parking area. In no instance shall a reserved area be used to satisfy the landscaping requirements for a contiguous hard-surfaced vehicular use area or to satisfy requirements for open space.

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- (3) The owner or his agent, if any, shall be jointly and severally responsible for the maintenance of all vehicle use areas, whether standard hard-surfaced or grass. Grass parking areas shall be maintained to present a neat appearance to ensure a viable and healthy grass surface. In the event of deterioration of a grass parking surface due to improper or inadequate maintenance or parking use too heavy to allow a healthy grass surface, the village may require the restoration of the grass surface or the hard surfacing of the area.

(Code 1994, § 30-917; Ord. No. 2007-08, § 8, 4-26-2007; Ord. No. 2010-05, § 17, 4-8-2010; Ord. No. 2011-27, § 6, 12-8-2011; Ord. No. 2019-12, § 5, 9-12-2019)

Cross reference(s)—Definitions generally, § 1-2.



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-70

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

**INSURANCE FOR EVERYONE LLC
3912 SOUTH CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461 4108**

**MAILING ADDRESS:
(SAME AS ABOVE)**

Respondent(s).

ORDER FINDING VIOLATION

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

Section 30-141: Overgrowth. Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth vegetation or other matter as shall create a hazard is declared to be a nuisance.

Section 30-143: Nuisance. Removal of rubbish, stagnant water, weeds and overgrowth required.

Section 34-221: Responsibility of owner, practices enumerated. The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.

Section 34-224: Replacement of vegetation. Replace missing hedges on north and south side of parking lot.

Section 34-262: (26) Prohibited signs. Pole signs are prohibited, nonconforming signs and must be removed.

Section 10-8: Exterior property areas. Maintain property neat, clean and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair. Permit and inspection required.

Section 10-9: Exterior of structure of building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.

Section 34-914: Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.

Section 34-1327: Off street parking. All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

Address: 3912 SOUTH CONGRESS AVENUE
Legal Description: MODEL LAND CO S 50 FT OF N 215 FT OF W 165 FT OF TR
104 (LESS WLY 35 FT SR 807 R/W)
PCN: 70-43-44-20-01-104-0050

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 30-141: Overgrowth. Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth, vegetation or other matter as shall create a hazard is declared to be a nuisance.**

☐ **Section 30-143: Nuisance. Removal of rubbish, stagnant water, weeds and overgrowth required.**

☐ **Section 34-221: Responsibility of owner, practices enumerated. The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.**

☐ **Section 34-224: Replacement of vegetation. Replace missing hedges on north and south side of parking lot.**

☐ **Section 34-262: (26) Prohibited signs. Pole signs are prohibited, nonconforming signs and must be removed.**

☐ **Section 10-8: Exterior property areas. Maintain property neat, clean and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair. Permit and inspection required.**

- ☐ Section 10-9: Exterior of structure of building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.
- ☐ Section 34-914: Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.
- ☐ Section 34-1327: Off street parking. All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

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

- ☐ Section 30-141: Overgrowth. Excessive growth of weeds and vegetation. All land shall be kept free from debris, overgrowth vegetation, including trees or any other matter by reason of height or proximity to neighboring structures, might in time of hurricane winds, cause damage to life or property. The existence of any debris, overgrowth, vegetation or other matter as shall create a hazard is declared to be a nuisance.
- ☐ Section 30-143: Nuisance. Removal of rubbish, stagnant water, weeds and overgrowth required.
- ☐ Section 34-221: Responsibility of owner, practices enumerated. The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, and mulching.
- ☐ Section 34-224: Replacement of vegetation. Replace missing hedges on north and south side of parking lot.
- ☐ Section 34-262: (26) Prohibited signs. Pole signs are prohibited, nonconforming signs and must be removed.
- ☐ Section 10-8: Exterior property areas. Maintain property neat, clean and sanitary, free from weeds or plant growth in excess of 12 inches, replace fence in disrepair. Permit and inspection required.
- ☐ Section 10-9: Exterior of structure of building. Every window and doorframe kept in sound condition, good repair and weather tight. Exterior walls kept free of holes, loose or rotting materials, weatherproof and properly surface coated to prevent deterioration. Exterior painting all wood and metal surfaces including but not limited to window frames, doors and trim. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted.
- ☐ Section 34-914: Parking. Each vehicle must be parked on an impervious or semipervious surface, shall be in usable and operable condition at all times, and shall have a current tag and registration.
- ☐ Section 34-1327: Off street parking. All off-street parking shall be located on the same site as the use for which the parking is provided. Remove insurance commercial vehicle from rear yard and this parcel.

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 **January 2, 2025:**
- ☐ Administrative costs of **\$392.95**
 - ☐ 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 19, 2025.** 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 **January 2, 2025.**
- ☐ Administrative costs of **\$392.95**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[3912 South Congress Avenue](#)
[Lake Worth Beach, FL 33461](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-74

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

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

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

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

SECTION 2-233 IRREVERSIBLE OR IRREPARABLE – LIFE SAFETY

SECTION 34-572 VIOLATION OF VILLAGE COUNCIL ORDINANCE NO. 2014-35

ANNEXATION AGREEMENT (6)(III)(d) Hours of Operation. The Mobile Food Trailer shall be limited to operate between 7 a.m. and 11 p.m.

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 DECEMBER 19, 2024. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at 561 584-8200 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: DECEMBER 5, 2024.

Nanciann Cuenot
Printed Name of Officer



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 5, 2024

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

Dear Property Owner,

A **Notice of Violation/ Notice of Hearing Case No. 2024-74** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property a **4420 Lake Worth Rd in Palm Springs, FL**

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

This property is in violation of local ordinances:

SECTION 2-233 IRREVERSIBLE OR IRREPARABLE – LIFE SAFETY
SECTION 34-572 VIOLATION OF VILLAGE COUNCIL ORDINANCE NO. 2014-35 – ANNEXATION AGREEMENT
(6)(III)(d) HOURS OF OPERATION BY REMAINING OPEN PASSED 11:00 PM.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY, DECEMBER 19, 2024 AT 10:00 AM** which is noted on your NOTICE OF VIOLATION. This is part of your right under the judicial system.

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

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

Respectfully,

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

9489 0178 9820 3034 7921 75

4420

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-74

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.

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

Postal
12-9-2024 9:27 am
Mclure

PCN 70-42-44-25-00-004-0010

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

SECTION 2-232 IRREVERSIBLE OR IRREPARABLE - LIFE SAFETY
SECTION 14-572 VIOLATION OF VILLAGE COUNCIL ORDINANCE NO. 2014-38
ANNEXATION AGREEMENT (RURBAN) Hours of Operation. The Mobile Food Trailer shall be limited to operate between 7 a.m. and 11 p.m.

This matter shall be heard at a public hearing by a Code Enforcement Special Magistrate at Village Hall, 228 Cypress Lane, Palm Springs, FL, 33461, Tel. 561-584-8300 Ext 8524, at 10:00 a.m. on THURSDAY DECEMBER 19, 2024. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.

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

IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at 561-584-8300 Ext 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 such 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 561-584-8300 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 561-584-8300 Ext 8430 at least 30 hours prior to the hearing.

Margaret Curren
Code Enforcement Officer 561-584-8300 ext 8524

Margaret Curren
Printed Name of Officer

Date Issued: DECEMBER 5, 2024

12/9/2024 9:28



Palm Springs Police Department Supervisor's Shift Report



Date 11/16/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-28249 CFS# End 24-28291

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]
------------	------------	------------	------------

24-28284 S-75 4420 Lake Worth Rd.

Tacos El Carbon violated the ordinance by keeping the mobile food trailer open with music and patron at tables there. There was a disturbance in the parking lot that officer's responded to.

Sec. 2-233. - Summary enforcement procedures; code citation.

- (a) *Code citation.* If a violation or a repeat violation (as defined in this article) of a code or ordinance for which the village council has set specific fines and costs is believed to have occurred or to exist, by a code enforcement inspector or officer (jointly referred to as "officer"), the officer may issue the violator one or more courtesy notices, or a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a violation exists, and the amount of the fine and costs, as adopted by the village council for the offense.
- (b) *Life safety violation or irreparable or irreversible violation.* If the officer has reason to believe that a violation or condition causing the violation presents a serious threat to the public health, safety, and welfare or the environment ("life safety violation"), or if the violation is irreparable or irreversible in nature, whether or not said violation is a violation of a code or ordinance for which the village council has set specific fines and costs, the officer may issue the violator a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a life safety violation exists or irreparable or irreversible violation has occurred. The officer shall also state in the code citation a fine and cost amount based on the severity of the violation. Life safety violations shall not exceed \$250.00 for the first violation and irreparable or irreversible violations shall not exceed \$5,000.00 per violation. The officer may also issue a code citation consistent with this section for a repeat violation (as defined in this article) of a life safety violation or of a violation that is irreparable or irreversible in nature.
- (c) *Code compliance.* Except for all irreparable or irreversible violations, the code citation shall establish a time for compliance and if the violator fails to comply by the established time in the citation, the violator may be subject to daily fines as determined at a hearing by the special magistrate or code enforcement board. For all irreparable or irreversible violations, if the violation reoccurs, the officer may treat the reoccurrence as a new violation and issue another or additional code citations. The code citation shall also provide the violator with a hearing date and time, commanding the violator to appear at a designated special magistrate or code enforcement board hearing, if the violator fails to comply by the time established in the code citation.
- (d) *Payment of fine and costs.* The violator may elect to pay the fine and costs as provided on the code citation, or may appear before the special magistrate or code enforcement board at the designated hearing date and time. If the fine and/or costs provided on the code citation are not paid by the date and time for the hearing and the special magistrate or code enforcement board determines a violation occurred, the violator will be subject to further administrative costs and fees. Once the fine and/or the costs are paid, under this summary procedure, it is deemed to be conclusive proof of the violation, for the purposes of establishing a later repeat violation.

Sec. 34-572. - Violations.

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

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

ORDINANCE NO. 2014-35

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

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

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

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

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

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

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

Ordinance No. 2014-35

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

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☒	☐	☐
SERGIO ESCALADA, VICE MAYOR	☒	☐	☐
DOUG GUNTHER, MAYOR PRO TEM	☒	☐	☐
JONI BRINKMAN, COUNCIL MEMBER	☒	☐	☐
PATTI WALLER, COUNCIL MEMBER	☒	☐	☐

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

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____

BEV SMITH, MAYOR

First Reading: 11-13-2014

Second Reading: 12-11-2014

ATTEST:

BY: _____

VIRGINIA M. WALTON, VILLAGE CLERK



REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____

GLEN J. TORCIVIA, VILLAGE ATTORNEY

Prepared by and return to:

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

ANNEXATION AGREEMENT

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

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

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

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

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

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

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

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

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

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

LAND USE	UI – Urban Infill
ZONING	UI – Urban Infill

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

LAND USE

COMMERCIAL

ZONING

CG – COMMERCIAL GENERAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13. **CAPTIONS.** Captions are included for convenience only and shall be given no legal effect whatsoever.

14. **ATTORNEY'S FEES.** In the event any party must enforce this Annexations Agreement through legal proceedings, the prevailing party shall be entitled to reasonable attorney's fees and costs incurred, including those at the appellate level.

15. **WAIVER.** Failure of a party to enforce any conditions of this Agreement or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce said condition(s) or exercise said right(s) at any time.

16. **TIME.** Time is of the essence in all respects under this Agreement.

17. **EFFECTIVE DATE.** This Annexation Agreement shall become effective upon annexation and final approval by the Village Council.

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SIGNATURE PAGE FOLLOWS

4420 Lake Worth Road
Tacos Al Carbon, Inc.

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

Date: December 11, 2014

VILLAGE OF PALM SPRINGS, FLORIDA

By: _____

Bev Smith, Mayor

ATTEST:

By: _____

Virginia Walton, Village Clerk

APPROVED AS TO FORM:

By: _____

Glen J. Torcivia, Village Attorney



Date: _____

PETITIONER: Tacos Al Carbon, Inc.

Witnesses as to Petitioner:

[Signature]

Witness

Juanita Carbon.

By: _____

Eloisa Gonzalez, President

Witness

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ACKNOWLEDGEMENTS FOLLOW

ACKNOWLEDGEMENTS

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

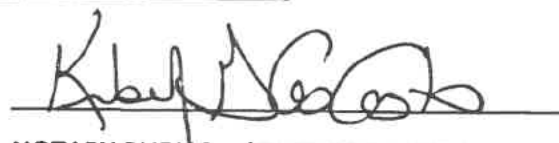
The foregoing ANNEXATION AGREEMENT was acknowledged before me this 11th
day of December, 2014 by BEV SMITH and Jane R. Worth ~~VIRGINIA WALTON~~, the Mayor and
Deputy Village Clerk, respectively, of the Village of Palm Springs, Florida, who are personally known to
me.


NOTARY PUBLIC – STATE OF FLORIDA
MY COMMISSION EXPIRES:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)



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


NOTARY PUBLIC – STATE OF FLORIDA
MY COMMISSION EXPIRES:



4420 Lake Worth Road
Tacos Al Carbon, Inc.

EXHIBIT "A"
LEGAL DESCRIPTION

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

CASE PRESENTATION

CASE No. 2024-74 4420 LAKE WORTH ROAD

1. GOOD MORNING, MY NAME IS NANCIANN CUENOT, AND I HAVE BEEN SWORN IN.
2. I AM A CODE ENFORCEMENT OFFICER FOR THE VILLAGE OF PALM SPRINGS, FLORIDA.
3. THIS CASE NO. 2024-74 CONCERNS THE PROPERTY AT 4420 LAKE WORTH ROAD, LAKE WORTH, FLORIDA.
4. ACCORDING TO THE PALM BEACH COUNTY TAX COLLECTOR AND PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS, THE OWNER OF THE PROPERTY IS TACOS AL CARBON INC.
5. THE PROPERTY IS IN VIOLATION OF THE VILLAGE CODE SECTION: 2-233 LIFE SAFETY OR IRREPARABLE OR IRREVERSIBLE VIOLATION; SECTION 34-572 VIOLATION OF VILLAGE COUNCIL APPROVAL OF ANNEXATION AGREEMENT ORDINANCE 2014-35(6)(iii)(d) HOURS OF OPERATION – Mobile food trailer shall be limited to operate between 7 a.m. and 11 p.m.
6. On November 18, 2024, Police Chief Ceccarelli advised Code enforcement of violations that occurred AT Tacos Al Carbon the previous day. I obtained the Palm Springs Police Department Supervisor's Shift report, incident report, and narrative by reporting Sargent Ryan McCluskey.
7. The Incident occurred on November 17, 2024, at approximately 2:52 a.m. Sargent Ryan McCluskey, WHO IS PRESENT HERE TODAY TO TESTIFY, responded to a report of a disturbance in the parking lot of Tacos Al Carbon at 2:52 a.m. near the mobile food trailer where a large crowd appeared to

be threatening each other, and a firearm was witnessed. The food trailer was open for business with lighting and music.

8. ON **DECEMBER 5, 2024**, A NOTICE OF VIOLATION/NOTICE OF HEARING WAS ISSUED FOR THE VIOLATIONS OF LIFE SAFETY AND THE VIOLATION OF REMAINING OPEN PAST 11:00 P.M. THE NOTICE WAS MAILED CERTIFIED AND REGULAR TO THE ADDRESS ON RECORD. I POSTED THE NOTICE AT VILLAGE HALL, AT THE PROPERTY.
9. I BELIEVE THE VIOLATIONS OR CONDITIONS CAUSING THE VIOLATION PRESENT A SERIOUS THREAT TO PUBLIC SAFETY. THE VILLAGE REQUESTS **RESPONDENT BE ORDERED TO PAY A \$250.00 LIFE SAFETY FINE NO LATER THAN DECEMBER 27, 2024**. I ALSO REQUEST A FINDING OF FACT THAT THE PROPERTY OWNER WAS IN VIOLATION OF THE ANNEXATION AGREEMENT BY REMAINING OPEN PAST 11:00 P.M.
10. THE VILLAGE HAS INCURRED COSTS IN THE AMOUNT OF **\$279.10** IN THE PROSECUTION OF THIS CASE AND I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE PROSECUTION COSTS TO THE VILLAGE BY NO LATER THAN **DECEMBER 27, 2024**.
11. I ASK THAT THE ENTIRE FILE BE ENTERED INTO EVIDENCE AND PENDING ANY FURTHER QUESTIONS YOU MAY HAVE; THIS CONCLUDES THE VILLAGE'S TESTIMONY.



Case Administrative / Court Costs

December 19, 2024, 4420 Lake Worth Road - Tacos Al Carbon Inc		Case 2024-74		
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	1.00	5.00	5.00
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	Special Magistrate	0.50	195.00	97.50
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	2.00	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 2024-74				279.10



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



9489 0178 9820 3034 7921 75

Label 890-QDT, March 2023



quadiant
FIRST-CLASS MAIL
IMI
\$008.16⁰
12/05/2024 ZIP 33480
043M31255277

US POSTAGE

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



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



quadiant
FIRST-CLASS MAIL
IMI
\$000.69⁰
12/05/2024 ZIP 33480
043M31255277

US POSTAGE

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

Property Detail

Location Address 4420 LAKE WORTH RD
Municipality PALM SPRINGS
Parcel Control Number 70-42-44-25-08-004-0010
Subdivision GREEN ACRES PLAT NO 1

Official Records Book 12807

Page 1597

Sale Date AUG-2001

Legal Description GREEN ACRES PL NO 1 LTS 1 & 2 (LESS LAKE WORTH RD R/W), LTS 3 THRU 7, LTS 9 THRU 12 & LTS 13 & 14 (LESS LAKE WORTH RD R/W) BLK 4 & E 1/2 OF 50 FT ABND PT OF CHILDS ST LYG W OF & ADJ TO LTS 9 THRU 11

Owner Information

Owners
TACOS AL CARBON INC

Mailing address
230 PERRY AVE
LAKE WORTH FL 33463 3334

Sales Information

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

Exemption Information

No Exemption information available

Property Information

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

Appraisals

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

All values are as of January 1st each year

Assessed and Taxable Values

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

Taxes

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

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcgov.org/PAPA

Account Information

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

Last updated: 8/09/2024 02:47:58 PM

2023 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 2, 2024.
 Delinquent Property Tax cannot be paid online.
 Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
 A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

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

Total Payable: \$0.00

Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status	
4/1/24	\$22,069.53 Net Tax: \$22,989.10 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$919.57	11/30/23	-\$22,069.53	Paid	
Installment	Due Date	Net Tax	Last Paid	Amount Paid	Status
1	8/1/22	\$0.00 Net Tax: \$0.00 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00		\$0.00	Paid
2	10/14/22	\$0.00 Net Tax: \$0.00 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: \$0.00		\$0.00	Paid



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-74

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

**TACOS AL CARBON INC.
4420 LAKE WORTH ROAD
PALM SPRINGS, FL 33461**

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

ORDER FINDING VIOLATION

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

Section 2-233: Irreversible or Irreparable. Life safety.

**Section 34-572: Violation of Village Council Ordinance No. 2014-35 Annexation Agreement
(6)(iii)(d) Hours or Operation. Mobile food trailer shall be limited to operate between 7:00
a.m. and 11:00 p.m.**

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

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, 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 2-233: Irreversible or Irreparable. Life safety.**

☐ **Section 34-572: Violation of Village Council Ordinance No. 2014-35 Annexation Agreement (6)(iii)(d) Hours or Operation. Mobile food trailer shall be limited to operate between 7:00 a.m. and 11:00 p.m.**

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

☐ **Section 2-233: Irreversible or Irreparable. Life safety.**

☐ **Section 34-572: Violation of Village Council Ordinance No. 2014-35 Annexation Agreement (6)(iii)(d) Hours or Operation. Mobile food trailer shall be limited to operate between 7:00 a.m. and 11:00 p.m.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. **The Village requests respondent be ordered to pay a \$250.00 life safety fine no later than December 27, 2024. I also request a finding of fact that the property owner was in violation of code sections: 2-233 and 34-572 by remaining open past 11:00 P.M. in connection with the annexation agreement.** Respondent has failed to pay and is ordered to pay the following amounts on or before **December 27, 2024:**
- ☐ Administrative costs of **\$279.10**
 - ☐ 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 27, 2024.** **The Village requests respondent be ordered to pay a \$250.00 life safety fine no later than December 27, 2024. I also request a finding of fact that the property owner was in violation of code sections: 2-233 and 34-572 by remaining open past 11:00 P.M. in connection with the annexation agreement.** Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **December 27, 2024.**
- ☐ Administrative costs of **\$279.10**
 - ☐ Citation fine of **\$ N/A**
 - ☐ Re-inspection fee of **\$ N/A**

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to **Code Inspector/Officer Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request

for the hearing. The requested hearing will be limited to consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein shall not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4) Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4) Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 19th day of December 2024.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

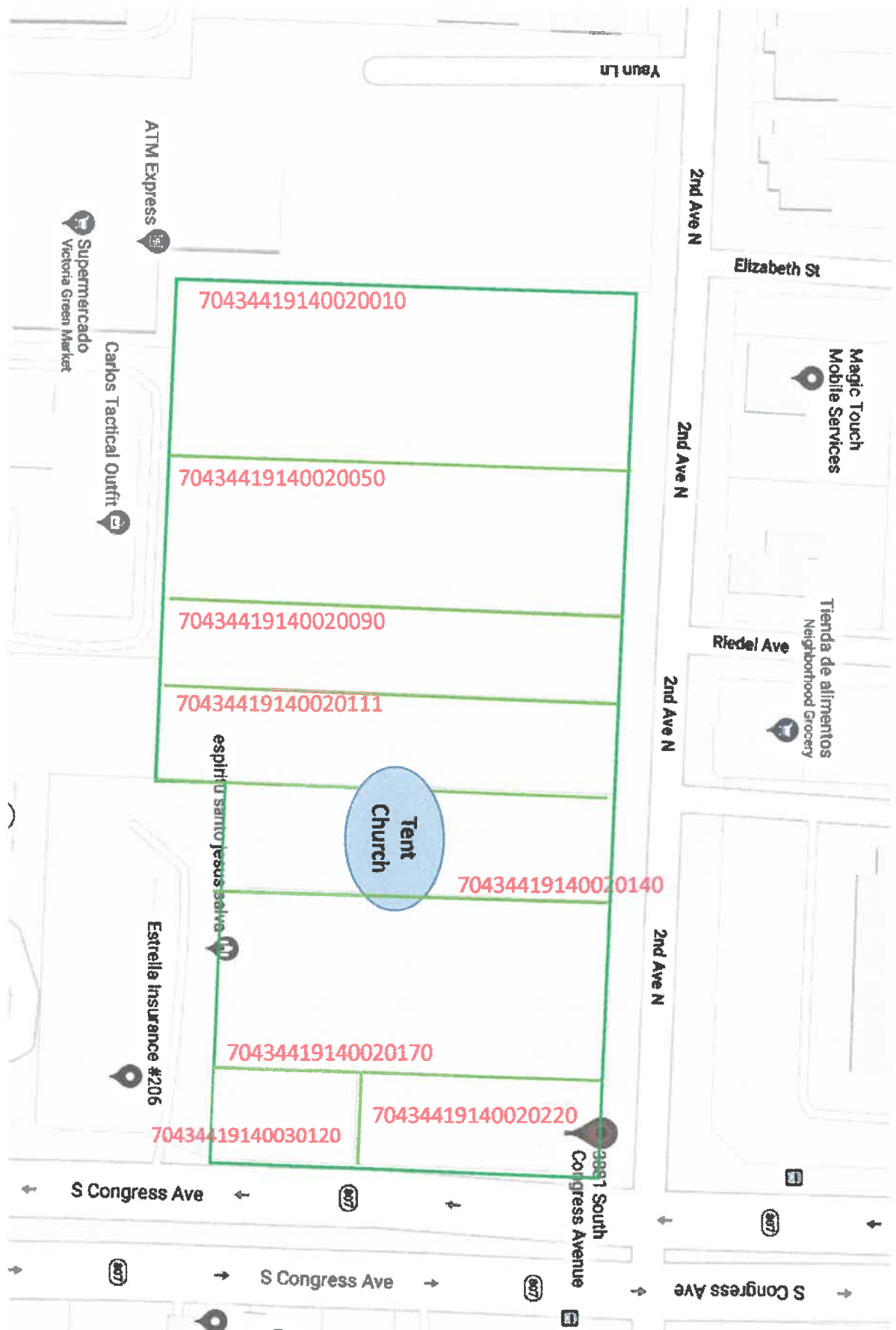
Special Magistrate

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

[4420 Lake Worth Road](#)
[Palm Springs, FL 33461](#)



Case 2024-2797 to 2794



FBZ 24-4672-4202
Carr

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. **2794**

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Tuesday December 3, 2024				
FIRST NAME	MID INT.	LAST NAME		
Prolacto Mich, Inc.				
STREET ADDRESS				
70-43-44-19-14-002-0111 2nd Ave N.				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33461		
TAG NO.	DESCRIPTION			
	Mailing Address			
	636 Belvedere Road			
	West Palm Beach, FL 33405			
VIOLATION CODE SECTION(S) & DESCRIPTION:				
Repeat Vio.				
Sec. 2-233 Irreparable, Irreversible				
Sec 10-31 (FBC 105.1) No permit for				
Special Event held Saturday,				
November 30, 2024.				
Sec. 10-31 (FBC 110.1) No required				
Inspections				
☒ REPEAT VIOLATION				

M. Cuenat
Code Enforcement Officer

154
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:

December 19 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 ~~561-304-8825~~ ⁵⁸⁴⁻⁸³⁰⁰⁻⁸⁵²⁴ or ~~561-304-4829~~ and paying a fine of \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 3:00PM on Dec. 18, 2024, 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.

Respondent Signature

Printed Name



12/3/2024 2:53:53 PM



12/3/2024 2:53:47 PM



12/9/2024 9:50:50 AM



12/9/2024 9:50:37 AM



12/9/2024 12:36

PROPERTY DETAIL

LOCATION ADDRESS2ND AVE N

MUNICIPALITYPALM SPRINGS

PARCEL CONTROL NUMBER70-43-44-19-14-002-0111

SUBDIVISIONMILLERS ADD PL OF E 1/2 IN

OFFICIAL RECORDS BOOK/PAGE25815 / 1303

SALE DATEFEB-2013

LEGAL DESCRIPTIONPL OF E 1/2 OF MILLERS ADD E 15 FT OF LT 11, LTS 12 & 13 BLK 2, E 15 FT OF LT 6, LT 7 & N 1/2 OF LT 20 & E 15 FT OF N 1/2 OF LT 21 BLK 3 & ABND MIAMI AVE S OF BLK 2 & N OF BLK 3



OWNER INFORMATION

OWNER(S)MAILING ADDRESS

PROLACTO MICH INC636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

SALES INFORMATION

SALE DATE

DDMMYY

NO BOOK/PAGE

SALE TYPE

OWNED

**VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION**

CITATION NO. 2788

DAY OF WEEK <u>Thursday</u>	MONTH <u>3</u>	DAY <u>21</u>	YEAR <u>2024</u>	TIME <u>11:00 AM</u>
FIRST NAME <u>Proletto</u>	MID INT. <u>to</u>	LAST NAME <u>Highway</u>		
STREET ADDRESS <u>PCN:</u>				
<u>70-43-44-19-14-002-0111</u>				
CITY <u>Palm Springs</u>	STATE <u>FL</u>	ZIP CODE <u>33461</u>		
TAG NO. <u>636</u>	DESCRIPTION <u>MAILING ADDRESS</u>			
VIOLATION CODE SECTION(S) & DESCRIPTION: <u>Section 2-233</u>				
<u>Irreparable or Incurable</u>				
<u>NO PERMITS OR INSPECTIONS</u>				
<u>For Special Event</u>				
<u>Circus Lena</u>				
☐ REPEAT VIOLATION				

Narciso Cuenot 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:

April 13, 2024 at 11:00 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 \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 5:00PM on March 21, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

PERMIT NO.

**VIOLATION
DO NOT REMOVE**

**CORRECTIONS MUST BE
MADE AS NOTED BELOW**

PCN: 70-43-44-19-14-002-0111

ADDRESS

☒ BLDG. ☒ ELEC. ☐ MECH. ☐ PLBG. ☐

105.1 Valid Permit Required
110.1 Inspection Required
Failure to obtain a valid Special
Event Permit - Circus Lena
must obtain a valid permit and
inspections prior to erecting tent
and occupying property.

☒ **STOP WORK! CALL 965-4046** 561-584-8200
BETWEEN 8:30 - 4:30 EXT 8460 P2B

☒ **VIOLATION! CORRECT AS NOTED**

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

☐ **CALL 434-5092 FOR REINSPECTION**

VILLAGE OF PALM SPRINGS, FLORIDA

DATE 3-21-2024 Narciso Cuenot INSPECTOR



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 3, 2024

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231

Dear Registered Agent(s),

A **CITATION** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the properties at:

Vacant Lot – 2 nd Ave N.	PCN: 70-43-44-19-14-002-0111	CASE 2024-2794
3078 2 nd Ave N.	PCN: 70-43-44-19-14-002-0090	CASE 2024-2795
3092 2 nd Ave N.	PCN: 70-43-44-19-14-002-0050	CASE 2024-2796
3112 2 nd Ave N.	PCN: 70-43-44-19-14-002-0010	CASE 2024-2797

REPEAT VIOLATIONS OCCURRED AT THESE PROPERTIES:

- SECTION 2-233 – Summary enforcement procedures; code citation irreparable or irreversible.
- SECTION FBC (Florida Building Code) 105.1 No Permits for Special Event held on November 30, 2024.
- SECTION FBC 110.1 No required Inspections

The options available include coming into voluntary compliance by obtaining 'after the fact permits and paying the code citations by December 18, 2024 or arguing your case at the Special Magistrate Hearing on Thursday, December 19, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL. This is part of your right under the judicial system.

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

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

Respectfully,

9489 0178 9820 3034 7921 20

9489 0178 9820 3034 7921 44

9489 0178 9820 3034 7921 37

Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence

USPS Tracking[®]

FAQs >

Tracking Number:

Remove X

9489017898203034792144

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

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:25 pm on December 6, 2024 in FORT LAUDERDALE, FL 33301.

Get More Out of USPS Tracking:

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Delivered

Delivered, Front Desk/Reception/Mail Room

FORT LAUDERDALE, FL 33301

December 6, 2024, 2:25 pm

[See All Tracking History](#)

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

Feedback

Text & Email Updates



Return Receipt Electronic



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Product Information



See Less ^

7. The Repeat Violation occurred on November 30, 2024, and was photographed by Mr. Ringle at 9:13 a.m.
8. ON **DECEMBER 3, 2024**, CITATIONS WERE ISSUED FOR THE VIOLATIONS OF LIFE SAFETY- IRREPARABLE, IRREVERSIBLE, NO PERMITS OR INSPECTIONS. THE CITATIONS WERE MAILED CERTIFIED AND REGULAR TO THE ADDRESS ON RECORD WITH THE PROPERTY APPRAISER AND SUNBIZ AND ALSO TO THE REGISTERED AGENT. ALL CERTIFIED MAILINGS WERE CONFIRMED DELIVERED BY THE USPS TRACKING. I POSTED THE CITATIONS AT THE PROPERTIES AND VILLAGE HALL.
9. THE VILLAGE REQUESTS RESPONDENT **BE ORDERED TO PAY A \$500.00 IRREPARABLE, IRREVERSABLE REPEAT FINE ON EACH OF THE PROPERTIES, PLUS A \$30.00 INSPECTION FOR A TOTAL OF \$530.00 FOR EACH PROPERTY IN VIOLATION NO LATER THAN JANUARY 9, 2025.**
10. THE VILLAGE HAS INCURRED COSTS OF **\$281.11** IN THE PROSECUTION OF THESE CASES AND I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE PROSECUTION COSTS TO THE VILLAGE BY NO LATER THAN **JANUARY 9, 2024.**
11. I ASK THAT THE ENTIRE FILE BE ENTERED INTO EVIDENCE AND PENDING ANY FURTHER QUESTIONS YOU MAY HAVE; THIS CONCLUDES THE VILLAGE'S TESTIMONY.

Tracking Number:

9489017898203034792137

Remove X

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Latest Update

Your item was delivered to an individual at the address at 1:12 pm on December 6, 2024 in LAKE WORTH, FL 33461.

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USPS Tracking Plus®

Delivered
Delivered, Left with Individual
LAKE WORTH, FL 33461
December 6, 2024, 1:12 pm

See All Tracking History

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

Text & Email Updates

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Product Information

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Feedback

Tracking Number:

9489017898203034792120

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Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:59 pm on December 6, 2024 in WEST PALM BEACH, FL 33405.

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Delivered
Delivered, Front Desk/Reception/Mail Room
WEST PALM BEACH, FL 33405
December 6, 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>)

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Product Information

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See Less ^

CASE PRESENTATION

CASE No. 2024-2794, 2024-2795, 2024-2796, 2024-2797

2nd AVENUE N. VACANT LOT/3078, 3092,3112 2ND AVENUE N.

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. THESE **CASE NO'S. 2024-2794, 2024-2795, 2024-2796, 2024-2797 AND VACANT LOT 2ND AVENUE N** CONCERNS THE PROPERTIES AT **3078, 3092,3112 2ND AVENUE N. AND PCN:70-43-44-19-14-002-0111, LAKE WORTH BEACH, FLORIDA.**
4. ACCORDING TO THE PALM BEACH COUNTY TAX COLLECTOR AND PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS, THE OWNER OF THE PROPERTY IS **PROLACTO MICH INC.**
5. THE PROPERTY IS IN **REPEAT** VIOLATION OF THE VILLAGE CODE SECTION: 2-233 LIFE SAFETY OR IRREPARABLE OR IRREVERSIBLE VIOLATION; SECTION 10-31(FBC 105.1) NO PERMIT FOR SPECIAL EVENT HELD ON NOVEMBER 30, 2024, SECTION 10-31 (FBC 110.1) NO REQUIRED INSPECTIONS.
6. On March 21st, 2024, these same properties were found in violation of hosting a Special Event without permits or inspections. On December 2, 2024, Village Building Official, Peter Ringle, who is here to testify, advised Code enforcement of a Special Event that took place on 4 (four) vacant lots over the weekend. This is a repeat violation.



Case Administrative / Court Costs

December 19, 2024, 3881 S Congress Avenue -Prolacto Mich, Inc

Cases 2024-2794, 2024-2795, 2024-2796,
2024-2797

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.50	35.00	122.50
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	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	3.00	8.16	24.48
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	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 2024-2794, 2795, 2796, 2797

281.11

Sec. 2-233. Summary enforcement procedures; code citation.

- (a) *Code citation.* If a violation or a repeat violation (as defined in this article) of a code or ordinance for which the village council has set specific fines and costs is believed to have occurred or to exist, by a code enforcement inspector or officer (jointly referred to as "officer"), the officer may issue the violator one or more courtesy notices, or a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a violation exists, and the amount of the fine and costs, as adopted by the village council for the offense.
- (b) *Life safety violation or irreparable or irreversible violation.* If the officer has reason to believe that a violation or condition causing the violation presents a serious threat to the public health, safety, and welfare or the environment ("life safety violation"), or if the violation is irreparable or irreversible in nature, whether or not said violation is a violation of a code or ordinance for which the village council has set specific fines and costs, the officer may issue the violator a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a life safety violation exists or irreparable or irreversible violation has occurred. The officer shall also state in the code citation a fine and cost amount based on the severity of the violation. Life safety violations shall not exceed \$250.00 for the first violation and irreparable or irreversible violations shall not exceed \$5,000.00 per violation. The officer may also issue a code citation consistent with this section for a repeat violation (as defined in this article) of a life safety violation or of a violation that is irreparable or irreversible in nature.
- (c) *Code compliance.* Except for all irreparable or irreversible violations, the code citation shall establish a time for compliance and if the violator fails to comply by the established time in the citation, the violator may be subject to daily fines as determined at a hearing by the special magistrate or code enforcement board. For all irreparable or irreversible violations, if the violation reoccurs, the officer may treat the reoccurrence as a new violation and issue another or additional code citations. The code citation shall also provide the violator with a hearing date and time, commanding the violator to appear at a designated special magistrate or code enforcement board hearing, if the violator fails to comply by the time established in the code citation.
- (d) *Payment of fine and costs.* The violator may elect to pay the fine and costs as provided on the code citation, or may appear before the special magistrate or code enforcement board at the designated hearing date and time. If the fine and/or costs provided on the code citation are not paid by the date and time for the hearing and the special magistrate or code enforcement board determines a violation occurred, the violator will be subject to further administrative costs and fees. Once the fine and/or the costs are paid, under this summary procedure, it is deemed to be conclusive proof of the violation, for the purposes of establishing a later repeat violation.

(Ord. No. 2020-28, § 2, 9-10-2020)

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.



PALM SPRINGS POLICE I
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANJIANN CUENOT



CERTIFIED MAIL®



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Label 890-QDT, March 2023



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US POSTAGE

PROLACTO MICH INC.
C/O MONCARZ LAW FIRM P.L.
401 E. LAS OLAS BLVD, STE 1400
FT LAUDERDALE, FL 33301



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



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FIRST-CLASS MAIL
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\$000.69⁰
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



UNITED STATES
POSTAL SERVICE

CERTIFIED MAIL®



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CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



9489 0178 9820 3034 7921 37

Label 890-QDT, March 2023



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PALM SPRINGS, FL 33461



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



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12/03/2024 ZIP 33480
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US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



PALM SPRINGS POLICE
CODE ENFORCEMENT D
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



CERTIFIED MAIL®



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Label 880-QDT, March 2023



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FIRST-CLASS MAIL
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\$008.16⁰
12/03/2024 ZIP 33480
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US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



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

Detail by Entity Name

Florida Profit Corporation
PROLACTO MICH., INC.

Filing Information

Document Number	P19000042236
FEI/EIN Number	26-0903100
Date Filed	04/18/2019
Effective Date	09/10/2007
State	FL
Status	ACTIVE

Principal Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Mailing Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Registered Agent Name & Address

MONCARZ LAW FIRM P.L.
401 E. Las Olas Blvd
STE 1400
FT LAUDERDALE, FL 33301

Address Changed: 06/30/2020

Officer/Director Detail

Name & Address

Title P

ANDRADE MALFAVON, GUILLERMO
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Title T

GONZALEZ, OSCAR
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Case # 2024-2794

Property Detail

Location Address : 2ND AVE N
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-14-002-0111
Subdivision : MILLERS ADD PL OF E 1/2 IN
Official Records Book/Page : 25815 / 1303
Sale Date : FEB-2013
Legal Description : PL OF E 1/2 OF MILLERS ADD E 15 FT OF LT 11, LTS 12 & 13 BLK 2, E 15 FT OF LT 6, LT 7 & N 1/2 OF LT 20 & E 15 FT OF N 1/2 OF LT 21 BLK 3 & ABND MIAMI AVE S OF BLK 2 & N OF BLK 3

Owner Information**Owner(s)**

PROLACTO MICH INC

Mailing Address

636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2013	\$1,012,100	25815 / 01303	CERT OF TITLE	PROLACTO MICH INC
MAR-2003	\$850,000	15201 / 00399	WARRANTY DEED	3881 CONGRESS AVENUE LLC
SEP-2002	\$10	14232 / 01511	QUIT CLAIM	KOLL JOSEPH E
MAY-2000	\$55,000	11801 / 00998	WARRANTY DEED	KOLL BRIAN R
OCT-1998	\$100	10911 / 01494	QUIT CLAIM	WILSON VIRGINIA M TR
JUN-1998	\$100	10433 / 01539	CERT OF TITLE	WILSON NORMAN J JR & VIRGINIA M
NOV-1994	\$61,000	08521 / 00115	WARRANTY DEED	
MAR-1990	\$10,000	06380 / 01488	CERT OF TITLE	
MAR-1987	\$51,000	05231 / 01186	GUARDIAN DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : .48
Property Use Code : 1000—VACANT COMMERCIAL
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$201,881	\$201,881	\$192,347	\$164,780	\$164,780
Total Market Value	\$201,881	\$201,881	\$192,347	\$164,780	\$164,780

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$201,881	\$199,384	\$181,258	\$164,780	\$164,780
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$201,881	\$199,384	\$181,258	\$164,780	\$164,780

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$3,922	\$3,922	\$3,702	\$3,392	\$3,422
NON AD VALOREM	\$49	\$50	\$50	\$50	\$50

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CIT CASE: 2024-2788

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.

PROLACTO MICH INC.
686 BELVEDERE ROAD
WEST PALM BEACH, FL 33405 1231
Respondent(s).

ORDER FINDING VIOLATION, ASSESSING FINE AND IMPOSING LIEN

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

SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE.

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must be minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

Address: 2ND AVENUE N
Legal Description: PL OF E 1/2 OF MILLERS ADD E 15 FT OF LT 11, LTS 12 & 13 BLK 2, E 15 FT OF LT 6, LT 7 & N 1/2 OF LT 20 & E 15 FT OF N 1/2 OF LT 21 BLK 3 & ABND MIAMI AVE S OF BLK 2 & N OF BLK 3
PCN: 70-43-44-19-14-002-0111

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Part I, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of April 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 the owner of the above referenced property, and that the Respondent violated the code section(s) referenced above at the property.

3. The violation of the above referenced code section(s) constitutes an irreparable or irreversible violation(s) and/or a life safety violation(s).

CONCLUSIONS OF LAW

Respondent violated the following Village of Palm Springs Code of Ordinances at the property:

☐ **SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE**

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- *Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must have a minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

The above referenced violations have been corrected with the issuance of a special event permit (with inspections); a final Palm Beach County Fire Marshall Inspection; a finalized building permit (with inspections) and with a parking plan.

ORDER

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

☒ Respondent is ordered to pay the following amounts on or before **April 25, 2024:**

- ☒ Administrative costs of Refer to Case 2024-2780
- ☒ Citation fine of ~~\$ 5,000.00~~ \$250.00
- ☒ Re-inspection fee of \$30.00

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, this order shall constitute a lien pursuant to section 162.09, Fla. Stat., for all assessed amounts until paid in full. The lien shall be against the subject real property and any other real or personal property owned by the Respondent. After three (3) months from recording a certified copy of this order, which remains unpaid (in whole or in part), 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 18th day of April 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:



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CIT CODE CASE: 2024-2794

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

**PROLACTO MICH INC.
2ND AVENUE NORTH (VACANT LOT)
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
PROLACTO MICH INC.
636 BELVEDERE ROAD
WEST PALM BEACH FL, 33405 1231
Respondent(s).**

ORDER FINDING VIOLATION

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

Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.

Section 10-31 (FBC 105.1): No permit for special event held on November 30, 2024.

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

Address: 2ND AVENUE NORTH (VACANT LOT)

Legal Description: PL OF E 1/2 OF MILLERS ADD E 15 FT OF LT 11, LTS 12 & 13
BLK 2, E 15 FT OF LT 6, LT 7 & N 1/2 OF LT 20 & E 15 FT OF N
1/2 OF LT 21 BLK 3 & ABND MIAMI AVE S OF BLK 2 & N OF
BLK 3

PCN: 70-43-44-19-14-002-0111

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 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

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

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

☐ **Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

☐ **Section 10-31 (FBC 110.1): No 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 **January 09, 2025:**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 **January 09, 2025.** If Respondent fails to comply within the time given, a fine of **\$ N/A 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 **January 09, 2025.**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[636 Belvedere Road](#)
[West Palm Beach, FL 33405 1231](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2795

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Tuesday Dec. 3, 2024				
FIRST NAME	MID INT.	LAST NAME		
Prolacto Mich, Inc.				
STREET ADDRESS				
3078 2nd Ave N				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33461		
TAG NO.	DESCRIPTION			
	Mailing Address			
	636 Belvedere Rd.			
	West Palm Beach, FL 33405			
VIOLATION CODE SECTION(S) & DESCRIPTION:				
Sec. 2-233 Irreparable, irreversible				
Sec 10-31 (FBC 105.1) No permit for				
Special event held November 30, 2024				
Sec. 10-31 (FBC 110.1) No required				
inspections				
☒ REPEAT VIOLATION				

Nanciann Cuenot
Code Enforcement Officer

154
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. 19, 2024 at 10:00am
Hearing Date Time

Location: Community Room,
226 Cypress Lane, Palm Springs, Florida

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-594-8300 EXT 8524 or ~~561-594-4829~~ and paying a fine of \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 3:00PM on Dec. 18, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

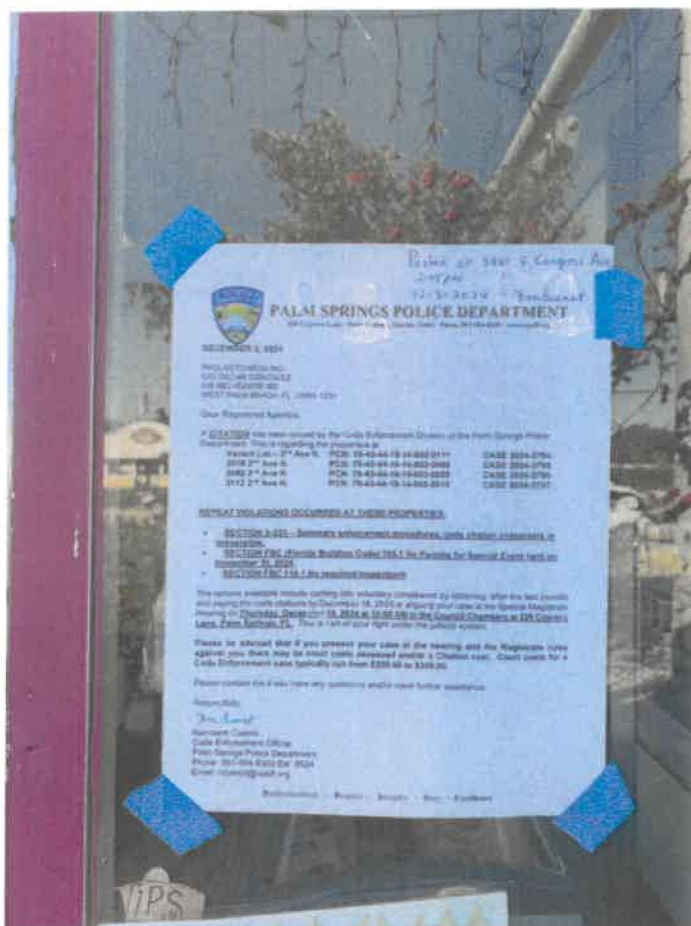
If you fail to pay the civil penalty within the time allowed, or fail to appear at the hearing to contest the citation, you shall be deemed to have waived your right to contest the citation and a judgment may be entered against you for an amount up to the maximum civil penalty.

Respondent Signature

Printed Name



12/3/2024 2:53:53 PM



12/3/2024 2:53:47 PM



12/9/2024 9:49:01 AM



12/9/2024 9:48:52 AM



Search by Owner Name (Last Name first), Address, or PCN

Real Property Search

Tangible Property Search

Search

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3112 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0010
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK 3 TH PT OF MIAMI AVE LYG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST



OWNER INFORMATION

OWNER(S) MAILING ADDRESS

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3092 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0050
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LYG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3



OWNER INFORMATION

OWNER(S) MAILING ADDRESS
PROLACTO MICH INC 636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3078 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0090
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3



OWNER INFORMATION

OWNER(S) MAILING ADDRESS
PROLACTO MICH INC 636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address



VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2784

DAY OF WEEK <u>Thursday</u>	MONTH <u>3</u>	DAY <u>31</u>	YEAR <u>2024</u>	TIME
FIRST NAME <u>Enrique M. M.</u>	MID INT.	LAST NAME <u>INC</u>		
STREET ADDRESS <u>3078 2nd Ave. N</u>				
CITY <u>Palm Springs</u>	STATE <u>FL</u>	ZIP CODE <u>33461</u>		
TAG NO.	DESCRIPTION <u>034 BUILDERS ROAD</u> <u>NEXT TO BEACH, FL 33406</u>			
VIOLATION CODE SECTION(S) & DESCRIPTION: <u>SECTION 2-253</u> <u>IMPROVABLE OR IRREVERSIBLE</u> <u>NO PERMITS OR INSPECTIONS</u> <u>FOR SPECIAL EVENT</u> <u>'CIRCUS LINA'</u>				
☐ REPEAT VIOLATION				

Enrique M. M. 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:

April 18, 2024 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 \$500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 5:00PM on April 18, 2024 by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

PERMIT NO.

**VIOLATION
DO NOT REMOVE**

**CORRECTIONS MUST BE
MADE AS NOTED BELOW**

3078 2nd Ave N
ADDRESS

☒ BLDG. ☒ ELEC. ☐ MECH. ☐ PLBG. ☐

105.1 Valid Permit Required

110.3 Improvements Required

Failure to obtain a valid Special

Event Permit = Civil Penalties

Must obtain valid permit and

improvements prior to any use

and occupying property

on 3/21/2024

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

☒ **VIOLATION! CORRECT AS NOTED**

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

☐ **CALL 434-5092 FOR REINSPECTION**

VILLAGE OF PALM SPRINGS, FLORIDA

DATE 3/21/2024 Enrique M. M. INSPECTOR



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 3, 2024

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231

Dear Registered Agent(s),

A **CITATION** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the properties at:

Vacant Lot – 2 nd Ave N.	PCN: 70-43-44-19-14-002-0111	CASE 2024-2794
3078 2 nd Ave N.	PCN: 70-43-44-19-14-002-0090	CASE 2024-2795
3092 2 nd Ave N.	PCN: 70-43-44-19-14-002-0050	CASE 2024-2796
3112 2 nd Ave N.	PCN: 70-43-44-19-14-002-0010	CASE 2024-2797

REPEAT VIOLATIONS OCCURRED AT THESE PROPERTIES:

- **SECTION 2-233 – Summary enforcement procedures; code citation irreparable or irreversible.**
- **SECTION FBC (Florida Building Code) 105.1 No Permits for Special Event held on November 30, 2024.**
- **SECTION FBC 110.1 No required Inspections**

The options available include coming into voluntary compliance by obtaining 'after the fact permits and paying the code citations by December 18, 2024 or arguing your case at the Special Magistrate Hearing on **Thursday, December 19, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL.** This is part of your right under the judicial system.

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

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

Respectfully,

Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org

Tracking Number:

9489017898203034792144

Remove X

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 2:25 pm on December 6, 2024 in FORT LAUDERDALE, FL 33301.

Get More Out of USPS Tracking:
USPS Tracking Plus[®]

Delivered
Delivered, Front Desk/Reception/Mail Room
FORT LAUDERDALE, FL 33301
December 6, 2024, 2:25 pm

See All Tracking History

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

Feedback

- Text & Email Updates
- Return Receipt Electronic
- USPS Tracking Plus[®]
- Product Information

See Less ^

USPS Tracking®

FAQs >

Tracking Number:

Remove X

9489017898203034792137

Copy

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

Latest Update

Your item was delivered to an individual at the address at 1:12 pm on December 6, 2024 in LAKE WORTH, FL 33461.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

LAKE WORTH, FL 33461

December 6, 2024, 1:12 pm

See All Tracking History

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

Feedback

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus®



Product Information



See Less ^

Tracking Number:

9489017898203034792120

Remove X

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 December 6, 2024 in WEST PALM BEACH, FL 33405.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Front Desk/Reception/Mail Room
WEST PALM BEACH, FL 33405
December 6, 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

CASE PRESENTATION

CASE No. 2024-2794, 2024-2795, 2024-2796, 2024-2797

2nd AVENUE N. VACANT LOT/3078, 3092,3112 2ND AVENUE N.

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. THESE **CASE NO'S. 2024-2794, 2024-2795, 2024-2796, 2024-2797 AND VACANT LOT 2ND AVENUE N** CONCERNS THE PROPERTIES AT **3078, 3092,3112 2ND AVENUE N. AND PCN:70-43-44-19-14-002-0111, LAKE WORTH BEACH, FLORIDA.**
4. ACCORDING TO THE PALM BEACH COUNTY TAX COLLECTOR AND PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS, THE OWNER OF THE PROPERTY IS **PROLACTO MICH INC.**
5. THE PROPERTY IS IN **REPEAT** VIOLATION OF THE VILLAGE CODE SECTION: 2-233 LIFE SAFETY OR IRREPARABLE OR IRREVERSIBLE VIOLATION; SECTION 10-31(FBC 105.1) NO PERMIT FOR SPECIAL EVENT HELD ON NOVEMBER 30, 2024, SECTION 10-31 (FBC 110.1) NO REQUIRED INSPECTIONS.
6. On March 21st, 2024, these same properties were found in violation of hosting a Special Event without permits or inspections. On December 2, 2024, Village Building Official, Peter Ringle, who is here to testify, advised Code enforcement of a Special Event that took place on 4 (four) vacant lots over the weekend. This is a repeat violation.

7. The Repeat Violation occurred on November 30, 2024, and was photographed by Mr. Ringle at 9:13 a.m.
8. ON **DECEMBER 3, 2024**, CITATIONS WERE ISSUED FOR THE VIOLATIONS OF LIFE SAFETY- IRREPARABLE, IRREVERSIBLE, NO PERMITS OR INSPECTIONS. THE CITATIONS WERE MAILED CERTIFIED AND REGULAR TO THE ADDRESS ON RECORD WITH THE PROPERTY APPRAISER AND SUNBIZ AND ALSO TO THE REGISTERED AGENT. ALL CERTIFIED MAILINGS WERE CONFIRMED DELIVERED BY THE USPS TRACKING. I POSTED THE CITATIONS AT THE PROPERTIES AND VILLAGE HALL.
9. THE VILLAGE REQUESTS RESPONDENT **BE ORDERED TO PAY A \$500.00 IRREPARABLE, IRREVERSABLE REPEAT FINE ON EACH OF THE PROPERTIES, PLUS A \$30.00 INSPECTION FOR A TOTAL OF \$530.00 FOR EACH PROPERTY IN VIOLATION NO LATER THAN JANUARY 9, 2025.**
10. THE VILLAGE HAS INCURRED COSTS OF **\$281.11** IN THE PROSECUTION OF THESE CASES AND I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE PROSECUTION COSTS TO THE VILLAGE BY NO LATER THAN **JANUARY 9, 2024.**
11. I ASK THAT THE ENTIRE FILE BE ENTERED INTO EVIDENCE AND PENDING ANY FURTHER QUESTIONS YOU MAY HAVE; THIS CONCLUDES THE VILLAGE'S TESTIMONY.

Sec. 2-233. Summary enforcement procedures; code citation.

- (a) *Code citation.* If a violation or a repeat violation (as defined in this article) of a code or ordinance for which the village council has set specific fines and costs is believed to have occurred or to exist, by a code enforcement inspector or officer (jointly referred to as "officer"), the officer may issue the violator one or more courtesy notices, or a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a violation exists, and the amount of the fine and costs, as adopted by the village council for the offense.
- (b) *Life safety violation or irreparable or irreversible violation.* If the officer has reason to believe that a violation or condition causing the violation presents a serious threat to the public health, safety, and welfare or the environment ("life safety violation"), or if the violation is irreparable or irreversible in nature, whether or not said violation is a violation of a code or ordinance for which the village council has set specific fines and costs, the officer may issue the violator a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a life safety violation exists or irreparable or irreversible violation has occurred. The officer shall also state in the code citation a fine and cost amount based on the severity of the violation. Life safety violations shall not exceed \$250.00 for the first violation and irreparable or irreversible violations shall not exceed \$5,000.00 per violation. The officer may also issue a code citation consistent with this section for a repeat violation (as defined in this article) of a life safety violation or of a violation that is irreparable or irreversible in nature.
- (c) *Code compliance.* Except for all irreparable or irreversible violations, the code citation shall establish a time for compliance and if the violator fails to comply by the established time in the citation, the violator may be subject to daily fines as determined at a hearing by the special magistrate or code enforcement board. For all irreparable or irreversible violations, if the violation reoccurs, the officer may treat the reoccurrence as a new violation and issue another or additional code citations. The code citation shall also provide the violator with a hearing date and time, commanding the violator to appear at a designated special magistrate or code enforcement board hearing, if the violator fails to comply by the time established in the code citation.
- (d) *Payment of fine and costs.* The violator may elect to pay the fine and costs as provided on the code citation, or may appear before the special magistrate or code enforcement board at the designated hearing date and time. If the fine and/or costs provided on the code citation are not paid by the date and time for the hearing and the special magistrate or code enforcement board determines a violation occurred, the violator will be subject to further administrative costs and fees. Once the fine and/or the costs are paid, under this summary procedure, it is deemed to be conclusive proof of the violation, for the purposes of establishing a later repeat violation.

(Ord. No. 2020-28, § 2, 9-10-2020)

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.



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

December 19, 2024, 3881 S Congress Avenue -Prolacto Mich, Inc

Cases 2024-2794, 2024-2795, 2024-2796,
2024-2797

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.50	35.00	122.50
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	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	3.00	8.16	24.48
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	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 2024-2794, 2795, 2796, 2797

281.11



PALM SPRINGS POLICE I
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANJIANN CUENOT



CERTIFIED MAIL®



9489 0178 9820 3034 7921 44

Label 880-QDT, March 2023



quadiant
FIRST-CLASS MAIL
IMI
\$008.16⁰
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O MONCARZ LAW FIRM P.L.
401 E. LAS OLAS BLVD, STE 1400
FT LAUDERDALE, FL 33301



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



quadiënt
FIRST-CLASS MAIL
IMI
\$000.69⁹
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



PALM SPRINGS POLICE D
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



UNITED STATES
POSTAL SERVICE

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US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



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PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



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CODE ENFORCEMENT D
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



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636 BELVEDERE RD
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Detail by Entity Name

Florida Profit Corporation
PROLACTO MICH., INC.

Filing Information

Document Number	P19000042236
FEI/EIN Number	26-0903100
Date Filed	04/18/2019
Effective Date	09/10/2007
State	FL
Status	ACTIVE

Principal Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Mailing Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Registered Agent Name & Address

MONCARZ LAW FIRM P.L.
401 E. Las Olas Blvd
STE 1400
FT LAUDERDALE, FL 33301

Address Changed: 06/30/2020

Officer/Director Detail

Name & Address

Title P

ANDRADE MALFAVON, GUILLERMO
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Title T

GONZALEZ, OSCAR
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Case # 2024- 2795

Property Detail

Location Address : 3078 2ND AVE N
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-14-002-0090
Subdivision : MILLERS ADD PL OF E 1/2 IN
Official Records Book/Page : 25815 / 1303
Sale Date : FEB-2013
Legal Description : PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3

Owner Information

Owner(s)

PROLACTO MICH INC

Mailing Address

636 BELVEDERE RD
 WEST PALM BEACH FL 33405 1231

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2013	\$1,012,100	25815 / 01303	CERT OF TITLE	PROLACTO MICH INC
MAR-2003	\$850,000	15201 / 00399	WARRANTY DEED	3881 CONGRESS AVENUE LLC
AUG-1999	\$205,000	11381 / 01184	WARRANTY DEED	KOLL JOSEPH
JUL-1998	\$185,000	10510 / 00787		
MAY-1995	\$260,000	08733 / 00450	WARRANTY DEED	
APR-1985	\$59,000	04523 / 01697	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : .44
Property Use Code : 1000—VACANT COMMERCIAL
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$186,482	\$186,482	\$177,675	\$152,211	\$152,211
Total Market Value	\$186,482	\$186,482	\$177,675	\$152,211	\$152,211

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$186,482	\$184,175	\$167,432	\$152,211	\$152,211
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$186,482	\$184,175	\$167,432	\$152,211	\$152,211

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$3,623	\$3,623	\$3,419	\$3,133	\$3,161
NON AD VALOREM	\$49	\$50	\$50	\$50	\$50
TOTAL TAX	\$3,672	\$3,673	\$3,469	\$3,183	\$3,210

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CIT CASE: 2024-2784

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.

PROLACTO MICH INC.
3078 2ND AVENUE N
PALM SPRINGS, FL 33461

MAILING ADDRESS:
686 BELVEDERE ROAD
WEST PALM BEACH, FL 33405 1231
Respondent(s).

ORDER FINDING VIOLATION, ASSESSING FINE AND IMPOSING LIEN

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

SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE.

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must be minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

Address: 3078 2ND AVENUE N

Legal Description: PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3

PCN: 70-43-44-19-14-002-0090

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Part I, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of April 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 the owner of the above referenced property, and that the Respondent violated the code section(s) referenced above at the property.
3. The violation of the above referenced code section(s) constitutes an irreparable or irreversible violation(s) and/or a life safety violation(s).

CONCLUSIONS OF LAW

Respondent violated the following Village of Palm Springs Code of Ordinances at the property:

☐ **SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE**

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must have a minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

The above referenced violations have been corrected with the issuance of a special event permit (with inspections); a final Palm Beach County Fire Marshall Inspection; a finalized building permit (with inspections) and with a parking plan.

ORDER

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

☒ Respondent is ordered to pay the following amounts on or before **April 25, 2024:**

- ☒ Administrative costs of Refer to Case 2024-2780
- ☒ Citation fine of ~~\$5,000.00~~ 250.00
- ☒ Re-inspection fee of \$30.00

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

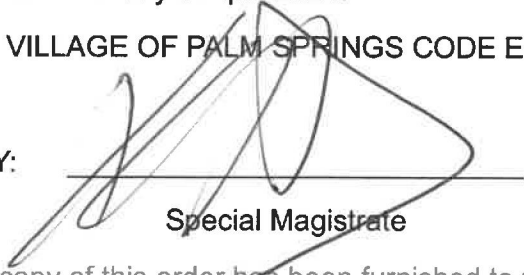
A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, this order shall constitute a lien pursuant to section 162.09, Fla. Stat., for all assessed amounts until paid in full. The lien shall be against the subject real property and any other real or personal property owned by the Respondent. After three (3) months from recording a certified copy of this order, which remains unpaid (in whole or in part), 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 18th day of April 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:

3078 2ND AVENUE N
PALM SPRINGS, FL 33461



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CIT CODE CASE: 2024-2795

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

**PROLACTO MICH INC.
3078 2ND AVENUE NORTH
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
PROLACTO MICH INC.
636 BELVEDERE ROAD
WEST PALM BEACH FL, 33405 1231
Respondent(s).**

ORDER FINDING VIOLATION

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

Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.

Section 10-31 (FBC 105.1): No permit for special event held on November 30, 2024.

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

Address:	3078 2ND AVENUE NORTH
Legal Description:	PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3
PCN:	70-43-44-19-14-002-0090

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 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

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

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

☐ **Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

☐ **Section 10-31 (FBC 110.1): No 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 **January 09, 2025:**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 **January 09, 2025.** If Respondent fails to comply within the time given, a fine of **\$ N/A 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 **January 09, 2025.**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[636 Belvedere Road](#)
[West Palm Beach, FL 33405 1231](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2796

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Tuesday Dec. 3, 2024				
FIRST NAME	MID INT.	LAST NAME		
Prolacto Mich, Inc.				
STREET ADDRESS				
3092 2nd Ave N.				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33461		
TAG NO.	DESCRIPTION			
636 Belvedere Rd.	Mailing Address			
West Palm Beach, FL. 33405				
VIOLATION CODE SECTION(S) & DESCRIPTION:				
Sec. 2-233 irreparable - irreversible				
Sec. 10-31 (105.1 FBC) No permit				
for Special Event held November 30,				
2024				
Sec. 10-31 (FBC 110.1) No required inspections				
☒ REPEAT VIOLATION				

Nannann Cuenot
Code Enforcement Officer

154
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:

December 9, 2024 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 584-8300 EXT 8524 or 561-304-4829 and paying a fine of \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 3:00PM on Dec 18, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

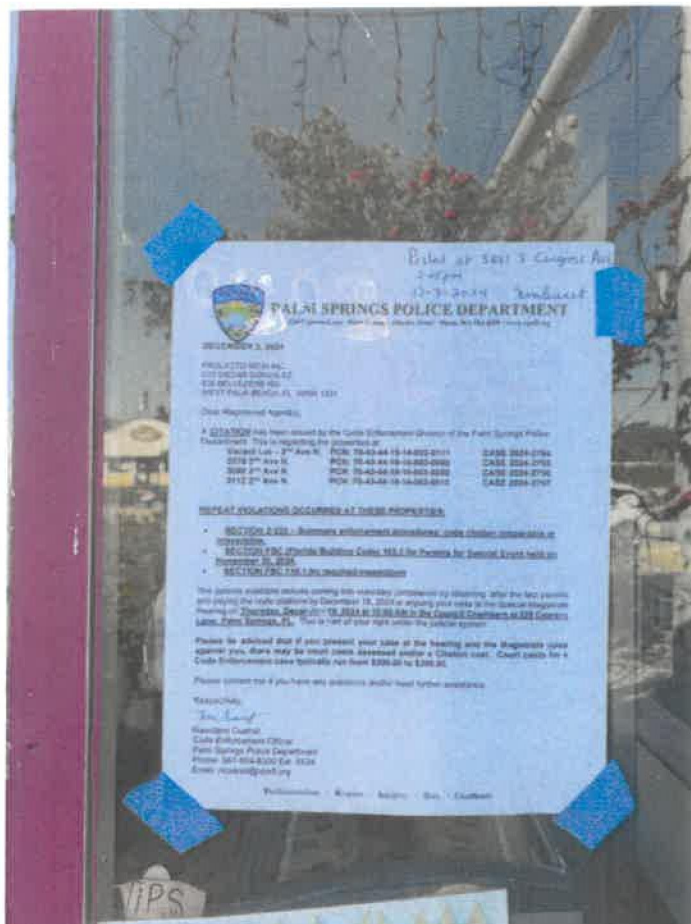
If you fail to pay the civil penalty within the time allowed, or fail to appear at the hearing to contest the citation, you shall be deemed to have waived your right to contest the citation and a judgment may be entered against you for an amount up to the maximum civil penalty.

Respondent Signature

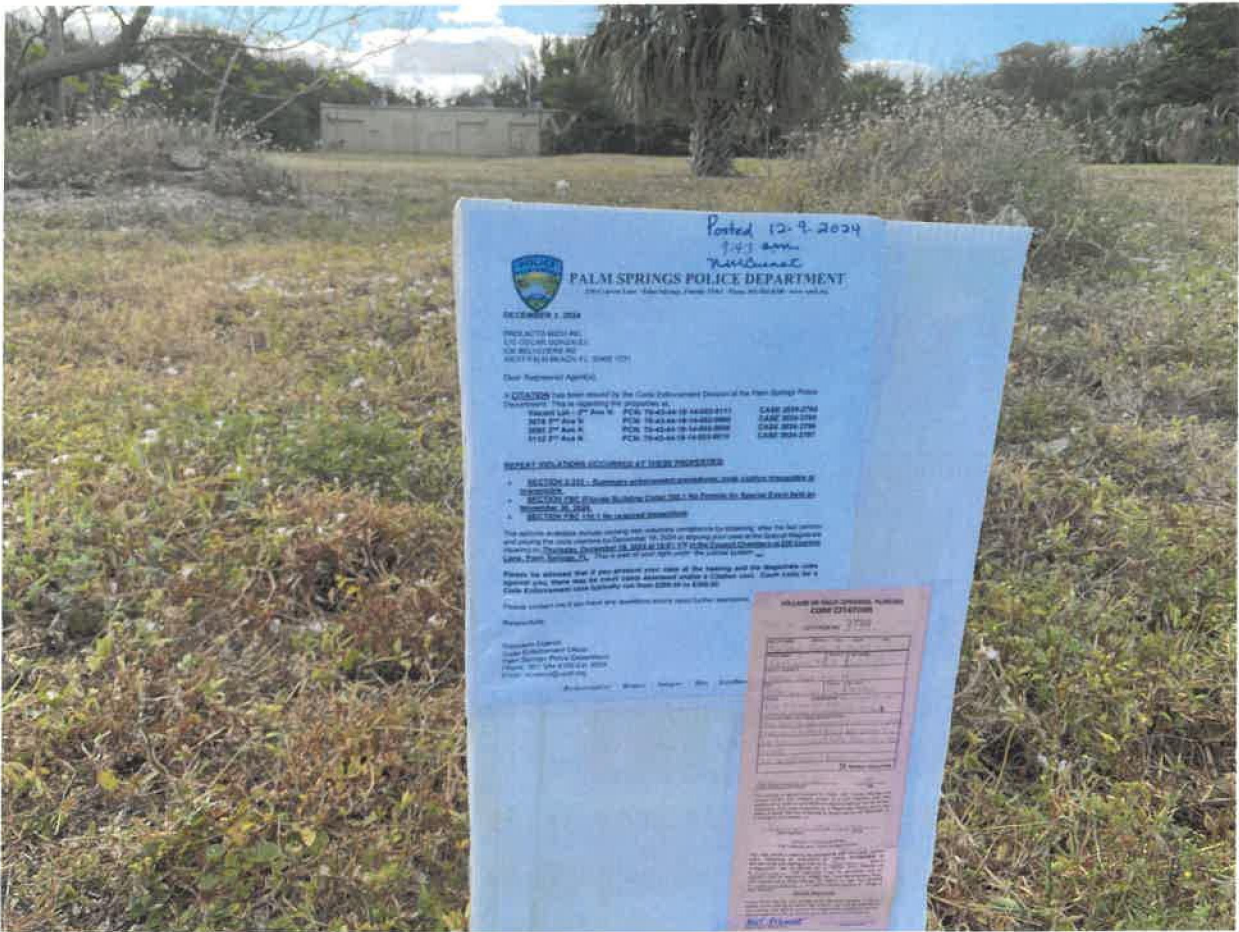
Printed Name



12/3/2024 2:53:53 PM



12/3/2024 2:53:47 PM



12/9/2024 9:45:23 AM



12/9/2024 9:45:09 AM



12/9/2024 12:36

Search by Owner Name (Last Name first), Address, or PIN

Real Property Search

Transfer Property Search

Search

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3112 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0010
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK3 TH PT OF MIAMI AVE LVG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST



OWNER INFORMATION

OWNER(S) MAILING ADDRESS

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3092 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0050
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LVG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3



OWNER INFORMATION

OWNER(S) MAILING ADDRESS
PROLACTO MICH INC 636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3078 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-13-44-19-14-002-0090
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3



OWNER INFORMATION

OWNER(S) MAILING ADDRESS
PROLACTO MICH INC 636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

**VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION**

CITATION NO. 2785

DAY OF WEEK <u>Thursday</u>	MONTH <u>3</u>	DAY <u>31</u>	YEAR <u>2024</u>	TIME
FIRST NAME <u>TRIOLOLO MICH</u>	MID INT. <u>INC</u>	LAST NAME		
STREET ADDRESS <u>3092 2nd Ave N</u>				
CITY <u>PALM SPRINGS</u>	STATE <u>FL</u>	ZIP CODE <u>33461</u>		
TAG NO.	DESCRIPTION MAILING ADDRESS <u>136 BLVD. BLVD. ROAD</u> <u>WEST PALM BEACH, FL 33406</u>			
VIOLATION CODE SECTION(S) & DESCRIPTION: <u>SECTION 2-233</u> <u>IRREVERSIBLE</u> <u>NO PERMITS OR INSPECTIONS</u> <u>FOR SPECIAL EVENT</u> <u>'PITCH' LANA'</u>				
☐ REPEAT VIOLATION				

Amerson Crest 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:

April 18, 2024 at 10:00AM
Hearing Date Time

Location: Community Room,
226 Cypress Lane, Palm Springs, Florida

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-304-4826 or 561-304-4829 and paying a fine of \$300.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$330.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 5:00PM on April 21, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

PERMIT NO.

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

3092 2nd Ave N

ADDRESS

☒ BLDG. ☒ ELEC. ☐ MECH. ☐ PLBG. ☐

105.1 Valid Permit Required
no 3 Temperature Requirements
Temporary to obtain a permit
Special Event Permit - Permit held
Must obtain valid permit and
compliance prior to opening
tent and setting up property

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

☒ **VIOLATION! CORRECT AS NOTED** P2C P2B

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

☐ **CALL 434-5092 FOR REINSPECTION**

VILLAGE OF PALM SPRINGS, FLORIDA

DATE 03/21/2024 Amerson Crest INSPECTOR



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 3, 2024

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231

Dear Registered Agent(s),

A **CITATION** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the properties at:

Vacant Lot – 2nd Ave N.	PCN: 70-43-44-19-14-002-0111	CASE 2024-2794
3078 2nd Ave N.	PCN: 70-43-44-19-14-002-0090	CASE 2024-2795
3092 2nd Ave N.	PCN: 70-43-44-19-14-002-0050	CASE 2024-2796
3112 2nd Ave N.	PCN: 70-43-44-19-14-002-0010	CASE 2024-2797

REPEAT VIOLATIONS OCCURRED AT THESE PROPERTIES:

- **SECTION 2-233 – Summary enforcement procedures; code citation irreparable or irreversible.**
- **SECTION FBC (Florida Building Code) 105.1 No Permits for Special Event held on November 30, 2024.**
- **SECTION FBC 110.1 No required Inspections**

The options available include coming into voluntary compliance by obtaining 'after the fact permits and paying the code citations by December 18, 2024 or arguing your case at the Special Magistrate Hearing on **Thursday, December 19, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL.** This is part of your right under the judicial system.

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

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

Respectfully,

Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org

Tracking Number:

9489017898203034792144

Remove X

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 2:25 pm on December 6, 2024 in FORT LAUDERDALE, FL 33301.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Front Desk/Reception/Mail Room
FORT LAUDERDALE, FL 33301
December 6, 2024, 2:25 pm

See All Tracking History

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

Text & Email Updates	▼
Return Receipt Electronic	▼
USPS Tracking Plus®	▼
Product Information	▼

See Less ^

Feedback

Tracking Number:

Remove X

9489017898203034792137

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

Latest Update

Your item was delivered to an individual at the address at 1:12 pm on December 6, 2024 in LAKE WORTH, FL 33461.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

LAKE WORTH, FL 33461
December 6, 2024, 1:12 pm

See All Tracking History

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

Feedback

Text & Email Updates

Return Receipt Electronic

USPS Tracking Plus®

Product Information

See Less ^

Tracking Number:

9489017898203034792120

Remove X

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 December 6, 2024 in WEST PALM BEACH, FL 33405.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered
Delivered, Front Desk/Reception/Mail Room
WEST PALM BEACH, FL 33405
December 6, 2024, 2:59 pm

See All Tracking History

Feedback

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Product Information	▼
See Less ^	

CASE PRESENTATION

CASE No. 2024-2794, 2024-2795, 2024-2796, 2024-2797

2nd AVENUE N. VACANT LOT/3078, 3092,3112 2ND AVENUE N.

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. THESE **CASE NO'S. 2024-2794, 2024-2795, 2024-2796, 2024-2797 AND VACANT LOT 2ND AVENUE N** CONCERNS THE PROPERTIES AT **3078, 3092,3112 2ND AVENUE N. AND PCN:70-43-44-19-14-002-0111, LAKE WORTH BEACH, FLORIDA.**
4. ACCORDING TO THE PALM BEACH COUNTY TAX COLLECTOR AND PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS, THE OWNER OF THE PROPERTY IS **PROLACTO MICH INC.**
5. THE PROPERTY IS IN **REPEAT** VIOLATION OF THE VILLAGE CODE SECTION: 2-233 LIFE SAFETY OR IRREPARABLE OR IRREVERSIBLE VIOLATION; SECTION 10-31(FBC 105.1) NO PERMIT FOR SPECIAL EVENT HELD ON NOVEMBER 30, 2024, SECTION 10-31 (FBC 110.1) NO REQUIRED INSPECTIONS.
6. On March 21st, 2024, these same properties were found in violation of hosting a Special Event without permits or inspections. On December 2, 2024, Village Building Official, Peter Ringle, who is here to testify, advised Code enforcement of a Special Event that took place on 4 (four) vacant lots over the weekend. This is a repeat violation.

7. The Repeat Violation occurred on November 30, 2024, and was photographed by Mr. Ringle at 9:13 a.m.
8. ON **DECEMBER 3, 2024**, CITATIONS WERE ISSUED FOR THE VIOLATIONS OF LIFE SAFETY- IRREPARABLE, IRREVERSIBLE, NO PERMITS OR INSPECTIONS. THE CITATIONS WERE MAILED CERTIFIED AND REGULAR TO THE ADDRESS ON RECORD WITH THE PROPERTY APPRAISER AND SUNBIZ AND ALSO TO THE REGISTERED AGENT. ALL CERTIFIED MAILINGS WERE CONFIRMED DELIVERED BY THE USPS TRACKING. I POSTED THE CITATIONS AT THE PROPERTIES AND VILLAGE HALL.
9. THE VILLAGE REQUESTS RESPONDENT **BE ORDERED TO PAY A \$500.00 IRREPARABLE, IRREVERSABLE REPEAT FINE ON EACH OF THE PROPERTIES, PLUS A \$30.00 INSPECTION FOR A TOTAL OF \$530.00 FOR EACH PROPERTY IN VIOLATION NO LATER THAN JANUARY 9, 2025.**
10. THE VILLAGE HAS INCURRED COSTS OF **\$281.11** IN THE PROSECUTION OF THESE CASES AND I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE PROSECUTION COSTS TO THE VILLAGE BY NO LATER THAN **JANUARY 9, 2024.**
11. I ASK THAT THE ENTIRE FILE BE ENTERED INTO EVIDENCE AND PENDING ANY FURTHER QUESTIONS YOU MAY HAVE; THIS CONCLUDES THE VILLAGE'S TESTIMONY.

Sec. 2-233. Summary enforcement procedures; code citation.

- (a) *Code citation.* If a violation or a repeat violation (as defined in this article) of a code or ordinance for which the village council has set specific fines and costs is believed to have occurred or to exist, by a code enforcement inspector or officer (jointly referred to as "officer"), the officer may issue the violator one or more courtesy notices, or a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a violation exists, and the amount of the fine and costs, as adopted by the village council for the offense.
- (b) *Life safety violation or irreparable or irreversible violation.* If the officer has reason to believe that a violation or condition causing the violation presents a serious threat to the public health, safety, and welfare or the environment ("life safety violation"), or if the violation is irreparable or irreversible in nature, whether or not said violation is a violation of a code or ordinance for which the village council has set specific fines and costs, the officer may issue the violator a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a life safety violation exists or irreparable or irreversible violation has occurred. The officer shall also state in the code citation a fine and cost amount based on the severity of the violation. Life safety violations shall not exceed \$250.00 for the first violation and irreparable or irreversible violations shall not exceed \$5,000.00 per violation. The officer may also issue a code citation consistent with this section for a repeat violation (as defined in this article) of a life safety violation or of a violation that is irreparable or irreversible in nature.
- (c) *Code compliance.* Except for all irreparable or irreversible violations, the code citation shall establish a time for compliance and if the violator fails to comply by the established time in the citation, the violator may be subject to daily fines as determined at a hearing by the special magistrate or code enforcement board. For all irreparable or irreversible violations, if the violation reoccurs, the officer may treat the reoccurrence as a new violation and issue another or additional code citations. The code citation shall also provide the violator with a hearing date and time, commanding the violator to appear at a designated special magistrate or code enforcement board hearing, if the violator fails to comply by the time established in the code citation.
- (d) *Payment of fine and costs.* The violator may elect to pay the fine and costs as provided on the code citation, or may appear before the special magistrate or code enforcement board at the designated hearing date and time. If the fine and/or costs provided on the code citation are not paid by the date and time for the hearing and the special magistrate or code enforcement board determines a violation occurred, the violator will be subject to further administrative costs and fees. Once the fine and/or the costs are paid, under this summary procedure, it is deemed to be conclusive proof of the violation, for the purposes of establishing a later repeat violation.

(Ord. No. 2020-28, § 2, 9-10-2020)

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.



Case Administrative / Court Costs

December 19, 2024, 3881 S Congress Avenue - Prolacto Mich, Inc		Cases 2024-2794, 2024-2795, 2024-2796, 2024-2797		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.50	35.00	122.50
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	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	3.00	8.16	24.48
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	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 2024-2794, 2795, 2796, 2797				281.11



PALM SPRINGS POLICE
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: MANCIANN CUENOT

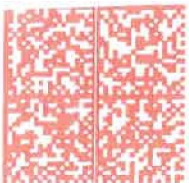


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Label 890-QDT, March 2023



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12/03/2024 ZIP 33480
043M31255277

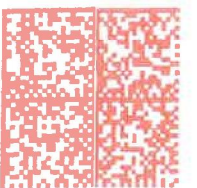
US POSTAGE

PROLACTO MICH INC.
C/O MONCARZ LAW FIRM P.L.
401 E. LAS OLAS BLVD, STE 1400
FT LAUDERDALE, FL 33301



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIA NN CUENOT

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



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PALM SPRINGS, FL 33461
ATTN: NANCIA NN CUENOT

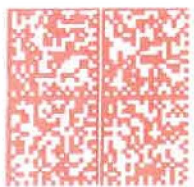


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Label 890-QDT, March 2023



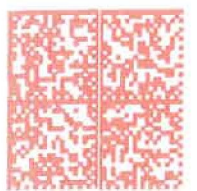
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12/03/2024 ZIP 33480
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C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANGIANN CUENOT



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12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



PALM SPRINGS POLICE
CODE ENFORCEMENT D
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANGIANN CUENOT

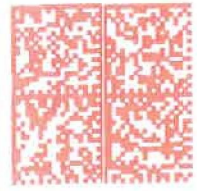
UNITED STATES
POSTAL SERVICE

CERTIFIED MAIL[®]



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Label 890-QDT, March 2023



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\$008.16⁰
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



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

Detail by Entity Name

Florida Profit Corporation
PROLACTO MICH., INC.

Filing Information

Document Number	P19000042236
FEI/EIN Number	26-0903100
Date Filed	04/18/2019
Effective Date	09/10/2007
State	FL
Status	ACTIVE

Principal Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Mailing Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Registered Agent Name & Address

MONCARZ LAW FIRM P.L.
401 E. Las Olas Blvd
STE 1400
FT LAUDERDALE, FL 33301

Address Changed: 06/30/2020

Officer/Director Detail

Name & Address

Title P

ANDRADE MALFAVON, GUILLERMO
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Title T

GONZALEZ, OSCAR
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Case # 2024-2796

Property Detail

Location Address : 3092 2ND AVE N
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-14-002-0050
Subdivision : MILLERS ADD PL OF E 1/2 IN
Official Records Book/Page : 25815 / 1303
Sale Date : FEB-2013
Legal Description : PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LYG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3

Owner Information

Owner(s)

PROLACTO MICH INC

Mailing Address

636 BELVEDERE RD
 WEST PALM BEACH FL 33405 1231

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2013	\$1,012,100	25815 / 01303	CERT OF TITLE	PROLACTO MICH INC
MAR-2003	\$850,000	15201 / 00399	WARRANTY DEED	3881 CONGRESS AVENUE LLC
AUG-1999	\$205,000	11381 / 01184	WARRANTY DEED	KOLL JOSEPH
JUL-1998	\$185,000	10510 / 00787		
MAY-1995	\$260,000	08733 / 00450	WARRANTY DEED	
FEB-1983	\$70,000	03890 / 00166	WARRANTY DEED	
JAN-1977	\$34,000	02675 / 00004		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : .73
Property Use Code : 1000—VACANT COMMERCIAL
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$311,057	\$311,057	\$296,366	\$253,891	\$253,891
Total Market Value	\$311,057	\$311,057	\$296,366	\$253,891	\$253,891

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$311,057	\$307,208	\$279,280	\$253,891	\$253,891
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$311,057	\$307,208	\$279,280	\$253,891	\$253,891

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$6,044	\$6,044	\$5,704	\$5,227	\$5,272
NON AD VALOREM	\$49	\$50	\$50	\$50	\$50
TOTAL TAX	\$6,092	\$6,093	\$5,753	\$5,276	\$5,322

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT



CIT CASE: 2024-2785

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.

PROLACTO MICH INC.
3092 2ND AVENUE N
PALM SPRINGS, FL 33461

MAILING ADDRESS:
686 BELVEDERE ROAD
WEST PALM BEACH, FL 33405 1231
Respondent(s).

ORDER FINDING VIOLATION, ASSESSING FINE AND IMPOSING LIEN

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

SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE.

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must be minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

Address: 3092 2ND AVENUE N

Legal Description: PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LYG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3

PCN: 70-43-44-19-14-002-0050

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Part I, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of April 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 the owner of the above referenced property, and that the Respondent violated the code section(s) referenced above at the property.
3. The violation of the above referenced code section(s) constitutes an irreparable or irreversible violation(s) and/or a life safety violation(s).

CONCLUSIONS OF LAW

Respondent violated the following Village of Palm Springs Code of Ordinances at the property:

☐ **SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE**

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must have a minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

The above referenced violations have been corrected with the issuance of a special event permit (with inspections); a final Palm Beach County Fire Marshall Inspection; a finalized building permit (with inspections) and with a parking plan.

ORDER

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

☒ Respondent is ordered to pay the following amounts on or before **April 25, 2024:**

☒ Administrative costs of Refer to Case 2024-2780

☒ Citation fine of ~~\$5,000.00~~ \$250.00

☒ Re-inspection fee of \$30.00

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, this order shall constitute a lien pursuant to section 162.09, Fla. Stat., for all assessed amounts until paid in full. The lien shall be against the subject real property and any other real or personal property owned by the Respondent. After three (3) months from recording a certified copy of this order, which remains unpaid (in whole or in part), 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 18th day of April, 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:

3092 2ND AVENUE N
PALM SPRINGS, FL 33461



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CIT CODE CASE: 2024-2796

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

**PROLACTO MICH INC.
3092 2ND AVENUE NORTH
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
PROLACTO MICH INC.
636 BELVEDERE ROAD
WEST PALM BEACH FL, 33405 1231
Respondent(s).**

ORDER FINDING VIOLATION

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

Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.

Section 10-31 (FBC 105.1): No permit for special event held on November 30, 2024.

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

Address: 3092 2ND AVENUE NORTH

Legal Description: PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LYG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3

PCN: 70-43-44-19-14-002-0050

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 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

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

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

☐ **Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**

☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**

☐ **Section 10-31 (FBC 110.1): No 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 **January 09, 2025:**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 **January 09, 2025.** If Respondent fails to comply within the time given, a fine of **\$ N/A 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 **January 09, 2025.**

☐ Administrative costs of **\$281.11**

☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**

☐ 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 Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[636 Belvedere Road](#)
[West Palm Beach, FL 33405 1231](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2797

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Tuesday Dec. 3, 2024				
FIRST NAME	MID INT.	LAST NAME		
Prolacto Mich, Inc.				
STREET ADDRESS				
3112 2nd Ave N				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33461		
TAG NO.	DESCRIPTION Mailing Address			
631 Belvedere Rd West Palm Beach, FL 33405				
VIOLATION CODE SECTION(S) & DESCRIPTION:				
Sec 2-233 irreparable - irreversable				
Sec 10-31 (FBC 105.1) No permits				
for Special Event held November 30, 2024				
Sec. 10-31 (FBC 110.1) No required				
inspetions				
☒ REPEAT VIOLATION				

Nanciann Cuénot
Code Enforcement Officer

154
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:

December 19, at 10:00 am
Hearing Date Time

Location: Community Room,
226 Cypress Lane, Palm Springs, Florida

Ext 8524

You may avoid a hearing by complying with the Code section cited, obtaining an inspection by calling 561-584-8300 or ~~561-304-4829~~ and paying a fine of \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 3:00PM on Dec 18, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

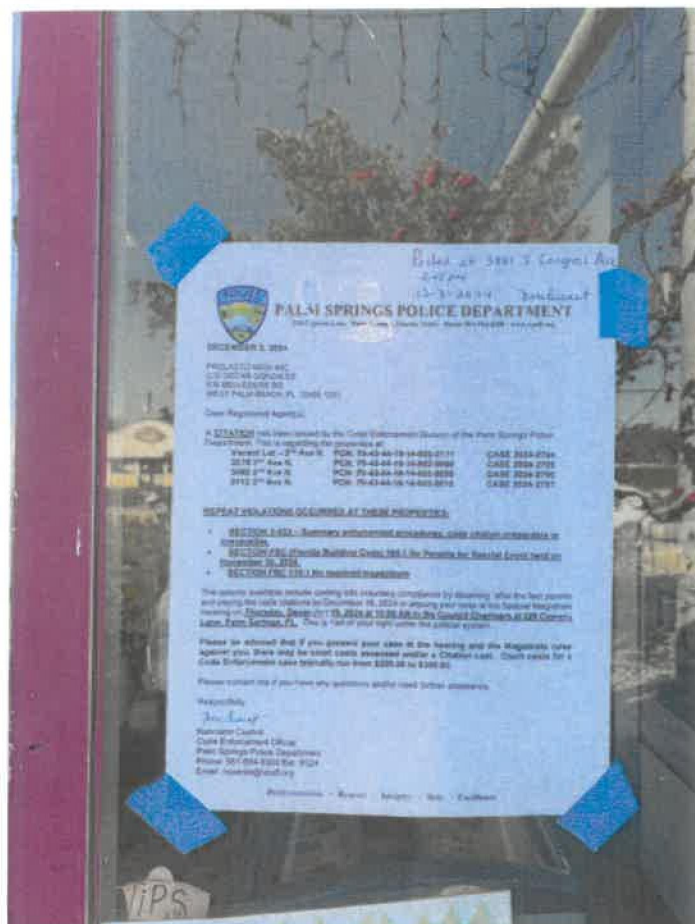
If you fail to pay the civil penalty within the time allowed, or fail to appear at the hearing to contest the citation, you shall be deemed to have waived your right to contest the citation and a judgment may be entered against you for an amount up to the maximum civil penalty.

Respondent Signature

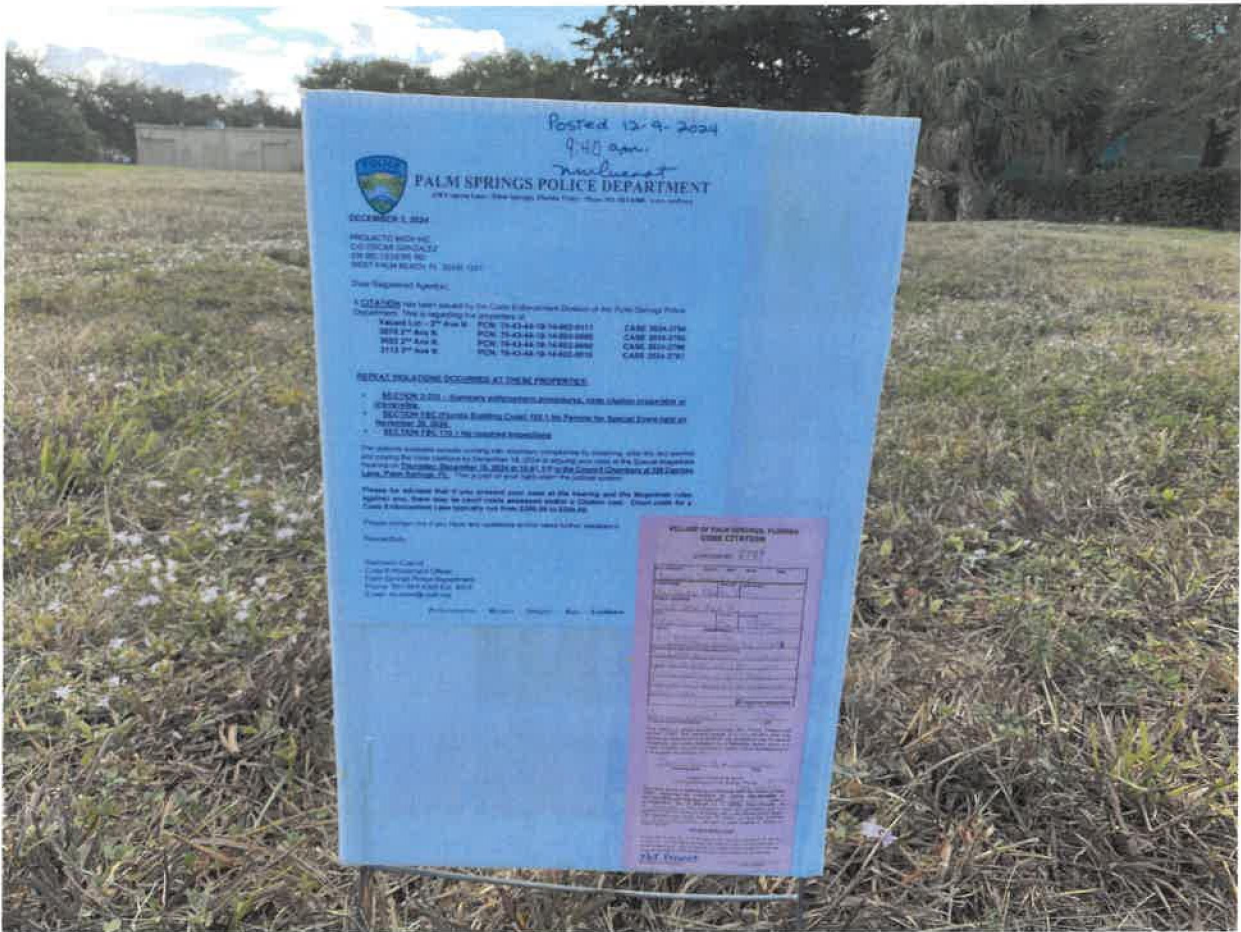
Printed Name



12/3/2024 2:53:53 PM



12/3/2024 2:53:47 PM



12/9/2024 9:41:52 AM



12/9/2024 9:41:44 AM



12/9/2024 12:36

Search by Owner Name (Last Name first), Address, or PIN

Real Property Search

Yankee Property Search

Search

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3112 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0010
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK3 TH PT OF MIAMI AVE LYG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST



OWNER INFORMATION

OWNER(S)

MAILING ADDRESS

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3092 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0050
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 5 TO 8 INC BLK 2, E 1/2 OF LT 3, LT 4, W 1/2 OF LT 5, NW 1/4 OF LT 22, N 1/2 OF LT 23 & NE 1/4 OF LT 24 BLK 3, TH PT OF MIAMI AVE LYG BET LTS 5 TO 8 INC BLK 2 & E 1/2 OF LT 3, LT 4 & W 1/2 OF LT 5 BLK 3



OWNER INFORMATION

OWNER(S)

MAILING ADDRESS

PROLACTO MICH INC

636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

CLOSE TABS

PRINT PROPERTY SUMMARY

2024 PROPOSED NOTICE

PROPERTY DETAIL

LOCATION ADDRESS 3078 2ND AVE N
MUNICIPALITY PALM SPRINGS
PARCEL CONTROL NUMBER 70-43-44-19-14-002-0090
SUBDIVISION MILLERS ADD PL OF E 1/2 IN
OFFICIAL RECORDS BOOK/PAGE 25815 / 1303
SALE DATE FEB-2013
LEGAL DESCRIPTION PL OF E 1/2 OF MILLERS ADD LTS 9, 10 & W 10 FT OF LT 11 BLK 2, E 1/2 OF LT 5, W 35 FT OF LT 6, W 35 FT OF N 1/2 OF LT 21 & NE 1/4 OF LT 22 BLK 3 & ABND MIAMI AVE BET BLKS 2 & 3



OWNER INFORMATION

OWNER(S)

MAILING ADDRESS

PROLACTO MICH INC

636 BELVEDERE RD
WEST PALM BEACH FL 33405 1231

Change of Mailing Address

VILLAGE OF PALM SPRINGS, FLORIDA
CODE CITATION

CITATION NO. 2786

DAY OF WEEK	MONTH	DAY	YEAR	TIME
THURSDAY	3	21	2024	
FIRST NAME	MID INT.	LAST NAME		
LEONARDO M.	H.	TNC		
STREET ADDRESS				
3112 2nd Ave N				
CITY	STATE	ZIP CODE		
Palm Springs	FL	33461		
TAG NO.	DESCRIPTION			
	430 BELVEDERE ROAD WEST PALM BEACH, FL 33406			
VIOLATION CODE SECTION(S) & DESCRIPTION:				
SECTION 3-233				
IRREPARABLE OR IRREVERSIBLE				
NO PERMITS OR INSPECTIONS				
FOR SPECIAL EVENT				
CIRCUS LUNA				
☐ REPEAT VIOLATION				

Haideann Bryant
Code Enforcement Officer

154
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:

April 15, 2024 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 \$ 500.00, plus a re-inspection fee of \$30.00 for a TOTAL Civil Penalty of \$ 530.00. The inspection must be completed and full payment must be received at Village Hall, Land Development Dept., 226 Cypress Lane, Palm Springs, FL 33461, no later than 5:00PM on April 15, 2024, by cash or check payable to "Village of Palm Springs".

DO NOT MAIL CASH

PERMIT NO.

**VIOLATION
DO NOT REMOVE**

**CORRECTIONS MUST BE
MADE AS NOTED BELOW**

3112 2nd Ave N

ADDRESS

☒ BLDG. ☒ ELEC. ☐ MECH. ☐ PLBG. ☐

105.1 Valid Permit Required

110.1 Inspections Required

Failure to obtain valid Special Event Permit. Circus Luna must obtain a valid permit and inspections prior to erecting tent and occupying property

☒ **STOP WORK! CALL 965-4846** 561-584-8200
BETWEEN 8:30 - 4:30 Ext. 8460 PZB

☒ **VIOLATION! CORRECT AS NOTED**

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

☐ **CALL 434-5092 FOR REINSPECTION**

VILLAGE OF PALM SPRINGS, FLORIDA

DATE 3-21-2024 Haideann Bryant INSPECTOR



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 3, 2024

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231

Dear Registered Agent(s),

A **CITATION** has been issued by the Code Enforcement Division of the Palm Springs Police Department. This is regarding the properties at:

Vacant Lot – 2nd Ave N.	PCN: 70-43-44-19-14-002-0111	CASE 2024-2794
3078 2nd Ave N.	PCN: 70-43-44-19-14-002-0090	CASE 2024-2795
3092 2nd Ave N.	PCN: 70-43-44-19-14-002-0050	CASE 2024-2796
3112 2nd Ave N.	PCN: 70-43-44-19-14-002-0010	CASE 2024-2797

REPEAT VIOLATIONS OCCURRED AT THESE PROPERTIES:

- **SECTION 2-233 – Summary enforcement procedures; code citation irreparable or irreversible.**
- **SECTION FBC (Florida Building Code) 105.1 No Permits for Special Event held on November 30, 2024.**
- **SECTION FBC 110.1 No required Inspections**

The options available include coming into voluntary compliance by obtaining 'after the fact permits and paying the code citations by December 18, 2024 or arguing your case at the Special Magistrate Hearing on **Thursday, December 19, 2024 at 10:00 AM in the Council Chambers at 226 Cypress Lane, Palm Springs, FL.** This is part of your right under the judicial system.

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

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

Respectfully,

Nanciann Cuenot
Code Enforcement Officer
Palm Springs Police Department
Phone: 561-584-8300 Ext. 8524
Email: ncuenot@vpsfl.org

Tracking Number:

9489017898203034792144

Remove X

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 2:25 pm on December 6, 2024 in FORT LAUDERDALE, FL 33301.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Front Desk/Reception/Mail Room
FORT LAUDERDALE, FL 33301
December 6, 2024, 2:25 pm

See All Tracking History

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

Text & Email Updates

▼

Return Receipt Electronic

▼

USPS Tracking Plus®

▼

Product Information

▼

See Less ^

Feedback

Tracking Number:

9489017898203034792137

Remove X

Copy

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

Latest Update

Your item was delivered to an individual at the address at 1:12 pm on December 6, 2024 in LAKE WORTH, FL 33461.

Get More Out of USPS Tracking:
USPS Tracking Plus[®]

Delivered
Delivered, Left with Individual
LAKE WORTH, FL 33461
December 6, 2024, 1:12 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	▼

Tracking Number:

Remove X

9489017898203034792120

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 December 6, 2024 in WEST PALM BEACH, FL 33405.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Front Desk/Reception/Mail Room
WEST PALM BEACH, FL 33405
December 6, 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)

Feedback

Text & Email Updates 

Return Receipt Electronic 

USPS Tracking Plus® 

Product Information 

See Less ^

CASE PRESENTATION

CASE No. 2024-2794, 2024-2795, 2024-2796, 2024-2797

2nd AVENUE N. VACANT LOT/3078, 3092,3112 2ND AVENUE N.

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. THESE **CASE NO'S. 2024-2794, 2024-2795, 2024-2796, 2024-2797 AND VACANT LOT 2ND AVENUE N** CONCERNS THE PROPERTIES AT **3078, 3092,3112 2ND AVENUE N. AND PCN:70-43-44-19-14-002-0111, LAKE WORTH BEACH, FLORIDA.**
4. ACCORDING TO THE PALM BEACH COUNTY TAX COLLECTOR AND PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS, THE OWNER OF THE PROPERTY IS **PROLACTO MICH INC.**
5. THE PROPERTY IS IN **REPEAT** VIOLATION OF THE VILLAGE CODE SECTION: 2-233 LIFE SAFETY OR IRREPARABLE OR IRREVERSIBLE VIOLATION; SECTION 10-31(FBC 105.1) NO PERMIT FOR SPECIAL EVENT HELD ON NOVEMBER 30, 2024, SECTION 10-31 (FBC 110.1) NO REQUIRED INSPECTIONS.
6. On March 21st, 2024, these same properties were found in violation of hosting a Special Event without permits or inspections. On December 2, 2024, Village Building Official, Peter Ringle, who is here to testify, advised Code enforcement of a Special Event that took place on 4 (four) vacant lots over the weekend. This is a repeat violation.

7. The Repeat Violation occurred on November 30, 2024, and was photographed by Mr. Ringle at 9:13 a.m.
8. ON **DECEMBER 3, 2024**, CITATIONS WERE ISSUED FOR THE VIOLATIONS OF LIFE SAFETY- IRREPARABLE, IRREVERSIBLE, NO PERMITS OR INSPECTIONS. THE CITATIONS WERE MAILED CERTIFIED AND REGULAR TO THE ADDRESS ON RECORD WITH THE PROPERTY APPRAISER AND SUNBIZ AND ALSO TO THE REGISTERED AGENT. ALL CERTIFIED MAILINGS WERE CONFIRMED DELIVERED BY THE USPS TRACKING. I POSTED THE CITATIONS AT THE PROPERTIES AND VILLAGE HALL.
9. THE VILLAGE REQUESTS RESPONDENT **BE ORDERED TO PAY A \$500.00 IRREPARABLE, IRREVERSABLE REPEAT FINE ON EACH OF THE PROPERTIES, PLUS A \$30.00 INSPECTION FOR A TOTAL OF \$530.00 FOR EACH PROPERTY IN VIOLATION NO LATER THAN JANUARY 9, 2025.**
10. THE VILLAGE HAS INCURRED COSTS OF **\$281.11** IN THE PROSECUTION OF THESE CASES AND I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE PROSECUTION COSTS TO THE VILLAGE BY NO LATER THAN **JANUARY 9, 2024.**
11. I ASK THAT THE ENTIRE FILE BE ENTERED INTO EVIDENCE AND PENDING ANY FURTHER QUESTIONS YOU MAY HAVE; THIS CONCLUDES THE VILLAGE'S TESTIMONY.

Sec. 2-233. Summary enforcement procedures; code citation.

- (a) *Code citation.* If a violation or a repeat violation (as defined in this article) of a code or ordinance for which the village council has set specific fines and costs is believed to have occurred or to exist, by a code enforcement inspector or officer (jointly referred to as "officer"), the officer may issue the violator one or more courtesy notices, or a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a violation exists, and the amount of the fine and costs, as adopted by the village council for the offense.
- (b) *Life safety violation or irreparable or irreversible violation.* If the officer has reason to believe that a violation or condition causing the violation presents a serious threat to the public health, safety, and welfare or the environment ("life safety violation"), or if the violation is irreparable or irreversible in nature, whether or not said violation is a violation of a code or ordinance for which the village council has set specific fines and costs, the officer may issue the violator a code citation designating the code section believed to have been violated, and a short factual statement which forms the basis for the belief that a life safety violation exists or irreparable or irreversible violation has occurred. The officer shall also state in the code citation a fine and cost amount based on the severity of the violation. Life safety violations shall not exceed \$250.00 for the first violation and irreparable or irreversible violations shall not exceed \$5,000.00 per violation. The officer may also issue a code citation consistent with this section for a repeat violation (as defined in this article) of a life safety violation or of a violation that is irreparable or irreversible in nature.
- (c) *Code compliance.* Except for all irreparable or irreversible violations, the code citation shall establish a time for compliance and if the violator fails to comply by the established time in the citation, the violator may be subject to daily fines as determined at a hearing by the special magistrate or code enforcement board. For all irreparable or irreversible violations, if the violation reoccurs, the officer may treat the reoccurrence as a new violation and issue another or additional code citations. The code citation shall also provide the violator with a hearing date and time, commanding the violator to appear at a designated special magistrate or code enforcement board hearing, if the violator fails to comply by the time established in the code citation.
- (d) *Payment of fine and costs.* The violator may elect to pay the fine and costs as provided on the code citation, or may appear before the special magistrate or code enforcement board at the designated hearing date and time. If the fine and/or costs provided on the code citation are not paid by the date and time for the hearing and the special magistrate or code enforcement board determines a violation occurred, the violator will be subject to further administrative costs and fees. Once the fine and/or the costs are paid, under this summary procedure, it is deemed to be conclusive proof of the violation, for the purposes of establishing a later repeat violation.

(Ord. No. 2020-28, § 2, 9-10-2020)

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.



Case Administrative / Court Costs

December 19, 2024, 3881 S Congress Avenue -Prolacto Mich, Inc		Cases 2024-2794, 2024-2795, 2024-2796, 2024-2797		
Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	3.50	35.00	122.50
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	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	3.00	8.16	24.48
7	Additional clerk time - 1 hour	0.50	28.00	14.00
8	Additional Attorney Time - per hour	0.25	195.00	48.75
9	Subpoena Fees	0.00	0.00	0.00
10	Postage	2.00	0.69	1.38
11	Magistrate - per hour	0.00	195.00	0.00
12	Administrative Fees	0.00	127.45	0.00
13	Code Enforcement Private Inspector(min 3 hours)	0.00	45.00	0.00
14	Police Officer	0.00	41.00	0.00
15	Police Corporal	0.00	43.00	0.00
16	Police Sergeant	0.00	46.00	0.00
17	Additional Inspector Time -1 hour LD Planner	0.00	35.00	0.00
18		0.00	0.00	0.00
19		0.00	0.00	0.00
20		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
		0.00	0.00	0.00
Total Costs for Case 2024-2794, 2795, 2796, 2797				281.11



PALM SPRINGS POLICE I
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NINCIANN CUENOT



CERTIFIED MAIL®



9489 0178 9820 3034 7921 44

Label 890-QDT, March 2023



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FIRST-CLASS MAIL
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\$008.16⁰

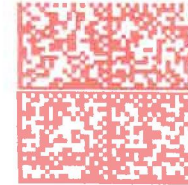
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O MONCARZ LAW FIRM P.L.
401 E. LAS OLAS BLVD, STE 1400
FT LAUDERDALE, FL 33301



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANJIANN CUENOT



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FIRST-CLASS MAIL
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\$000.69⁰
12/03/2024 ZIP 33480
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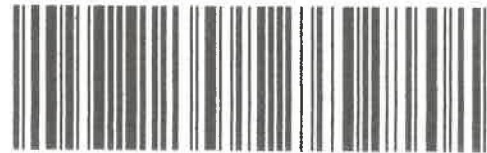
PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



CERTIFIED MAIL®



PALM SPRINGS POLICE D
CODE ENFORCEMENT DI
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANJIANN CUENOT



9489 0178 9820 3034 7921 37

Label 890-QDT, March 2023



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\$008.16⁰
12/03/2024 ZIP 33480
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US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
3881 S CONGRESS AVE
PALM SPRINGS, FL 33461



PALM SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



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FIRST-CLASS MAIL
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\$000.69⁰
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

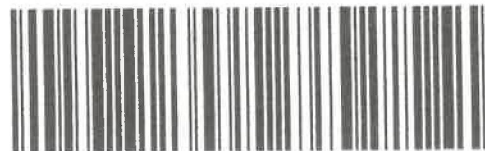
PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



PALM SPRINGS POLICE
CODE ENFORCEMENT D
230 CYPRESS LANE
PALM SPRINGS, FL 33461
ATTN: NANCIANN CUENOT



CERTIFIED MAIL®



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Label 890-QDT, March 2023



quadiënt
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IMI
\$008.16⁰
12/03/2024 ZIP 33480
043M31255277

US POSTAGE

PROLACTO MICH INC.
C/O OSCAR GONZALEZ
636 BELVEDERE RD
WEST PALM BEACH, FL 33405 1231



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

Detail by Entity Name

Florida Profit Corporation

PROLACTO MICH., INC.

Filing Information

Document Number P19000042236
FEI/EIN Number 26-0903100
Date Filed 04/18/2019
Effective Date 09/10/2007
State FL
Status ACTIVE

Principal Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Mailing Address

3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Registered Agent Name & Address

MONCARZ LAW FIRM P.L.
401 E. Las Olas Blvd
STE 1400
FT LAUDERDALE, FL 33301

Address Changed: 06/30/2020

Officer/Director Detail

Name & Address

Title P

ANDRADE MALFAVON, GUILLERMO
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Title T

GONZALEZ, OSCAR
3881 S. CONGRESS AVE #B
PALM SPRINGS, FL 33461

Case # 2024-2797

Property Detail

Location Address : 3112 2ND AVE N
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-14-002-0010
Subdivision : MILLERS ADD PL OF E 1/2 IN
Official Records Book/Page : 25815 / 1303
Sale Date : FEB-2013

Legal Description : PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK3 TH PT OF MIAMI AVE LYG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST

Owner Information

Owner(s)

PROLACTO MICH INC

Mailing Address

636 BELVEDERE RD
 WEST PALM BEACH FL 33405 1231

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2013	\$1,012,100	25815 / 01303	CERT OF TITLE	PROLACTO MICH INC
MAR-2003	\$850,000	15201 / 00399	WARRANTY DEED	3881 CONGRESS AVENUE LLC
AUG-1999	\$205,000	11381 / 01184	WARRANTY DEED	KOLL JOSEPH
MAY-1995	\$260,000	08733 / 00450	WARRANTY DEED	
OCT-1980	\$70,000	03375 / 01739	WARRANTY DEED	
JAN-1974	\$100	02341 / 00500		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : .91
Property Use Code : 1000—VACANT COMMERCIAL
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$386,736	\$386,736	\$368,472	\$315,663	\$315,663
Total Market Value	\$386,736	\$386,736	\$368,472	\$315,663	\$315,663

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$386,736	\$381,952	\$347,229	\$315,663	\$315,663
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$386,736	\$381,952	\$347,229	\$315,663	\$315,663

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$7,514	\$7,514	\$7,091	\$6,498	\$6,555
NON AD VALOREM	\$49	\$50	\$50	\$50	\$50
TOTAL TAX	\$7,563	\$7,563	\$7,141	\$6,548	\$6,605

**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**



CIT CASE: 2024-2786

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

vs.

**PROLACTO MICH INC.
3112 2ND AVENUE N
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
686 BELVEDERE ROAD
WEST PALM BEACH, FL 33405 1231
Respondent(s).**

ORDER FINDING VIOLATION, ASSESSING FINE AND IMPOSING LIEN

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

SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE.

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.**
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.**
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.**
- *60 kw diesel generator on site providing power for all electrical needs without inspections.**
- * Recreational vehicles for living or sleeping purposes while parked are prohibited.**
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must be minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.**

Address:	3112 2 ND AVENUE N
Legal Description:	PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK3 TH PT OF MIAMI AVE LYG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST
PCN:	70-43-44-19-14-002-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Part I, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 18th day of April 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 the owner of the above referenced property, and that the Respondent violated the code section(s) referenced above at the property.
3. The violation of the above referenced code section(s) constitutes an irreparable or irreversible violation(s) and/or a life safety violation(s).

CONCLUSIONS OF LAW

Respondent violated the following Village of Palm Springs Code of Ordinances at the property:

☐ **SECTION 2-233 – LIFE SAFETY VIOLATION -IRREPARABLE OR IRREVERSABLE**

- *No Special Event Permit issued by Village of Palm Springs. No Inspections.
- *No Final Palm Beach County Fire Marshall inspection- Stop Work Order issued requiring Village Permits & Inspections.
- *Unsafe Structure and Equipment (2023 FBC Section 116) issued by Village Building Official – posting big top tents unsafe and its use or occupancy prohibited.
- *60 kw diesel generator on site providing power for all electrical needs without inspections.
- *Recreational vehicles for living or sleeping purposes while parked are prohibited.
- *Driving and parking on grass without parking plan, Accessibility, or easy access for emergency vehicles. Fire Lane must have a minimum width of 20 feet. Permanent damage done to ground which cannot maintain vehicular traffic.

The above referenced violations have been corrected with the issuance of a special event permit (with inspections); a final Palm Beach County Fire Marshall Inspection; a finalized building permit (with inspections) and with a parking plan.

ORDER

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

 ☒ Respondent is ordered to pay the following amount on or before **April 25, 2024:**

- ☒ Administrative costs of Refer to Case 2024-2780
- ☒ Citation fine of ~~\$5,000.00~~ 250.00
- ☒ Re-inspection fee of \$30.00

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, this order shall constitute a lien pursuant to section 162.09, Fla. Stat., for all assessed amounts until paid in full. The lien shall be against the subject real property and any other real or personal property owned by the Respondent. After three (3) months from recording a certified copy of this order, which remains unpaid (in whole or in part), 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 18th day of April 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:

3112 2ND AVENUE N
PALM SPRINGS, FL 33461



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CIT CODE CASE: 2024-2797

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

**PROLACTO MICH INC.
3112 2ND AVENUE NORTH
PALM SPRINGS, FL 33461**

**MAILING ADDRESS:
PROLACTO MICH INC.
636 BELVEDERE ROAD
WEST PALM BEACH FL, 33405 1231
Respondent(s).**

ORDER FINDING VIOLATION

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

Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.

Section 10-31 (FBC 105.1): No permit for special event held on November 30, 2024.

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

Address: 3112 2ND AVENUE NORTH

Legal Description: PL OF E 1/2 OF MILLERS ADD LTS 1 TO 4 INC BLK 2, LTS 1, 2 & W 1/2 OF LT 3, NW 1/4 OF LT 24 & N 1/2 OF LTS 25 & 26 BLK3 TH PT OF MIAMI AVE LYG BET LTS 1 TO 4 INC BLK 2, & LTS 1, 2 & W 1/2 OF LT 3 & N 310 FT OF ALPHA ST

PCN: 70-43-44-19-14-002-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **19th** day of **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 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**
- ☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**
- ☐ **Section 10-31 (FBC 110.1): No required inspections.**

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

- ☐ **Section 2-233: Summary enforcement procedures, code citation irreparable or irreversible.**
- ☐ **Section 10-31 (FBC 105.1): No permit for special event held on November 30,2024.**
- ☐ **Section 10-31 (FBC 110.1): No 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 **January 09, 2025:**
 - ☐ Administrative costs of **\$281.11**
 - ☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**
 - ☐ 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 **January 09, 2025.** If Respondent fails to comply within the time given, a fine of **\$ N/A 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 **January 09, 2025.**
 - ☐ Administrative costs of **\$281.11**
 - ☐ Citation fine of **\$ 500.00 + \$ 30.00 + \$530.00**
 - ☐ 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 Nanciann Cuenot** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 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:

[636 Belvedere Road](#)
[West Palm Beach, FL 33405 1231](#)



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), **CONGRESS PLAZA II INC**, 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



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 5, 2024

CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611

RE: Code Enforcement Hearing – Case No. 2024-64

Dear Property Owner,

The Code Enforcement Hearing you were originally scheduled for OCTOBER 17, 2024 at 10:00 am, Village Hall, a copy of the Notice is herewith attached, will be rescheduled for DECEMBER 19, 2024 at 10:00 am, Village Hall, 226 Cypress Lane, Palm Springs, FL 33461.

All other provisions of the original Notice of Violation and Notice of Hearing shall remain in full force and effect.

Should you have any questions, please contact Code Enforcement Officer, Nanciann Cuenot, at (561) 584-8300 Ext. 8524. Should your property come into compliance prior to this new hearing date, please contact the above-mentioned code enforcement officer.

Sincerely,

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

Nanciann Cuenot, CEP
Village of Palm Springs
Code Enforcement
(561) 584-8300 Ext. 8524
ncuenot@vpsfl.org

9489 0178 9820 3034 7921 51

Tracking Number:

9489017898203034792151

Remove X

Copy

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

Latest Update

Your item was delivered to an individual at the address at 4:05 pm on December 7, 2024 in POMPANO BEACH, FL 33062.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Left with Individual
POMPANO BEACH, FL 33062
December 7, 2024, 4:05 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®

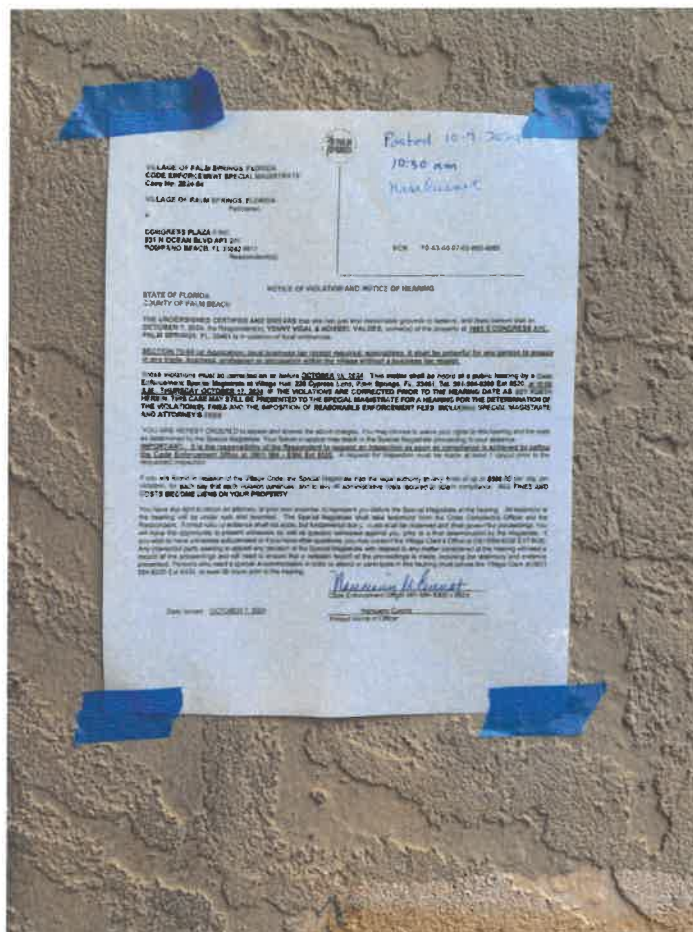
▼

Product Information

▼

See Less ^

Feedback



10/7/2024 10:33:33 AM



10/7/2024 10:33:29 AM

Tracking Number:

9489017898203019876487

Remove X

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)

Feedback

Text & Email Updates

▼

Return Receipt Electronic

▼

USPS Tracking Plus®

▼

Product Information

▼

See Less ^



**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

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. The business located at 1965 S Congress Avenue is a motor vehicle repair shop. During an investigation of the previous business owner, Hector Marcelo, the Village was notified by Detective Frank Milow that Mr. Roiler Rodriguez had purchased the business from Hector Marcelo in April 2024. 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. Code Enforcement has been actively working with the property owner/ manager James Sawhney and tenant Roiler Rodriguez. Planning Zoning & Building received the application; however, there were several incomplete and inaccurate answers in the application. The Village requires a valid copy of a lease between the property owner, Congress Plaza II Inc., and Roiler Rodriguez. This case was continued from the October 17th Hearing and to date is still in violation.
7. On OCTOBER 07, 2024, a Notice of Violation/ Notice of Hearing 2024-64 was issued for a violation of Section 70-94. The notice was mailed certified and regular to the respondent's 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 complete the application to 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 January 9, 2025, 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 January 9, 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
Total Costs for Case 2024-64				216.60

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;

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

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)



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

CONGRESS PLAZA II INC
531 N OCEAN BLVD. APT 201
POMPANO BEACH, FL 33062 4611



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\$000.69⁰
12/04/2024 ZIP 33480
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230 CYPRESS LANE
PALM SPRINGS, FL 3346



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POMPANO BEACH, FL 33062 4611



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



9489 0178 9820 3019 8764 87

Label 890-QDT, March 2023



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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**



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US POSTAGE

**CONGRESS PLAZA II INC
531 N OCEAN BLVD APT 201
POMPANO BEACH, FL 33062 4611**



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
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:
CONGRESS PLAZA II INC.
531 NORTH OCEAN BOULEVARD, 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 **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 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 **January 9, 2025:**
- ☐ 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 violations by obtaining a local business tax receipt from the Village of Palm Springs no later than **January 9, 2025**. 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 **January 9, 2025.**
- ☐ 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. 8524 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:

[1965 South Congress Avenue](#)
[Palm Springs, FL 33406](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-76

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

Respondent(s).

70-42-44-24-00-000-5233

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 **December 3rd, 2024**, the Respondent(s), **Heidy Giselle Perez** owner(s) of the property at **3673 Almar RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

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

SECTION 34-913: Vehicles-Remove all prohibited commercial vehicles off the property.

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

SECTION 34-221: Landscape Maintenance-Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.

These violations must be corrected on or before **December 17th, 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 December 19th, 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: December 3rd, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-76

RETURN OF SERVICE

**HEIDY GISELLE PEREZ
3673 ALMAR RD
PALM SPRINGS, FL 33461 3403**
_____ /

Respondent

On the **5th Day of December 2024 at 3:18PM**, I served the attached NOV/NOH on the within named Respondent, **Heidy Giselle Perez** at **3673 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
Code Enforcement Officer
12/16/24



Two blue-taped notices are posted on the wall. The top notice is a letter from the City of Palm Springs, dated May 10, 2024, regarding a proposed development. The bottom notice is from the Palm Springs Police Department, dated May 10, 2024, regarding a proposed development.

PALM SPRINGS POLICE DEPARTMENT
A Division of the City of Palm Springs

Notice to the City of Palm Springs regarding the proposed development of the property located at 3673 N. Palm Springs Blvd., Palm Springs, CA 92262.

The City of Palm Springs is currently reviewing the proposed development and has requested that you provide additional information regarding the project. This information is needed to ensure that the project complies with all applicable laws and regulations.

Please provide the requested information by the deadline specified in the notice. If you have any questions or need further assistance, please contact the City of Palm Springs at (760) 325-1234.



05.12.2024 15:18



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PALM SPRINGS POLICE DEPARTMENT

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

December 3rd, 2024

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3673 Almar RD in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5233

VIOLATION/HEARING CASE 2024-76

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

SECTION 34-913: Vehicles-Remove all prohibited commercial vehicles off the property.

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

SECTION 34-221: Landscape Maintenance-Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.

The options available include coming into voluntary compliance on or before **December 17th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday December 19th, 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

Professionalism · Respect · Integrity · Duty · Excellence



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



quadiënt

FIRST-CLASS MAIL
IMI

\$000.69⁰

12/05/2024 ZIP 33480
043M31255277

US POSTAGE

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461



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



9489 0178 9820 3034 7921 82

Label 890-QDT, March 2023



quadiënt

FIRST-CLASS MAIL
IMI

\$008.16⁰

12/05/2024 ZIP 33480
043M31255277

US POSTAGE

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

28 1262 4E0E 0286 8210 6846

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

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

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

Sec. 34-513. 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;

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- (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.

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- (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)

CASE PRESENTATION

CASE No. CASE 2024-76

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 #2024-76 is concerning the property located at 3673 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 Heidy Giselle Perez.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-143: Trash/Debris/Construction Materials-Remove all trash/debris/construction materials stored on the property.
SECTION 34-913: Vehicles-Remove all prohibited commercial vehicles off the property.
SECTION 34-914: Parking-Remove all vehicles parked on the grass.
SECTION 34-221: Landscape Maintenance-Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.
Photos are included in the file.
5. On 07/03/2024, I inspected the property and observed multiple code violations to include several commercial vehicles and equipment being stored on the property. I issued a code courtesy violation notice and posted it on the front door of the property. All of the other above noted violations were also discovered throughout the duration of this case. It should be noted that I mailed the property owner a total of three follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 10/11/2024 with a compliance date of 10/25/2024.

On 11/13/2024, I made one last final good faith effort to make contact with the property owner by visiting the property. Upon knocking on the front door, I made contact with the property owner's daughter. I showed the property owner's daughter all of the remaining code violations that needed to be corrected and explained to her that it's imperative for her mother to contact me right away or I would be left with no choice but to present the case before the next available Special Magistrate Hearing. As of this writing, all of my attempts to reach the property owner were unsuccessful and the property owner has made no effort to communicate with me.
6. On December 3rd, 2024, Notice of Violation/ Notice of Hearing 2024-76 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 January 1st, 2025. If not in compliance by January 1st, 2025, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.
8. The Village has also incurred costs in the amount of \$256.60 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than January 1st, 2025.
9. Subject to any questions you might have, this concludes the Village's testimony.



Case Administrative / Court Costs

December 19, 2024, 3673 Almar RD		Case 2024-76		
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	4.00	20.00	80.00
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 2024-76				256.60



PALM SPRINGS POLICE DEPARTMENT

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

October 11th, 2024

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3673 Almar RD Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5233

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

SECTION 34-221

Landscape Maintenance: Improve the appearance of all sections of dead grass (left side and right side).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Mailbox: Post "3673" house ID numbers on the mailbox and missing "3" house ID number on the front of the property.

Compliance Date: October 25th, 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

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PALM SPRINGS POLICE DEPARTMENT

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

September 3rd, 2024

Heidi Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3673 Almar RD Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5233

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

SECTION 34-913 & 34-914

Vehicles:

- Remove all prohibited inoperative and/or unregistered landscaping vehicles off the property (left side).
- Relocate boat behind the fence. Also, all vehicles/boats must be parked on an impervious surface (no grass).

SECTION 34-221

Landscape Maintenance: Improve the appearance of all sections of dead grass (left side and right side).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Mailboxes:

- Post "3673" house ID numbers on the mailbox. Must be clearly visible from the roadway and a minimum of 4" height.

Compliance Date: September 17th, 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



PALM SPRINGS POLICE DEPARTMENT

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

July 3rd, 2024

Heidy Giselle Perez
3673 Almar RD
Palm Springs, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3673 Almar RD Palm Springs, FL 33461**

PCN: 70-42-44-24-00-000-5233

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

SECTION 10-8, 30-141 & 34-883

Weeds/Overgrowth/Hedges:

- Remove all weeds attached to the exterior wall (left side).
- Trim all overgrown hedges/bushes/vegetation located on the left side and right side of the property (Must be no more than 4 feet in height).

SECTION 34-913 & 34-914

Vehicles/Parking:

- Remove all inoperative and/or unregistered vehicles off the property (this includes all vehicles stored behind the fence).
- Remove all prohibited construction/landscaping equipment off the property (this includes all vehicles/equipment stored behind the fence).
- Remove boat and large black trailer off the property.
- Remove all vehicles parked on the grass. All vehicles must be parked on an impervious surface.

SECTION 10-9

Exterior Property Maintenance/Mailbox: Post "3673" house ID numbers on the mailbox. House ID numbers must be clearly visible and a minimum of 4" height.

SECTION 34-225

Fence Maintenance: Repair or remove broken fence (right side).

SECTION 10-8

Driveways: Driveway needs to be pressure washed.

SECTION 30-143

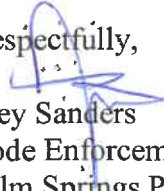
Trash/Debris/Materials: Remove all trash, debris and materials stored in the front of the property.

Compliance Date: July 17th, 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: 07/03/2024 Time: _____
Location: 3673 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:

10-8/30-10/34-883 - Woods/Overgrowth/Hedges
34-913/34-914 - Vehicles/Parking
10-9 - Exterior Property Maintenance/Mailbox
34-225 - Fence Maintenance
10-8 - Driveways
30-143 - Trash/Debris/Materials

* Reference Attached Letter *

Compliance Date: 07/17/2024
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



Property Detail

Location Address : 3673 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5233
Subdivision :
Official Records Book/Page : 30034 / 1363
Sale Date : JUL-2018
Legal Description : 24-44-42, S 90 FT OF N 982 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)**

PEREZ HEIDY GISELLE

Mailing Address

3673 ALMAR RD
LAKE WORTH BEACH FL 33461 3403

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2018	\$1	30034 / 01363	QUIT CLAIM	PEREZ HEIDY GISELLE
MAY-2015	\$112,500	27550 / 00018	WARRANTY DEED	FLOGROWN CONSTRUCTION INC
AUG-2014	\$87,600	27009 / 01357	CERT OF TITLE	AEGIS PROPERTIES OF SOUTH FLORIDA LLC
AUG-2001	\$10	12914 / 00136	QUIT CLAIM	CABALLERO LIVAN &
AUG-2001	\$82,000	12914 / 00134	WARRANTY DEED	CABALLERO LIVAN &
MAY-2001	\$70,000	12563 / 00536	WARRANTY DEED	WAHLBERG KENNETH
MAR-2001	\$62,900	12572 / 00130	WARRANTY DEED	AMERICAN EQUITY CORP
JAN-2001	\$0	12235 / 01163	QUIT CLAIM	SECY OF HOUSING & URBAN DEV
NOV-2000	\$100	12113 / 01549	CERT OF TITLE	CHASE MANHATTAN MRTG CORP
JUL-1997	\$54,000	09920 / 00927	WARRANTY DEED	
DEC-1988	\$100	05914 / 01089	QUIT CLAIM	
MAR-1988	\$14,000	05602 / 00480	WARRANTY DEED	
JAN-1976	\$100	02592 / 00467		

Exemption Information

Applicant/Owner(s)	Year	Detail
PEREZ HEIDY GISELLE	2024	HOMESTEAD
PEREZ HEIDY GISELLE	2024	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 1767
Acres : .23
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$174,941	\$141,794	\$115,066	\$109,181	\$120,318
Land Value	\$150,441	\$173,750	\$172,892	\$76,553	\$55,000
Total Market Value	\$325,382	\$315,544	\$287,958	\$185,734	\$175,318

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$194,256	\$188,598	\$183,105	\$177,772	\$175,318
Exemption Amount	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000

 Account Information

Property Control Number:
70-42-44-24-00-000-5233

Mailing Address:
3673 ALMAR RD
Lake Worth Beach, FL 33461-3403

Owner of Record:
PEREZ HEIDY GISELLE

Property Type:
Real Property

Property Address:
3673 ALMAR RD
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
24-44-42, S 90 FT OF N 982 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: 12/05/2024 04:22:27 PM

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

Delinquent Property Tax cannot be paid online.

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

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

 Tax Bills

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

Total Payable: **\$3,371.91** [ADD ALL TO CART](#)

2024 | BILL TYPE: ORIGINAL | BILL NO: 101634081 | ROLL: ANNUAL |
DUE \$3,371.91

[ADD TO CART](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options	View Info
3/31/25	☐ \$3,371.91 Net Tax: \$3,476.19 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$104.28	\$0.00	☐ \$3,371.91 ▶ 12/5/24 \$3,371.91 12/31/24 \$3,371.91 1/31/25 \$3,406.67 2/28/25 \$3,441.44	 Due	☐ \$3,371.91 Clear all	
Total: \$0.00					ADD TO CART	

[+](#) Recently Paid Bills

Due Date	Net Tax	Last Paid	Amount Paid	Status
4/1/24	☐ \$3,285.67 Net Tax: \$3,387.29 Interest: \$0.00 Penalty: \$0.00 Fees: \$0.00 Discount: -\$101.62	1/2/24		 Paid



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-76

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

**HEIDY GISELLE PEREZ
3673 ALMAR ROAD
PALM SPRINGS, FL 33461 3403**

**MAILING ADDRESS:
(SAME AS ABOVE)**

Respondent(s).

ORDER FINDING VIOLATION

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

Section 30-143: Trash, debris, and construction materials. Remove all trash, debris, and construction materials stored on the property.

Section 34-913: Vehicles. Remove all prohibited commercial vehicles off the property.

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

Section 34-221: Landscape maintenance. Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.

Address: 3673 ALMAR ROAD
Legal Description: 24-44-42, S 90 FT OF N982 FT OF W 130 FT OF E ½ OF E ½ OF
NW ¼ OF SE ¼ (LESS E 20 FT RD R/W)
PCN: 70-42-44-24-00-000-5233

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 30-143: Trash, debris, and construction materials. Remove all trash, debris, and construction materials stored on the property.
 - ☐ Section 34-913: Vehicles. Remove all prohibited commercial vehicles off the property.
 - ☐ Section 34-914: Parking. Remove all vehicles parked on the grass.
 - ☐ Section 34-221: Landscape maintenance. Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.
- ☐ Respondent was in violation of the following Village of Palm Springs Code of Ordinances but is currently in compliance:
- ☐ Section 30-143: Trash, debris, and construction materials. Remove all trash, debris, and construction materials stored on the property.
 - ☐ Section 34-913: Vehicles. Remove all prohibited commercial vehicles off the property.
 - ☐ Section 34-914: Parking. Remove all vehicles parked on the grass.
 - ☐ Section 34-221: Landscape maintenance. Restore the condition of all sections of dead grass back into a healthy, neat and orderly appearance.

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 January 1st, 2024:
 - ☐ Administrative costs of \$256.60
 - ☐ 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 January 1st, 2025. 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 January 1st, 2025.
 - ☐ Administrative costs of \$256.60
 - ☐ 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 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:

[3673 Almar Road](#)
[Palm Springs, FL 33461 3403](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-77

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Renee Frias
1799 SW 8th ST
Boca Raton, FL 33486

Respondent(s).

70-42-44-24-00-000-5044

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 **December 7th, 2024**, the Respondent(s), **Renee Frias** owner(s) of the property at **3550 Laurette LN, 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 30-141: Overgrowth-Trim all overgrown trees/vegetation.

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

SECTION 10-8: Driveway Maintenance: Remove all oil stains and pressure wash both driveways.

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

SECTION 34-250: Management of Grass Clippings and Vegetative Matter: Remove all vegetative waste obstructing the stormwater drains.

SECTION 10-9: Exterior Property Maintenance-Replace both mailboxes and label each mailbox with house ID numbers/Remove green stain off the exterior wall/Repair damaged rear patio enclosure screens/Paint fascia located on the left side of the property.

These violations must be corrected on or before **December 17th, 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 December 19th, 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.

CE/ CEB Case No. _____

Code Enforcement Officer 561-584-8300 ext. 8525

Date Issued: _____ December 7th, 2024 _____

Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-77

RETURN OF SERVICE

**RENEE FRIAS
1799 SW 8TH ST
BOCA RATON, FL 33486 3406**
_____ /

Respondent

On the **8th Day of December 2024 at 3:53PM**, I served the attached NOV/NOH on the within named Respondent, **Renee Frias** at **3550 Laurette LN**, 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 ID#211
Code Enforcement Officer



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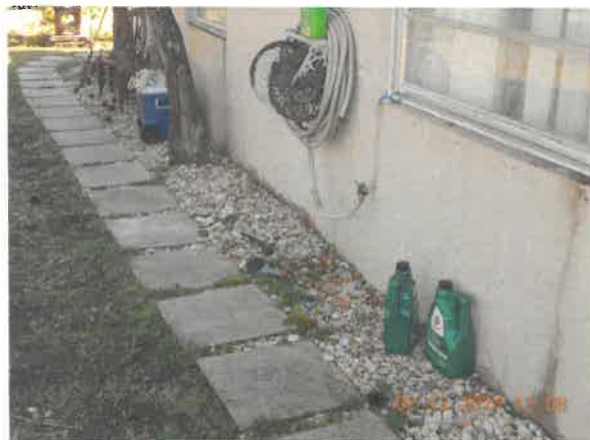
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3550



Timothy Jones
Please call me
Officer Joey Sanders
Code Enforcement
Thank you!

Palm Springs Police Department

230 Cypress Lane
Palm Springs, FL 33481
www.vpsfl.org

Cell: (951) 897-4020
(561) 864-8300 ext. 8525
sanders@vpsfl.org

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PALM SPRINGS POLICE DEPARTMENT

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

December 7th, 2024

Renee Frias
1799 SW 8th ST
Boca Raton, FL 33486

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 **3550 Laurette LN in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5044

VIOLATION/HEARING CASE 2024-77

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

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

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

SECTION 10-8: Driveway Maintenance: Remove all oil stains and pressure wash both driveways.

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

SECTION 34-250: Management of Grass Clippings and Vegetative Matter: Remove all vegetative waste obstructing the stormwater drains.

SECTION 10-9: Exterior Property Maintenance-Replace both mailboxes and label each mailbox with house ID numbers/Remove green stain off the exterior wall/Repair damaged rear patio enclosure screens/Paint fascia located on the left side of the property.

The options available include coming into voluntary compliance on or before **December 17th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday December 19th, 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



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US POSTAGE

Rene Frias
1799 SW 8th ST
Boca Raton, FL 33486



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



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US POSTAGE

Rene Frias
1799 SW 8th ST
Boca Raton, FL 33486

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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. 30-141. 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.

Sec. 34-250. Management of grass clippings and vegetative matter.

In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, or blown on to or into stormwater drains, ditches, conveyances, water bodies, wetlands, sidewalks or roadways. Vegetative material may be placed within the roadway right-of-way, but not over the storm drains, for pickup by the appropriate vegetative waste hauler.

(Ord. No. 2012-19, § 1, 6-28-2012)

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.

Created: 2022-10-20 09:52:50 [EST]

(Supp. No. 12)

(Code 1994, § 30-956)

CASE PRESENTATION

CASE No. CASE 2024-77

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 #2024-77 is concerning the property located at 3550 Laurette LN 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 Renee Frias.

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

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

SECTION 10-8: Driveway Maintenance-Remove all oil stains and pressure wash both driveways.

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

SECTION 34-250: Management of Grass Clippings and Vegetative Matter-Remove all vegetative waste obstructing the stormwater drains.

SECTION 10-9: Exterior Property Maintenance-Replace both mailboxes and label each mailbox with house ID numbers/Remove green stain off the exterior wall/Repair damaged rear patio enclosure screens/Paint fascia located on the left side of the property.

Photos are included in the file.

5. On 08/20/2024, I inspected the property and observed multiple code violations to include overgrown vegetation obstructing the roadway and a large amount of vegetative waste covering the stormwater drains. I issued a code courtesy violation notice and posted it on the front door of Unit #3550. All of the other above noted violations were also discovered throughout the duration of this case. I mailed the property owner a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 10/21/2024 with a compliance date of 11/04/2024.

It should be noted that I also visited the property on numerous occasions and was able to speak with the tenants of both units. I provided both tenants my business card and requested for them to forward my contact information along to the property owner. As of this writing, the property owner did reach out to me once via telephone but all of my subsequent efforts to make contact with the property owner have been unsuccessful.

6. On December 7th, 2024, Notice of Violation/ Notice of Hearing 2024-77 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 January 1st, 2025. If not in compliance by January 1st, 2025, 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 January 1st, 2025.

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



Case Administrative / Court Costs

December 19, 2024, 3550 Laurette LN		Case 2024-77		
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 2024-77				276.60



PALM SPRINGS POLICE DEPARTMENT

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

October 21st, 2024

Renee Frias
1799 SW 8th ST
Boca Raton, FL 33486

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 **3550 Laurette LN Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5044

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

SECTION 14-32

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

SECTION 30-143 & 34-1381

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

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

Overgrowth/Landscape Maintenance/Weeds:

- Mow all overgrown grass located throughout the property.
- Remove all weeds attached to the chain-link fence.
- Trim all overgrown trees/bushes/vegetation located throughout the property (this includes all vegetation encroaching/obstructing the roadway).

SECTION 34-250

Management of Grass Clippings and Vegetative Matter: Remove all vegetative waste stored throughout the property. This includes all vegetative clippings/rubbish covering the storm drain (left side).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Mailboxes/Holiday Lights:

- Post house ID numbers on the front of each unit. Must be clearly visible from the roadway and a minimum of 4" height.
- Label each mailbox with house ID numbers.
- Remove all holiday lights attached the exterior wall and wrapped around the trees (left side).
- Remove green stain located beside "3550's" front door.

Compliance Date: November 4th, 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

August 20th, 2024

Renee Frias
1799 SW 8th ST
Boca Raton, FL 33486

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 **3550**

Laurette LN Palm Springs, FL 33461

PCN: 70-42-44-24-00-000-5044

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

SECTION 14-32

No Residential Rental Permits: No 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/Rubbish/Materials/Open Storage: Remove all trash, debris, rubbish, materials and misc. items stored throughout the property.

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

Overgrowth/Landscape Maintenance/Weeds:

- Mow all overgrown grass located throughout the property.
- Trim all overgrown trees/vegetation/bushes located throughout the property.
- Remove all weeds attached to the chain-link fence.

SECTION 34-250:

Management of Grass Clippings and Vegetative Matter: Remove all vegetative waste stored throughout the property. This includes all vegetative clippings/rubbish covering the storm drain (left side).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Mailbox/Holiday Lights:

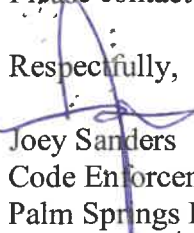
- Post house ID numbers on the front of each unit. Must be clearly visible from the roadway and a minimum of 4" height.
- Label each mailbox with house ID numbers.
- Remove all holiday lights attached to the exterior wall and wrapped around the trees (left side).
- Remove green stain located beside "3550's" front door.

Compliance Date: September 3rd, 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: 08/20/2024 Time:

Location: 3550 LAUREL LN

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:

14-32 - NO Residential Rental Permit

30-143/34-1381 - Trash/Debris/Rubb & Materials
open storage

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

34-250 - Management of Grass Clippings and
Vegetative matter/Storm Drains

109 - Exterior Property Maintenance/Street Number

Mailbox/Holiday Lights

* Refuse Accumulation

Compliance Date:

09/02/2024

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



Property Detail

Location Address : 3550 LAURETTE LN
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5044
Subdivision :
Official Records Book/Page : 26594 / 1947
Sale Date : JAN-2014
Legal Description : 24-44-42, W 70.5 FT OF E 244.96 FT OF N 99.5 FT OF S 479.92 FT OF W 1/2 OF NW 1/4 OF NE 1/4 OF SE 1/4 IN OR979 P88

Owner Information

Owner(s)	Mailing Address
FRIAS RENEE	1799 SW 8TH ST BOCA RATON FL 33486 6406

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JAN-2014	\$130,000	26594 / 01947	WARRANTY DEED	FRIAS RENEE
APR-2011	\$96,500	24507 / 01658	WARRANTY DEED	GAD MAGHRABY &
APR-2010	\$70,800	23770 / 01928	CERT OF TITLE	AZOUZ LLC
NOV-2005	\$289,900	19518 / 01447	WARRANTY DEED	RIOFRIO MERCEDES
JAN-1987	\$68,800	05155 / 00106	WARRANTY DEED	
DEC-1984	\$100	04429 / 01843	QUIT CLAIM	
JAN-1973	\$5,000	02169 / 01081		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 2
***Total Square Feet :** 1920
Acres : .16
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	\$196,825	\$159,960	\$130,834	\$95,959	\$121,590
Land Value	\$107,066	\$123,633	\$132,966	\$71,561	\$78,000
Total Market Value	\$303,891	\$283,593	\$263,800	\$167,520	\$199,590

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$222,969	\$202,699	\$184,272	\$167,520	\$190,864
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$222,969	\$202,699	\$184,272	\$167,520	\$190,864

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$4,843	\$4,494	\$4,208	\$3,449	\$4,025
NON AD VALOREM	\$639	\$632	\$597	\$527	\$525
TOTAL TAX	\$5,482	\$5,125	\$4,805	\$3,975	\$4,549

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.

\$0.00
CHECK OUT

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Account Information

Property Control Number:
70-42-44-24-00-000-5044

Mailing Address:
1799 SW 8TH ST
Boca Raton, FL 33486-6406

Owner of Record:
FRIAS RENEE

Property Type:
Real Property

Property Address:
3550 LAURETTE LN
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
24-44-42, W 70.5 FT OF E 244.96 FT OF
N 99.5 FT OF S 479.92 FT OF W 1/2 OF
NW 1/4 OF NE 1/4 OF SE 1/4 IN OR979
P88

Last updated: 12/08/2024 12:27:03 PM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).

Tax Bills

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

Total Payable: \$5,317.19 Total Due: \$11,155.38 [ADD ALL TO CART](#)

2024 | Bill Type: Original | Bill No: 101634282 | Roll: Annual |
Due \$5,317.19 [ADD TO CART](#)

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
3/31/25	☒ \$5,317.19	\$0.00	☒ \$5,317.19	Due	☐ \$5,317.19
	Net Tax: \$5,481.64		12/8/24 \$5,317.19		Clear all
	Interest: \$0.00		12/31/24 \$5,317.19		
	Penalty: \$0.00		1/31/25 \$5,372.00		
	Fees: \$0.00		2/28/25 \$5,426.81		
	Discount: -\$164.45				

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



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-77

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

**RENEE FRIAS
3550 LAURETTE LANE
PALM SPRINGS, FL 33461**

**RENEE FRIAS
1799 SOUTH WEST 8TH SREET
BOCA RATON, FL 33486 3406**

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 30-141: Overgrowth. Trim all overgrown trees and vegetation.

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

**SECTION 10-8: Driveway maintenance. Remove all oil stains and pressure
wash both driveways.**

**SECTION 30-143: Trash, debris, materials, and rubbish. Remove all trash,
debris, materials, and rubbish stored around the property.**

**SECTION 34-250: Management of grass clippings and vegetative matter.
Remove all vegetative waste obstructing the stormwater drains.**

**SECTION 10-9: Exterior property maintenance. Replace both mailboxes and
label each mailbox with house ID numbers. Remove green stain off the
exterior wall. Repair damaged rear patio enclosure screens. Paint fascia
located on the left side of the property.**

Address: 3550 LAURETTE LANE
Legal Description: 24-44-42, W 70.5 FT OF E 244.96 FT OF N 99.5 FT OF S 479.92
FT OF W ½ OF NW ¼ OF NE ¼ OF SE ¼ IN OR979 P88
PCN: 70-42-44-24-00-000-5044

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 14-32: No residential rental permit. Obtain a rental permit for each unit.**
 - ☐ **SECTION 30-141: Overgrowth. Trim all overgrown trees and vegetation.**
 - ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **SECTION 10-8: Driveway maintenance. Remove all oil stains and pressure wash both driveways.**
 - ☐ **SECTION 30-143: Trash, debris, materials and rubbish. Remove all trash, debris, materials, and rubbish stored around the property.**
 - ☐ **SECTION 34-250: Management of grass clippings and vegetative matter. Remove all vegetative waste obstructing the stormwater drains.**
 - ☐ **SECTION 10-9: Exterior property maintenance. Replace both mailboxes and label each mailbox with house ID numbers. Remove green stain off the exterior wall. Repair damaged rear patio enclosure screens. Paint fascia located on the left side of the property.**

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

- ☐ **SECTION 14-32: No residential rental permit. Obtain a rental permit for each unit.**
- ☐ **SECTION 30-141: Overgrowth. Trim all overgrown trees and vegetation.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 10-8: Driveway maintenance. Remove all oil stains and pressure wash both driveways.**
- ☐ **SECTION 30-143: Trash, debris, materials and rubbish. Remove all trash, debris, materials, and rubbish stored around the property.**
- ☐ **SECTION 34-250: Management of grass clippings and vegetative matter. Remove all vegetative waste obstructing the stormwater drains.**
- ☐ **SECTION 10-9: Exterior property maintenance. Replace both mailboxes and label each mailbox with house ID numbers. Remove green stain off the exterior wall. Repair damaged rear patio enclosure screens. Paint fascia located on the left side of the property.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **January 1st, 2025:**
- ☐ 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 **January 1st, 2025.** 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 **January 1st, 2025.**
- ☐ 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 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:

1799 SOUTH WEST 8TH SREET
BOCA RATON, FL 33486 3406

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-78

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Gobi Trading Corp
Cesar Gomez ESQ-Registered Agent
260 Crandon Blvd Suite #14
Miami, FL 33149

Respondent(s).

70-42-44-24-00-000-5046

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 **December 8th, 2024**, the Respondent(s), **Gobi Trading Corp** owner(s) of the property at **4217 Narcissus Ave, 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 30-141: Overgrowth-Trim all overgrown trees/bushes/vegetation.

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

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

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

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

SECTION 10-31 (FBC 105.1 & 110.1): Work w/o Permits- Remove all unpermitted structures and pavers.

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

SECTION 10-9: Exterior Property Maintenance-Replace all broken mailboxes and label each mailbox with house ID numbers/Repair damaged accessory structure vent and fascia/Remove all metal shutters and wood boards covering the windows/Remove all black discoloration off the fascia.

These violations must be corrected on or before **December 17th, 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 December 19th, 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.

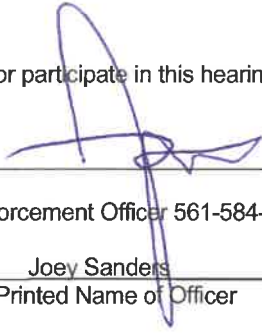
IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested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

CE/ CEB Case No. _____

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

Date Issued: _____ December 8th, 2024 _____

Joey Sanders
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-78

RETURN OF SERVICE

**GOBI TRADING CORP
CESAR GOMEZ ESQ-REG AGENT
260 CRANDON BLVD SUITE #14
MIAMI, FL 33149 1537** Respondent

_____ /

On the **8th Day of December 2024 at 3:50PM**, I served the attached NOV/NOH on the within named Respondent, Gobi Trading Corp at 4217 Narcissus Ave, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

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

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

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders Code Enforcement Officer 10#211



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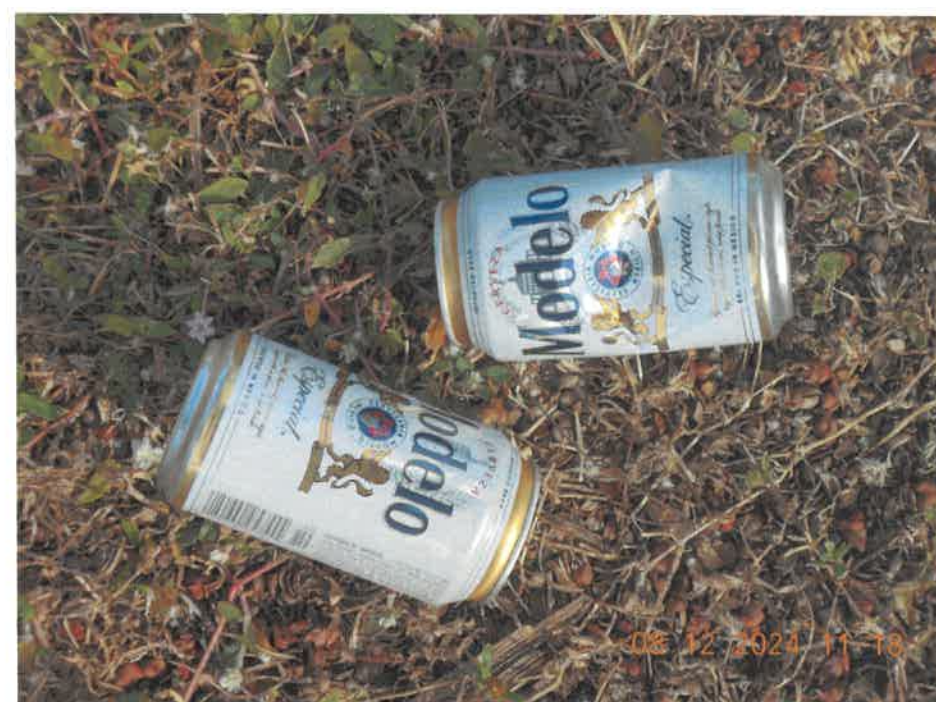
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2016- 4217 Narcissus Ave



01/20/2016



PALM SPRINGS POLICE DEPARTMENT

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

December 8th, 2024

Gobi Trading Corp
Cesar Gomez ESQ-Registered Agent
260 Crandon Blvd Suite #14
Miami, FL 33149

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 **4217 Narcissus Ave in Palm Springs, FL.**
PCN: 70-42-44-24-00-000-5046

VIOLATION/HEARING CASE 2024-78

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

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

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

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

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

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

SECTION 10-31 (FBC 105.1 & 110.1): Work w/o Permits- Remove all unpermitted structures and pavers.

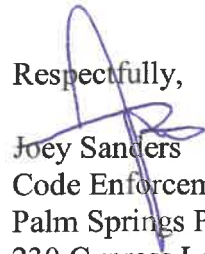
SECTION 34-914: Vehicles-Remove all inoperative and/or unregistered vehicles off the property.

SECTION 10-9: Exterior Property Maintenance-Replace all broken mailboxes and label each mailbox with house ID numbers/Repair damaged accessory structure vent and fascia/Remove all metal shutters and wood boards covering the windows/Remove all black discoloration off the fascia.

The options available include coming into voluntary compliance on or before **December 17th, 2024 OR** arguing your case at the Special Magistrate Hearing, **Thursday December 19th, 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

Professionalism · Respect · Integrity · Duty · Excellence



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



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Gobi Trading Corp
Cesar Gomez ESQ-Registered Agent
260 Crandon Blvd Suite #14
Miami, FL 33149



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



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Miami, FL 33149

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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. 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. 30-141. 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.

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

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

(Code 1994, § 30-150)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,

-
- (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster") within any zoning district in the village, is subject to the following regulations:
- (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
 - (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.
 - (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
 - (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:

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- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
 - a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
 - (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.
- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
 - (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
 - (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
 - (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
 - (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
 - (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.
- (Ord. No. 2005-25, § 2(30-629), 10-13-2005; Ord. No. 2006-15, § 1, 5-11-2006; Ord. No. 2007-08, § 7, 4-26-2007; Ord. No. 2011-12, § 1, 6-9-2011; Ord. No. 2016-21, § 10, 1-12-2017)

Sec. 34-1381. Nuisances generally; scope.

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

(Code 1994, § 30-956)

Sec. 10-31. Chapter one amendments.

These amendments to the Florida Building Code 7th Edition (2020) are hereby adopted and incorporated in this article as the minimum construction standards for the village.

Chapter 1

Scope and Administration

PART 1—SCOPE AND APPLICATION

SECTION 101

GENERAL

101.1 Title. These regulations shall be known as the Florida Building Code, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the Florida Building Code, Residential.
2. Code Requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Florida Building Code, Residential Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting. Further, no employee shall be liable in tort for damage from such conditions, in accordance with Section 768.28 Florida Statutes, as may be amended or replaced.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.11 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the Florida Building Code, Fuel Gas shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These

owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.10.1 Flood hazard areas. The Building Official shall coordinate with the floodplain administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Building Official shall respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the Building Official.

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.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- Permits;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local resolution or ordinance.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the Building Official as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the Building Official that shall be in addition to the required permit fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The Building Official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The Building Official is authorized to establish and publish a refund policy through local ordinance, which is located in the Village of Palm Springs Municipal Code Ch. 10, section 10-56.

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

CASE PRESENTATION

CASE No. CASE 2024-78

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 #2024-78 is concerning the property located at 4217 Narcissus Ave 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 Gobi Trading Corp.

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 30-141: Overgrowth-Trim all overgrown trees/bushes/vegetation.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 10-8: Weeds-Remove all weeds attached to every fence.
SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Remove all unpermitted structures and pavers.
SECTION 34-914: Vehicles-Remove all inoperative and/or unregistered vehicles off the property.
SECTION 10-9: Exterior Property Maintenance-Replace all broken mailboxes and label each mailbox with house ID numbers/Repair damaged accessory structure vent and fascia/Remove all metal shutters and wood boards covering the windows/Remove all black discoloration off the fascia.

Photos are included in the file.

5. On 08/07/2024, I inspected the property and observed multiple code violations to include metal shutters and wood boards covering the windows and several inoperative and/or unregistered vehicles being stored on the property. I issued a code courtesy violation notice and posted it on the west side of the property. All of the other above noted violations were also discovered throughout the duration of this case. It should be noted that I mailed the property owner a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 09/25/2024 with a compliance date of 10/09/2024. As of this writing, the property owner has made minimal progress toward bringing the property into compliance and has failed to make any type of effort to communicate with me.

6. On December 8th, 2024, Notice of Violation/ Notice of Hearing 2024-78 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 January 1st, 2025. If not in compliance by January 1st, 2025, a \$100.00 PER DAY PER VIOLATION fine shall commence.

CASE No. _____

8. The Village has also incurred costs in the amount of **\$316.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **January 1st, 2025**.

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



Case Administrative / Court Costs

December 19, 2024, 4217 Narcissus Ave

Case 2024-78

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	7.00	20.00	140.00
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 2024-78				316.60



PALM SPRINGS POLICE DEPARTMENT

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

September 25th, 2024

GOBI TRADING CORP
Cesar Gomez ESQ-Registered Agent
260 Crandon Blvd Suite #14
Miami, FL 33149

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 **4217 Narcissus Ave Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5046

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

SECTION 105.1, 110.1 & 14-32

Work w/o Permits/No Residential Rental Permit: Additions/structures installed without a permit and inspection (left side and right side) and no residential rental permit on file with the Village of Palm Springs. Obtain a building permit for the additions/structures and a rental permit by contacting the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

SECTION 30-141, 30-142 & 34-883

Overgrowth/Landscape Maintenance/Hedges: Trim all overgrown trees/bushes/vegetation located throughout the property. Also, all hedges may be no taller than 4 feet in height.

SECTION 30-143 & 34-1381

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

SECTION 34-225

Fence Maintenance: Repair, replace or remove all broken sections of the fence (right side).

SECTION 10-8 & 10-9

Accessory Structure/Exterior Property Maintenance/Holiday Lights/Street

Numbers/Mailboxes/Shutters:

- Remove all holiday lights (front right side).
- Repair or replace all broken mailboxes and label each mailbox with house ID numbers.
- Remove all metal shutters and wood boards off the windows.
- Repair broken vent located on the south side of accessory structure (center of property).

SECTION 34-914

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

Compliance Date: October 9th, 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

August 7th, 2024

GOBI TRADING CORP
Cesar Gomez ESQ-Registered Agent
260 Crandon Blvd Suite #14
Miami, FL 33149

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 **4217 Narcissus Ave Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5046

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

SECTION 105.1 & 110.1

Work w/o Permits: Additions/structures installed without a permit and inspection (left side and right side). Contact the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

SECTION 30-141, 30-142 & 34-883

Overgrowth/Landscape Maintenance/Hedges: Trim all overgrown trees/bushes/vegetation located throughout the property.

SECTION 30-143 & 34-1381:

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

SECTION 14-32:

No Residential Rental Permit: No rental permits on file with the Village of Palm Springs. Obtain a rental permit for each unit by contacting the PZB Department at the number listed above.

SECTION 34-225

Fence Maintenance: Repair, replace or remove all broken sections of the fence (right side).

SECTION 10-8 & 10-9

Accessory Structure/Exterior Property Maintenance/Holiday Lights/Street Numbers/Mailboxes/Shutters:

- Remove all holiday lights (front right side).
- Repair or replace all broken mailboxes and label each mailbox with house ID numbers.
- Remove all metal shutters and wood boards off the windows.
- Repair broken vent located on the south side of accessory structure (center of property).

SECTION 34-914

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

Compliance Date: August 21st, 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:

Location:

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

Please address the listed code violations:

105-1/110-1-Work w/o Permits
30-141/30-142/34-883-Overgrowth/Landscape
Maintenance/Hedges
30-143/34-1361-Trash/Debris/Materials/Open Storage
14-32-NO Residential Rental Permit
34-225-Fence Maintenance
108/109-Accessory Structure/Exterior Property
Maintenance/Holiday Lights/Shutters/Street Numbers/
Mailboxes
*Reference Attached Letter #

Compliance Date:

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

Code Officer J. Sanders #211

Name

I.D. #

Palm Springs Police Department

(561) 584-8300, ext. 8520



Property Detail

Location Address : 4217 NARCISSUS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5046
Subdivision :
Official Records Book/Page : 27180 / 819
Sale Date : NOV-2014
Legal Description : 24-44-42, W 1/2 OF NW 1/4 OF NE 1/4 OF SE 1/4 (LESS E 189 FT, S 520 FT & N 52 FT)
 IN OR1219P26

Owner Information**Owner(s)**

GOBI TRADING CORP

Mailing Address

260 CRANDON BLVD STE 14
 MIAMI FL 33149 1537

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
NOV-2014	\$360,000	27180 / 00819	WARRANTY DEED	GOBI TRADING CORP
MAY-2014	\$216,200	26877 / 01702	WARRANTY DEED	CREATIVE FINANCING LLC
APR-2014	\$212,500	26721 / 02004	CERT OF TITLE	JPMORGAN CHASE BANK NATL ASSN
SEP-1994	\$100,000	08448 / 01523	WARRANTY DEED	
JAN-1979	\$100	03015 / 00370		
JAN-1973	\$66,000	02246 / 01984	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 4
***Total Square Feet :** 3584
Acres : .33
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	\$356,296	\$289,972	\$236,370	\$173,638	\$226,546
Land Value	\$196,854	\$222,256	\$222,610	\$129,025	\$156,000
Total Market Value	\$553,150	\$512,228	\$458,980	\$302,663	\$382,546

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$402,844	\$366,222	\$332,929	\$302,663	\$346,302
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$402,844	\$366,222	\$332,929	\$302,663	\$346,302

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$8,776	\$8,118	\$7,488	\$6,231	\$7,445
NON AD VALOREM	\$1,229	\$1,214	\$1,144	\$1,004	\$1,000
TOTAL TAX	\$10,005	\$9,331	\$8,632	\$7,234	\$8,445

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



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT



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



Account Information

Property Control Number:
70-42-44-24-00-000-5046

Mailing Address:
260 CRANDON BLVD STE 14
Miami, FL 33149-1537

Owner of Record:
GOBI TRADING CORP

Property Type:
Real Property

Property Address:
4217 NARCISSUS AVE
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
24-44-42, W 1/2 OF NW 1/4 OF NE 1/4
OF SE 1/4 (LESS E 189 FT, S 520 FT & N
52 FT) IN OR1219P26

Last updated: 12/08/2024 01:52:10 PM

2024 Real Estate and Tangible Personal Property Taxes will be delinquent as of April 1, 2025.
Delinquent Property Tax cannot be paid online.
Visit our Payment Options page to [view delinquent tax payment options](#).

Interest and associated costs for delinquent taxes are determined by the date payment is received to the Tax Collector.
A minimum charge of 3% is collected. Interest accrues at up to 1.5% per month (18% annually).



Tax Bills

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

Total Payable: \$0.00

+ Recently Paid Bills



Payment Info - Select to Expand Payment History for PIN



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

Detail by Entity Name

Florida Profit Corporation

GOBI TRADING CORP.

Filing Information

Document Number	P02000057727
FEI/EIN Number	04-3683937
Date Filed	05/24/2002
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	05/05/2006

Principal Address

4884 Regina Court
C/O Hector Neira
West Palm Beach, FL 33415

Changed: 01/30/2017

Mailing Address

4884 Regina Court
C/O Hector Neira
West Palm Beach, FL 33415

Changed: 01/30/2017

Registered Agent Name & Address

GOMEZ, CESAR ESQ
12001 SW 119 Street
Miami, FL 33186

Address Changed: 02/28/2023

Officer/Director Detail

Name & Address

Title D

ROZO DUARTE, LUIS EDUARDO
4884 Regina Court
C/O Hector Neira



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-78

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

**GOBI TRADING CORP
CESAR GOMEZ ESQ-REGISTERED AGENT
4217 NARCISSUS AVENUE
LAKE WORTH BEACH, FL 33461**

**GOBI TRADING CORP
CESAR GOMEZ ESQ-REGISTERED AGENT
260 CRANDON BOULEVARD SUITE #14
MIAMI, FL 33149 1537**

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 30-141: Overgrowth. Trim all overgrown trees, bushes, vegetation.

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

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

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

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

SECTION 10-31 (FBC 105.1 & 110.1): Work w/o permits. Remove all unpermitted structures and pavers.

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

SECTION 10-9: Exterior property maintenance. Replace all broken mailboxes and label each mailbox with house ID numbers. Repair damaged accessory structure vent and fascia. Remove all metal shutters and wood boards covering the windows. Remove all black discoloration off the fascia.

Address: 4217 NARCISSUS AVENUE

Legal Description: 24-44-42, W ½ OF NW ¼ OF NE ¼ OF SE ¼ (LESS E 189 FT, S 520 FT & N 52 FT) IN OR1219P26

PCN: 70-42-44-24-00-000-5046

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 14-32: No residential rental permit. Obtain a rental permit for each unit.**
- ☐ **SECTION 30-141: Overgrowth. Trim all overgrown trees, bushes, vegetation.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 10-8: Weeds. Remove all weeds attached to every fence.**
- ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
- ☐ **SECTION 30-143: Trash, debris, materials. Remove all trash, debris, materials stored around the property.**
- ☐ **SECTION 10-31 (FBC 105.1 & 110.1): Work w/o permits. Remove all unpermitted structures and pavers.**
- ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**
- ☐ **SECTION 10-9: Exterior property maintenance. Replace all broken mailboxes and label each mailbox with house ID numbers. Repair damaged accessory structure vent and fascia. Remove all metal shutters and wood boards covering the windows. 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 30-141: Overgrowth. Trim all overgrown trees, bushes, vegetation.**
- ☐ **SECTION 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
- ☐ **SECTION 10-8: Weeds. Remove all weeds attached to every fence.**
- ☐ **SECTION 34-225: Fence maintenance. Repair or remove all broken fences.**
- ☐ **SECTION 30-143: Trash, debris, materials. Remove all trash, debris, materials stored around the property.**
- ☐ **SECTION 10-31 (FBC 105.1 & 110.1): Work w/o permits. Remove all unpermitted structures and pavers.**
- ☐ **SECTION 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.**

SECTION 10-9: Exterior property maintenance. Replace all broken mailboxes and label each mailbox with house ID numbers. Repair damaged accessory structure vent and fascia. Remove all metal shutters and wood boards covering the windows. 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 **January 1st, 2025:**
- ☐ Administrative costs of **\$316.60**
 - ☐ 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 **January 1st, 2025.** 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 **January 1st, 2025.**
- ☐ Administrative costs of **\$316.60**
 - ☐ 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 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:

[260 CRANDON BLVD SUITE #14](#)
[MIAMI, FL 33149 1537](#)

VILLAGE OF PALM SPRINGS, FLORIDA

**STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE
ON REQUEST FOR EXTENSION OF TIME**

Code Enforcement Officer: Cuenot

Date: December 19, 2024

Case No.: 2024-57

Respondent(s): MN INVESTMENTS PROPERTIES HOLDINGS LLC

Violation Address (Subject Property): 1946 S. Congress Avenue, Palm Springs, FI

BACKGROUND

On **October 17, 2024** the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section 70-94 Application for Local Business Tax Receipt Required. The Respondent was given until December 18, 2024 to come into compliance, pay the fees, and obtain a local business tax receipt. 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.

Dated: December 19, 2024

By: Nanciann Cuenot,
Code Enforcement Officer

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: The respondent was found in violation of several sections of the Village ordinances. They have come into compliance with other sections and are in the process of complying. The Village agrees that an extension to **February 17, 2025** is acceptable.

Dated: December 19, 2024,

By: Nanciann Cuenot,
Code Enforcement Officer



**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 78-008: 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, lose 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:

in part

- ☐ *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

34-1365

- 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:

in part

- ☐ *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. The violations that require a permit from the Village of Palm Springs and designated with an Asterix, must be in compliance by April 16, 2025. If Respondent fails to comply within the time given, a fine of \$75.00 per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by 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 Code Inspector/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

To Whom It May Concern:

My Name is Nasira A. Arain, owner of MN Investments Properties Holdings LLC, who owns Shores Shopping Center at 1946 S Congress Ave West Palm Beach, gives Jason Young at Young United Realty permission to represent us during this hearing.

Thank you in advance.

Nasira A. Arain

Nasira A. Arain
Signature

State of Florida County of Broward

The foregoing instrument was acknowledged before me
by means of ☒ physical presence OR ☐ online notarization
this 16th day of October, 2024

By Nasira A. Arain

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Learners License

(NOTARY SEAL) . Signature *[Signature]*



Village of Palm Springs
Code Enforcement Magistrate Hearing

CODE CASE: 2024-57

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
MN INVESTMENTS PROPERTIES HOLDINGS LLC
1946 SOUTH CONGRESS AVENUE
WEST PALM BEACH, FL 33406

MAILING ADDRESS:
700 GREENBRIER AVENUE
FORT LAUDERDALE, FL 33325 6307
Respondent(s).

PCN: 70-43-44-08-04-000-0552

ORDER GRANTING /DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **December 19, 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:

1. The above respondent is the owner or occupant of THE PROPERTY DESCRIBED AS: CONGRESS HEIGHTS TRACT B/LESS N 132 FT OF W 125 FT/
2. On **October 17, 2024**, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of **SECTION 70-94**: Application business tax receipt required, of the Village of Palm Springs Code of Ordinances. The Respondent was given until **December 18, 2024**, within which to comply with the code, failing a fine of **\$75.00** 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, **February 17, 2025**, to comply with the Notice of Violation issued in this matter on or about **October 17, 2024**, requiring compliance on or before **December 18, 2024**.
- B. If the Respondent has not brought the alleged violations into compliance on or before the extended compliance date of **February 17, 2025**, the fine of **\$75.00 per day, per violation** shall commence from the original date of compliance of **December 18, 2024** and continue for each and every day of non-compliance.

DONE AND ORDERED this **19th** day of **December 2024**.

By: _____
Special Magistrate

Copies Furnished to the Parties by U. S. MAIL