



**AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
JANUARY 16, 2025
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. 2024-80 - 4665 Emerald Vista - Moreguard Emerald Apartments LLC
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section 14-32: No residential rental permits. Obtain a rental permit for each unit.
Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.
Section 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.
Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.
Section 46-3: Graffiti. Remove all graffiti located throughout the property.
Section 34-913: Commercial vehicles. Remove all prohibited commercial vehicles off the property.
Section 34-914: Vehicles/shipping containers. Remove all shipping containers and inoperative and/or unregistered vehicles off the property.
Section 34-765: Prohibited usage. Remove all unpermitted items being stored in the "Permit Parking Only" area.
Section 10-9: Exterior property maintenance. Repair broken dumpster enclosure door and damaged perimeter wall/Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.
Citation Fine: N/A
Admin Cost: \$296.60
Recommendation: \$100.00 per day, per violation
Compliance Date: February 1, 2025

2. Case No. 2024-81 - 3858 Lakewood Road - James R Pickens
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

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

Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.

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

Section 10-8 & 10-9: Exterior property maintenance. Open all shutters. Remove all black discoloration off the overhang extensions, exterior walls and pool area. Restore black/green colored pool water to a safe and sanitary condition. Remove all prohibited tarps. Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure/Post "3858" house ID numbers on the front of the property facing Lakewood Road.

Citation Fine:	N/A
Admin Cost:	\$236.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	February 1, 2025

3. Case No. 2024-82 - 3538 Hunt Road - William L & Marietta Barney
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

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

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

Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.

Section 14-32: No residential rental permit. Obtain a rental permit for the property.

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

Section 10-8: Weeds/driveways. Remove all weeds and resurface the driveway.

Section 10-9: Exterior property maintenance. Remove prohibited brown tarp. Repair damaged screen on the front window. Post "3538" house ID numbers on the front exterior wall of the property.

Citation Fine:	N/A
Admin Cost:	\$316.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	February 1, 2025

4. Case 2024-79 - 1946 South Congress Avenue (1952-1954 Los Dos Hermanos) - MN Investments Properties Holdings Inc.
CE Officer - Tom Gehrman
Violation of Village Code of Ordinances
Section 14-61: Hours of operation of establishment served (Restaurant).
Section 2-233: Irreparable, irreversible violation.
Citation Fine: N/A
Admin Cost: \$336.10
Recommendation: Future violations to be cited as repeat violations
Compliance Date: January 17, 2025
5. CIT Case 2024-2799 - 4420 Lake Worth Road -Tacos Al Carbon Inc.
CE Officer Nanciann Cuenot
Violation of Village Code of Ordinances
Section 2-233: Irreparable or irreversible.
Section 34-572: Violation of Village Council approval. Food trailer serving food past 11:00 p.m.
Citation Fine: \$500.00 + \$30.00 = \$530.00
Admin Cost: TBD
Recommendation: N/A
Compliance Date: January 23, 2025

**Next Magistrate Hearing is
Thursday, February 20, 2025,
at 10:00 a.m. in 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. 2024-80

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

MORGUARD EMERALD APARTMENTS LLC
Contega Business Services LLC-Registered Agent
551 S Pompano Pkwy
Pompano Beach, FL 33069
Respondent(s).

70-43-44-30-17-008-0010

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 29th, 2024**, the Respondent(s), **Moreguard Emerald Apartments LLC** owner(s) of the property at **4665 Emerald Vis, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

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

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

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

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

SECTION 46-3: Graffiti-Remove all graffiti located throughout the property.

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

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

SECTION 34-765: Prohibited Usage-Remove all unpermitted items being stored in the "Permit Parking Only" area.

SECTION 10-9: Exterior Property Maintenance-Repair broken dumpster enclosure door and damaged perimeter wall/Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.

These violations must be corrected on or before **January 14th, 2025**, 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 January 16th, 2025**. 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.

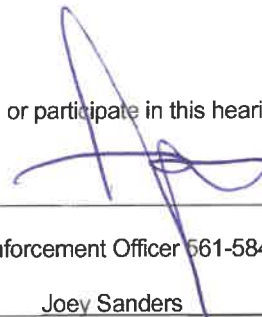
IMPORTANT: It is the responsibility of the Respondent to request an inspection as soon as compliance is achieved by calling the Code Enforcement Office at (561) 584- 8300 Ext 8520 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested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

Joey Sanders

Printed Name of Officer

Date Issued: December 29th, 2024

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-80

RETURN OF SERVICE

**MOREGUARD EMERALD APARTMENTS LLC
CONTEGA BUSINESS SERVICES LLC-REG AGENT
551 S POMPANO PKWY
POMPANO BEACH, FL 33069 3018**

Respondent

On the **29th Day of December 2024 at 2:19PM**, I served the attached NOV/NOH on the within named Respondent, **Moreguard Emerald Apartments LLC at 4665 Emerald Vis**, 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



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PALM SPRINGS POLICE DEPARTMENT

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

December 29th, 2024

MOREGUARD EMERALD APARTMENTS LLC
Contega Business Services LLC-Registered Agent
551 S Pompano Pkwy
Pompano Beach, FL 33069

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 **4665 Emerald Vis in Palm Springs, FL.**

PCN: 70-43-44-30-17-008-0010

VIOLATION/HEARING CASE 2024-80

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

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

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SECTION 10-9: Exterior Property Maintenance-Repair broken dumpster enclosure door and damaged perimeter wall/Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall

The options available include coming into voluntary compliance on or before **January 14th, 2025 OR** arguing your case at the Special Magistrate Hearing, **Thursday January 16th, 2025 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



Moreguard Emerald Apartments LLC
Contega Business Services LLC-Registered Agent
551 S Pompano Pkwy
Pompano Beach, FL 33069



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



Label 890-QDT, March 2023

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Moreguard Emerald Apartments LLC
Contega Business Services LLC-Registered Agent
551 S Pompano Pkwy
Pompano Beach, FL 33069

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. 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

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)

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. 34-765. Prohibited uses.

The following uses shall be specifically prohibited in the RM residential multiple-family land development district:

- (1) Any use not specifically, provisionally or by reasonable implication permitted, or permitted by special exception.
- (2) Time share uses.

(Code 1994, § 30-525)

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

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

-
- (c) No mobile unit shall be parked or stored on private property within the village, unless provided for in a properly approved site plan.

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

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

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

Created: 2022-10-20 09:52:56 [EST]

(Supp. No. 12)

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. 46-3. Graffiti.

- (a) *Public nuisance.* All property defaced by graffiti is hereby declared to be a public nuisance and such graffiti must be removed within the time specified in the notification by the code enforcement officer.
- (b) *Removal from property.* It shall be unlawful for any person, firm, public agency or utility owning or acting as manager or agent for the owner of the property, whether privately or publicly owned, to permit the application of or fail to remove any graffiti from the property as provided by subsection (b) of this section. If the person, firm, public agency or utility owning or acting as manager or agent for the owner of such property fails to remove the graffiti, the village shall proceed with enforcement by the code enforcement board and request a hearing.

(Code 1994, § 38-4; Ord. No. 2015-20, § 2, 5-14-2015)

State law reference(s)—Graffiti, F.S. § 806.13.

CASE PRESENTATION

CASE No. CASE 2024-80

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 #2024-80 is concerning the property located at 4665 Emerald Vis 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 Moreguard Emerald Apartments LLC.

4. Pursuant to observation there are violations of the following local ordinances:
SECTION 14-32: No Residential Rental Permits-Obtain a rental permit for each unit.
SECTION 30-141: Overgrowth-Trim all overgrown trees/bushes/vegetation.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 46-3: Graffiti-Remove all graffiti located throughout the property.
SECTION 34-913: Commercial Vehicles-Remove all prohibited commercial vehicles off the property.
SECTION 34-914: Vehicles/Shipping Containers-Remove all shipping containers and inoperative and/or unregistered vehicles off the property.
SECTION 34-765: Prohibited Use-Remove all unpermitted items being stored in the "Permit Parking Only" area.
SECTION 10-9: Exterior Property Maintenance-Repair broken dumpster enclosure door and damaged perimeter wall/Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.

Photos are included in the file.

5. On 12/21/2024, I inspected the property and observed multiple code violations to include a substantial amount of trash located on the south side of the property and a caged section of the parking lot being utilized as an unpermitted rental storage facility for commercial vehicles. This is a prohibited usage violation within a residential multi-family zoned area. I issued a code courtesy violation notice, posted it on the south side of the property and also mailed the property owner a letter. All of the other above noted violations were also discovered throughout the duration of this case.

Due to the fact that the overwhelming accumulation of trash scattered throughout the property is considered a life safety matter, I made the decision to bypass issuing additional notices and proceeded to schedule the case for the next available Special Magistrate Hearing. On 01/02/2025, I received an email from the community manager requesting to conduct an onsite meeting at the property. On 01/04/2025, I responded to the community manager's email and advised that I would be available to meet her on any Saturday or Sunday of her choosing. As of this writing, I've received no further communication from the community manager.

6. On December 29th, 2024, Notice of Violation/ Notice of Hearing 2024-80 was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

CASE No. _____

7. I request that the respondent be ordered to come into compliance by correcting all the property violations by **February 1st, 2025**. If not in compliance by **February 1st, 2025**, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.

8. The Village has also incurred costs in the amount of **\$296.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **February 1st, 2025**.

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



Case Administrative / Court Costs

January 16, 2025, 4665 Emerald Vis		Case 2024-80		
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	6.00	20.00	120.00
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 2024-80				296.60



PALM SPRINGS POLICE DEPARTMENT

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

December 21st, 2024

MOREGUARD EMERALD APARTMENTS LLC
Contega Business Services LLC-Registered Agent
551 S Pompano Pkwy
Pompano Beach, FL 33069

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 **4665 Emerald Vis Palm Springs, FL 33461**
PCN: 70-43-44-30-17-008-0010

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

SECTION 14-32

No Residential Rental Permits: No residential rental permits on file with the Village of Palm Springs. Obtain a rental permit for each unit (This parcel contains 182 units) by contacting the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

SECTION 30-143 & 34-1381

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

SECTION 34-913 & 34-914

Vehicles/Parking/Shipping Containers:

- Remove all inoperative and/or unregistered vehicles/trailers/boats off the property.
- Remove all prohibited commercial vehicles and shipping containers off the property.

Note: The amount of trash that I observed accumulating on the property is totally unacceptable and negligent. This is unsafe, unsanitary and would be considered a life safety matter which requires immediate attention. It's imperative/urgent that you either call or email me immediately or I will be left with no choice but to schedule this case for the next available Special Magistrate Hearing.

Compliance Date: Immediately

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:

12/21/2024

Time:

Location:

4665 Emerald V/S
(Apartment Complex)

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

Please address the listed code violations:

34-32- No Residential Rental Permits
30-143/34-1381- Trash/Debris/Materials/Storage
34-913/34-914- Vehicles/Parking/Shipping
Containers.

Reference Attached Letter

Compliance Date:

Immediately

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





RE: Mail - Emerald Lakes Apts

From Daphne Raguan <DRaguan@morguard.com>

Date Thu 1/9/2025 4:58 PM

To Joey Sanders <jsanders@vpsfl.org>

Cc Jonathan Jones <JJones@morguard.com>

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.

Hello Mr. Sanders

Apologies for missing your call. Fantastic, see you on Saturday.

Many thanks

DAPHNE M. RAGUAN
COMMUNITY MANAGER

Emerald Lake Apartments & Townhomes

4495 Emerald Vista

Lake Worth, FL 33461

T. 561-304-2557

M. 561-445-9346

E. draguan@morguard.com

www.emeraldlakeapartments.com

www.morguardapartments.com



From: Joey Sanders <jsanders@vpsfl.org>

Sent: Thursday, January 9, 2025 4:55 PM

To: Daphne Raguan <DRaguan@morguard.com>

Cc: Jonathan Jones <JJones@morguard.com>

Subject: Re: Mail - Emerald Lakes Apts

Good afternoon Daphne,

January 11th, 2025 at 10AM works for me as well. I look forward to meeting with you.

Have a great day.

Respectfully,



Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

230 Cypress Lane Palm Springs, FL 33461

Phone: 561-584-8300 Ext: #8525

Email: jsanders@vpsfl.org

From: Daphne Raguan <DRaguan@morguard.com>

Sent: Tuesday, January 7, 2025 10:42 AM

To: Joey Sanders <jsanders@vpsfl.org>

Cc: Jonathan Jones <JJones@morguard.com>

Subject: RE: Mail - Emerald Lakes Apts

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

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

Good Morning

Can we meet at our leasing office this Saturday, January 11th, at 10 a.m.?

Please advise

Thank You

DAPHNE M. RAGUAN
COMMUNITY MANAGER

Emerald Lake Apartments & Townhomes

4495 Emerald Vista

Lake Worth, FL 33461

T. 561-304-2557

M. 561-445-9346

E. draguan@morguard.com

www.emeraldlakeapartments.com

www.morguardapartments.com



Real Estate Potential. **Realized.**

From: Joey Sanders <jsanders@vpsfl.org>
Sent: Saturday, January 4, 2025 4:53 PM
To: Daphne Raguan <DRaguan@morguard.com>
Cc: Jonathan Jones <JJones@morguard.com>
Subject: Re: Mail - Emerald Lakes Apts

CAUTION: This email is from an external sender. Do not click links, open attachments or reply unless you recognize the sender's email address and know the content is safe.
ATTENTION : Ceci vient d'un expéditeur externe. Ne cliquez pas sur les liens, n'ouvrez pas les fichiers et ne répondez pas sauf si vous reconnaissez l'adresse et êtes sûr que le contenu est sécuritaire.

Good afternoon Daphne,

Thank you for reaching out to me and I would be more than happy to meet with you at the property. I'm temporarily only working weekends for the Village of Palm Springs so I can meet with you on any Saturday or Sunday of your choosing. Just provide me with a date and time and I'll make myself available.

Have a great weekend.

Respectfully,



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

From: Daphne Raguan <DRaguan@morguard.com>
Sent: Thursday, January 2, 2025 12:16 PM
To: Joey Sanders <jsanders@vpsfl.org>
Cc: Jonathan Jones <JJones@morguard.com>
Subject: RE: Mail - Emerald Lakes Apts

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

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

Good afternoon Mr., Sanders

Due to been out for the holidays I'm in receipt of your attached letter today and we do have a few questions. Are we able to schedule a walk thru &or meeting with you?

Prior receiving your letter we had already contacted & ordered a 30yd roll off from Waste Pro on Mon Dec 23rd, it was delivered to our property on Friday Dec 27th and started cleaning. Unfortunately, we have had a lot of issue with trash from outside people, but we are working diligently .

We also ask you to please allow us 15 days to have all inoperable vehicles removed from the property as I will be sending communication to all our residents for the next couple of days.

Please let us know your availability

Thank You

DAPHNE M. RAGUAN
COMMUNITY MANAGER

Emerald Lake Apartments & Townhomes
4495 Emerald Vista
Lake Worth, FL 33461
T. 561-304-2557
M. 561-445-9346
E. draguan@morguard.com

www.emeraldlakeapartments.com

www.morguardapartments.com



From: Caitlin Ghiciac <CGhiciac@morguard.com>
Sent: Monday, December 30, 2024 11:57 AM
To: Emerald Lakes <emeraldlake@morguard.com>
Cc: Daphne Raguan <DRaguan@morguard.com>
Subject: Mail - Emerald Lakes Apts

Good afternoon!

Please see attached your mail.

Thank you,

CAITLIN GHICIAC
Office Manager

551 S. Powerline Road
Pompano Beach, FL 33069-3018

1/9/25, 5:00 PM

Mail - Joey Sanders - Outlook

Direct: 954-543-5515

Fax: 954-956-1828

www.morguard.com



Property Detail

Location Address : 4665 EMERALD VIS
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-30-17-008-0010
Subdivision : EMERALD LAKE
Official Records Book/Page : 23007 / 507
Sale Date : DEC-2008
Legal Description : EMERALD LAKE HOUSING TR 1

Owner Information**Owner(s)**

MORGUARD EMERALD APARTMENTS LLC

Mailing Address

551 S POMPANO PKWY
 POMPANO BEACH FL 33069 3018

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
DEC-2008	\$10	23007 / 00507	WARRANTY DEED	MORGUARD EMERALD APARTMENTS LLC
JUL-2008	\$28,800,000	22788 / 01933	WARRANTY DEED	MORGUARD US INC

Exemption Information

No Exemption Information Available.

Property Information

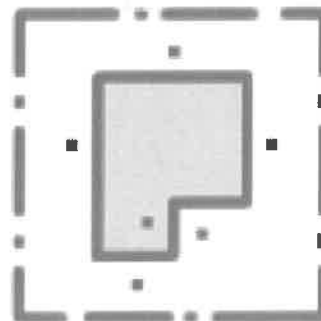
Number of Units : 182
***Total Square Feet :** 201733
Acres : 11.32
Property Use Code : 0300—MULTIFAMILY 10 UNITS OR MORE
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Building Details**Structural Details****Structural Element for Building 1**

Year Built 2003
APARTMENTS LOW RISE 44184

Sketch for Building 1**Subarea and Square Footage for Building 1**

Code Description	square Footage
SUPPORT	84
APARTMENT	7336
APARTMENT	14672
Total Square Footage	22092



Sorry, no sketch available
for this record



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



 **\$0.00**
CHECK OUT 

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

Account Information

Property Control Number:
70-43-44-30-17-008-0010

Mailing Address:
551 S POMPANO PKWY
Pompano Beach, FL 33069-3018

Owner of Record:
MORGUARD EMERALD APARTMENTS
LLC

Property Type:
Real Property

Property Address:
4665 EMERALD VIS
LAKE WORTH, FL 33461

Second Owner:

Status: Active

Legal Description:
EMERALD LAKE HOUSING TR 1

Last updated: 1/06/2025 06:45:30 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 Bill

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 Limited Liability Company
MORGUARD EMERALD APARTMENTS LLC

Filing Information

Document Number L08000110835
FEI/EIN Number N/A
Date Filed 12/03/2008
State FL
Status ACTIVE

Principal Address

55 CITY CENTRE DRIVE
SUITE 1000
MISSISSAUGA L5B 1M3 CA

Changed: 04/17/2015

Mailing Address

55 CITY CENTRE DRIVE
SUITE 1000
MISSISSAUGA L5B 1M3 CA

Changed: 04/17/2015

Registered Agent Name & Address

CONTEGA BUSINESS SERVICES, LLC
ONE INDEPENDENT DRIVE
SUITE 1200
JACKSONVILLE, FL 32202

Address Changed: 03/31/2009

Authorized Person(s) Detail

Name & Address

Title Manager

MORGUARD U.S. INC.
55 CITY CENTRE DRIVE
SUITE 1000
MISSISSAUGA L5B 1M3 CA

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT

CODE CASE: 2024 - 80

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,



MOREGUARD EMERALD APARTMENT LLC
4665 EMERALD VISTA
LAKE WORTH BEACH, FLORIDA 33461

MAILING ADDRESS:
MOREGUARD EMERALD APARTMENT LLC
551 SOUTH POMPANO PARKWAY
POMPANO BEACH, FL 33069 3018
Respondent(s).

ORDER FINDING VIOLATION

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

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

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

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

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

Section 46-3: Graffiti. Remove all graffiti located throughout the property.

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

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

Section 34-765: Prohibited use. Remove all unpermitted items being stored in the "permit parking only" area.

Section 10-9: Exterior property maintenance. Repair broken dumpster enclosure door and damaged perimeter wall. Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.

Address: 4665 EMERALD VISTA
Legal Description: EMERALD LAKE HOUSING TR 1
PCN: 70-43-44-30-17-008-0010

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **16th** day of **January 2025**, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

- ☐ Respondent **is in violation** of the following Village of Palm Springs Code of Ordinances:
- ☐ **Section 14-32: No residential rental permits. Obtain a rental permit for each unit.**
 - ☐ **Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.**
 - ☐ **Section 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
 - ☐ **Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **Section 46-3: Graffiti. Remove all graffiti located throughout the property.**
 - ☐ **Section 34-913: Commercial vehicles. Remove all prohibited commercial vehicles off the property.**
 - ☐ **Section 34-914: Vehicles/shipping containers. Remove all shipping containers and inoperative and/or unregistered vehicles off the property.**
 - ☐ **Section 34-765: Prohibited use. Remove all unpermitted items being stored in the “permit parking only” area.**
 - ☐ **Section 10-9: Exterior property maintenance. Repair broken dumpster enclosure door and damaged perimeter wall. Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.**

- ☐ Respondent **was in violation** of the following Village of Palm Springs Code of Ordinances:
- ☐ **Section 14-32: No residential rental permits. Obtain a rental permit for each unit.**
 - ☐ **Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.**
 - ☐ **Section 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.**
 - ☐ **Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.**
 - ☐ **Section 46-3: Graffiti. Remove all graffiti located throughout the property.**
 - ☐ **Section 34-913: Commercial vehicles. Remove all prohibited commercial vehicles off the property.**
 - ☐ **Section 34-914: Vehicles/shipping containers. Remove all shipping containers and inoperative and/or unregistered vehicles off the property.**
 - ☐ **Section 34-765: Prohibited use. Remove all unpermitted items being stored in the “permit parking only” area.**
 - ☐ **Section 10-9: Exterior property maintenance. Repair broken dumpster enclosure door and damaged perimeter wall. Remove all orange/black stains off the compactor door, dumpster enclosure door and perimeter wall.**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **February 1st, 2025:**
- ☐ Administrative costs of **\$ 296.60**
 - ☐ 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 **February 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. The respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **February 1st, 2025**.
- ☐ Administrative costs of **\$296.60**
- ☐ 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 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of January 2025.

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:

551 SOUTH POMPAÑO PARKWAY
POMPAÑO BEACH, FL 33069 3018

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-81

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

James R Pickens
3858 Lakewood RD
Palm Springs, FL 33461

Respondent(s).

70-43-44-19-11-001-0121

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 29th, 2024**, the Respondent(s), **James R Pickens** owner(s) of the property at **3858 Lakewood RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

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

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

SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.

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

SECTION 10-8 & 10-9: Exterior Property Maintenance-Open all shutters/Remove all black discoloration off the overhang extensions, exterior walls and pool area/Restore black/green colored pool water to a safe and sanitary condition/Remove all prohibited tarps/Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure/Post "3858" house ID numbers on the front of the property facing Lakewood RD.

These violations must be corrected on or before **January 14th, 2025**, 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 January 16th, 2025**. 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 29th, 2024 _____

Joey Sanders
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-81

RETURN OF SERVICE

**JAMES R PICKENS
3858 LAKEWOOD RD
PALM SPRINGS, FL 33461 3554**
_____ /

Respondent

On the **29th Day of December 2024 at 2:10PM**, I served the attached NOV/NOH on the within named Respondent, **James R Pickens** at **3858 Lakewood 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

406211

Office of the Sheriff, Florida
State Department of Corrections
P.O. Box 10000
Tallahassee, FL 32304

Notice of Violation and Notice of Hearing

TO: [Name Redacted]
FROM: [Name Redacted]
DATE: 12/29/2024

NOTICE OF VIOLATION AND NOTICE OF HEARING

YOU ARE HEREBY NOTICED THAT YOU HAVE VIOLATED THE RULES AND REGULATIONS OF THE STATE DEPARTMENT OF CORRECTIONS, AND YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

THE RULES AND REGULATIONS OF THE STATE DEPARTMENT OF CORRECTIONS, WHICH YOU ARE REQUIRED TO FOLLOW, ARE SET FORTH IN THE RULES AND REGULATIONS OF THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES, AND YOU ARE HEREBY NOTICED THAT YOU HAVE VIOLATED THE RULES AND REGULATIONS OF THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES, AND YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

**PALM SPRINGS POLICE DEPARTMENT**
P.O. Box 10000
Palm Springs, FL 33461

Notice of Violation and Notice of Hearing

TO: [Name Redacted]
FROM: [Name Redacted]
DATE: 12/29/2024

NOTICE OF VIOLATION AND NOTICE OF HEARING

YOU ARE HEREBY NOTICED THAT YOU HAVE VIOLATED THE RULES AND REGULATIONS OF THE PALM SPRINGS POLICE DEPARTMENT, AND YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

THE RULES AND REGULATIONS OF THE PALM SPRINGS POLICE DEPARTMENT, WHICH YOU ARE REQUIRED TO FOLLOW, ARE SET FORTH IN THE RULES AND REGULATIONS OF THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES, AND YOU ARE HEREBY NOTICED THAT YOU HAVE VIOLATED THE RULES AND REGULATIONS OF THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES, AND YOU ARE HEREBY NOTICED THAT YOU ARE REQUIRED TO APPEAR AT A HEARING TO BE CONDUCTED BY THE BOARD OF PRISONERS' COMPLAINTS AND GRIEVANCES.

29.12.2024 14:10



*Property Owner
Please call @ 801-9290*

Officer Joey Sanders

Code Enforcement

Thank You.



Palm Springs Police Department

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

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

28.12.2024 18:14



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PALM SPRINGS POLICE DEPARTMENT

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

December 29th, 2024

James R Pickens
3858 Lakewood 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 **3858 Lakewood RD in Palm Springs, FL.**

PCN: 70-43-44-19-11-001-0121

VIOLATION/HEARING CASE 2024-81

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

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

SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.

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

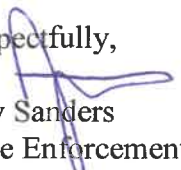
SECTION 10-8 & 10-9: Exterior Property Maintenance-Open all shutters/Remove all black discoloration off the overhang extensions, exterior walls and pool area/Restore black/green colored pool water to a safe and sanitary condition/Remove all prohibited tarps/Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure/Post "3858" house ID numbers on the front of the property facing Lakewood RD.

The options available include coming into voluntary compliance on or before **January 14th, 2025 OR** arguing your case at the Special Magistrate Hearing, **Thursday January 16th, 2025 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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US POSTAGE

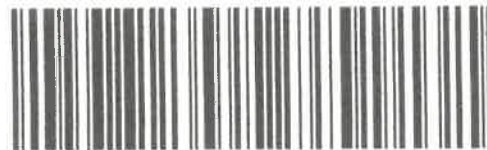
James R Pickens
3858 Lakewood RD
Palm Springs, FL 33461



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



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US POSTAGE

James R Pickens
3858 Lakewood RD
Palm Springs, FL 33461

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Sec. 10-8. Exterior property areas.

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

(Ord. No. 2006-47, § 2, 11-9-2006)

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

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

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

-
- (4) Clerestory windows exempted under this section, shall be removed ten days after the official conclusion of the hurricane season.
- (r) The owner of an occupied structure shall promptly repair any broken door or window so that a temporary boarded up condition is limited. Any such repair, other than in the case of a natural disaster, shall be made within ten (10) consecutive days. Any means of securing property including crime prevention devices shall be subject to review by the building official for safety and compliance with the Florida Building Code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Real property may be secured via boarding up windows, doors, or other openings upon the requirement of the building official provided a permit is issued by the village prior to securing a property.
- (Ord. No. 2006-47, § 2, 11-9-2006; Ord. No. 2007-07, § 2, 9-13-2007)

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

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

(Code 1994, § 26-86)

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

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

(Code 1994, § 26-86)

State law reference(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:
- (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 2024-81

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 #2024-81 is concerning the property located at 3858 Lakewood 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 James R Pickens.
4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-141: Overgrowth-Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.
SECTION 30-143: Trash/Debris/Rubbish/Materials-Remove all trash/debris/rubbish/materials stored around the property.
SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.
SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
SECTION 10-8 & 10-9: Exterior Property Maintenance-Open all shutters/Remove all black discoloration off the overhang extensions, exterior walls and pool area/Restore black/green colored pool water to a safe and sanitary condition/Remove all prohibited tarps/Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure/Post "3858" house ID numbers on the front of the property facing Lakewood RD.

Photos are included in the file.

5. On 11/26/2024, I inspected the property and observed multiple code violations to include an unregistered multi-colored Honda SUV with no tag attached partially shielded behind a broken fence and an unsecured swimming pool which contained black/green colored water. 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 two follow-up letters which advised that the condition of the swimming pool was unsafe, unsanitary and is considered a life safety matter that required immediate attention. Furthermore, the letters explained that the patio enclosure screens surrounding the swimming pool were damaged and raised concern as this would easily allow a human and/or animal access to enter the property and potentially drown. On 12/29/2024, I received a phone call from the property owner's uncle-in-law who advised that the property owner recently moved to Stuart Florida and is mentally unwell. Additionally, the uncle-in-law advised that the property owner is unable to make any improvements on the property as the property owner was involuntarily Baker Acted and is being evaluated by mental health professionals. The uncle-in-law advised that he's willing to assist with bringing the property into compliance and has remained in constant communication with me.

6. On December 29th, 2024, Notice of Violation/ Notice of Hearing 2024-81 was issued for the violations. The NOV/NOH notice was sent certified and regular mail to the respondent's address of record and posted at the property and at Village Hall. The Green Card from the certified mailing was not signed and returned. Unfortunately, the property remains in non-compliance.

CASE No. _____

7. I request that the respondent be ordered to come into compliance by correcting all the property violations by **February 1st, 2025**. If not in compliance by **February 1st, 2025**, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.

8. The Village has also incurred costs in the amount of **\$236.60** conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than **February 1st, 2025**.

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



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

January 16, 2025, 3858 Lakewood RD		Case 2024-81		
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	3.00	20.00	60.00
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 2024-81				236.60



PALM SPRINGS POLICE DEPARTMENT

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

December 21st, 2024

James R Pickens
3858 Lakewood 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 **3858 Lakewood RD Palm Springs, FL 33461**

PCN: 70-43-44-19-11-001-0121

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

Dear Mr. Pickens,

On 11/30/2024, I mailed you a letter in reference to various code violations existing at the above noted property. I provided you with an itemized list of items that needed to be addressed which included a swimming pool that contained green/black colored water. Furthermore, I advised that the condition of the swimming pool was unsafe, unsanitary and would be considered a life safety matter that required immediate attention. I observed your patio enclosure screens to be damaged/unsecured and I'm concerned that either a human or animal may enter your property and potentially drown. It's imperative/urgent that you either call or email me as soon as possible or I will be left with no choice but to schedule the case for the next available Special Magistrate Hearing.

Have a good day.

Respectfully,

Compliance Date: January 2nd, 2025

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

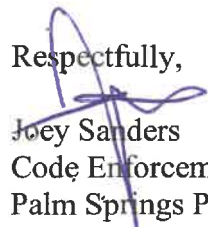
Please contact me if you have any questions and/or need further assistance.

Respectfully,

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

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

November 30th, 2024

James R Pickens
3858 Lakewood 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 **3858 Lakewood RD Palm Springs, FL 33461**

PCN: 70-43-44-19-11-001-0121

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

SECTION 30-141

Overgrowth: Mow all overgrown grass and trim all overgrown trees/bushes/vegetation.

SECTION 34-225

Fence Maintenance: Repair, replace or remove all fences that are broken or in poor condition.

SECTION 30-143

Trash/Debris/Rubbish/Materials: Remove all trash, debris, rubbish and materials off the property.

SECTION 34-914

Vehicles/Parking: Remove all inoperative and/or unregistered vehicles off the property (grey/blue Honda SUV and black motorcycle) and remove all vehicles parked on the grass (blue Toyota SUV).

SECTION 10-8 & 10-9

Exterior Property Maintenance/Accessory Structures:

- Open all shutters and remove all black discoloration off all overhang extensions.
- Remove all black discoloration off the exterior walls and area surrounding the pool.
- Remove prohibited blue tarp and repair damaged roof.
- Repair/secure all broken vents, electrical fixtures, downspouts, ripped screens, doors and damaged rear patio enclosure.
- Post "3858" house ID numbers on the front of the property facing Lakewood RD. Must be clearly visible from the roadway and a minimum of 4" height.

Note: Pool was observed in an unsafe and unsanitary condition. A pool containing green/black in color water is considered a life safety matter and MUST be corrected immediately.

Compliance Date: December 14th, 2024

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

Courtesy Code Violation Notice

Case# _____

Date: 11/26/2024 Time: _____

Location: 3858 Lakewood RD

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

Please address the listed code violations:

30-141-Overgrowth

34-225-Force maintenance

30-143-Trash/Debris/Materials/Rubbish

34-914-Vehicles/Parking

10-8/10-9-Exterior Property Maintenance/
Accessory Structures

★ Reference Attached Letter ★

Compliance Date: 12/14/2024

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. #8520





Re: Assistance Needed: 3858 Lakewood Rd Code Violations

From Joey Sanders <jsanders@vpsfl.org>
Date Thu 1/9/2025 5:14 PM
To Brian Dickson <brian@dicksonusa.com>
Cc jennifer@dicksonusa.com <jennifer@dicksonusa.com>

Good afternoon Brian,

Hope all is well. Please understand that I only work part-time for the Village of Palm Springs which typically consists of only working 2 days a week. I wanted to let you know that I was not intentionally ignoring your email and that I have not been back in the office until today. I did attempt to contact you via telephone a few minutes ago but your phone went to voicemail. I left you a voicemail which advised that I will be returning to work on Saturday and that I would be more than happy to further assist you.

Hare a great day.

Respectfully,



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

From: Brian Dickson <brian@dicksonusa.com>
Sent: Tuesday, January 7, 2025 12:04 PM
To: Joey Sanders <jsanders@vpsfl.org>
Cc: jennifer@dicksonusa.com <jennifer@dicksonusa.com>
Subject: Re: Assistance Needed: 3858 Lakewood Rd Code Violations

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

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

Good afternoon Officer Sanders,

I completely understand that it may take some time to respond to the lengthy email I sent yesterday.

Whenever you get a chance, if you could please just let me know that you received this message, I would greatly appreciate it.

Thank you,
Brian

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Brian Dickson <brian@dicksonusa.com>
Sent: Monday, January 6, 2025 11:24:15 AM
To: jsanders@vpsfl.org <jsanders@vpsfl.org>
Cc: jennifer@dicksonusa.com <jennifer@dicksonusa.com>
Subject: Assistance Needed: 3858 Lakewood Rd Code Violations

Good morning Officer Sanders,

I spoke with you last week regarding the property at 3858 Lakewood Rd owned by my uncle, James (Jim) Pickens. Jim was transferred to a mental health facility under Baker Act in Martin County last Friday evening (1/3/2025). My wife, Jennifer, and I came down from Jacksonville to assist in his care and have started doing our best to address the violations documented. Our primary areas of focus right now are to prevent accidental ingress to the pool, restoring the pool water to sanitary and clear conditions, and removing all rubbish from the property.

I have a few updates I would like to share and some questions for your feedback (marked in bold/italics) via email as soon as you get a chance, please. I've attached a satellite map image of the property from Google Maps with numbered areas corresponding to the numbered questions below.

1. Side yard fence (DSCN7194, 7199):

- My understanding is that this fence is the property of the owner at 3760 Serubi Ave.
- The owner, Colin, was in the process of repairing other parts of his fence when we arrived Saturday
- Colin asked if he could access Jim's yard so that he could repair this section of fence facing Jim's property.
- I granted permission and provided him with a key to the backyard gate.

Can these parts of the violation be removed from the record for 3858 Lakewood Rd?

2. Front fence facing Lakewood Rd (DSCN7203):

- I installed new pickets to prevent ingress into the yard through this part of the fence

3. Parking on grass (DSCN7198):

- This is an overgrown gravel driveway as seen on the map.
- We have moved the vehicle from the spot for now but still need a parking spot to use while on-site.

Would clearing the overgrowth to restore the gravel appearance suffice to resolve this concern?

4. Front gate (DSCN7202):

- I installed a gate latch and padlock to prevent unauthorized ingress through this gate

5. Lack of continuous fence on Corrigan Ct allowing accidental pool ingress (DSCN7209):

If we were to have a fence company install a chain-link fence that extends from the end of the wood fence facing Corrigan Ct and extends following the area marked in yellow, connecting to the fence at the back of the lot, given the other changes made, would this suffice to consider the pool protected from accidental ingress? Note: This would result in the removal of the existing section of chain-link fence marked with a red line.

What are the fence standards required by the Village of Palm Springs to comply (fence height, materials, aesthetic requirements, etc.)?

6. Illegally dumped waste on side yard facing Corrigan Ct (DSCN7210):

- o I have removed the waste pictured.
- o This waste was illegally dumped, likely by a drywall contractor or handyman (waste included 5 gal drywall mud bucket, appliance boxes, household trash including diaper waste, etc.)

Would it be necessary or beneficial to report the illegal dumping? Note: I have no idea when it took place.

7. Front door motion lights (DSCN7217):

- o I removed the rusty fixtures and replaced the broken lights

Are there any other issues requiring attention pictured in this photo?

8. Roof tarp over small storage room addition on right building (DSCN7206, 7195):

- o I have removed most of the tarp and will remove the rest of the tarp and concrete blocks that held it

If removal of the tarp sufficient for now or is it required that the roof be repaired to resolve the violation? The roof repair of this addition is not economical. If the violation requires repair of this part of the roof, we will likely need to investigate alternative solutions such as the demolition of this part of the building.

9. Pool, Screened Pool Enclosure, Screened Pool Enclosure Entry Doors (DSCN7205, 7207, 7208, 7209, 7211):

- o Pool is currently inoperative because the pump was stolen from the property. I am working on repairing an old pump I found or I will replace it with a new pump so I can restore the water to sanitary and clear conditions.
- o We will remove rubbish from and then clean the pool patio area.

Assuming completion of removing all accidental pool ingress points through a contiguous fence around the property, is there any code requirement to replace the screen or can the damaged screens simply be removed and the frame left in place for future use?

The following are some questions I have that are not specific to the photos:

- What is the process and medical documentation required to file for accommodations as mentioned in 10-28 for a property owner that is currently disabled (and hospitalized) due to mental illness per FHA/ADA?
- How does the initiation of the accommodation process affect the scheduled hearing on January 16th?
- If a hearing for this property will still take place on January 16th, I will attend the hearing on Jim's behalf. What documentation does the magistrate require for me to be able to do so?
- Was the code inspection at the property initiated by a report filed by a community member?

Thank you very much for your assistance in helping me understand these requirements to ultimately resolve the issues with Jim's property for the betterment of Jim and his community of the last 19 years as a whole.

Regards,

Brian Dickson
brian@dicksonusa.com
904-881-7858



Property Detail

Location Address : 3858 LAKEWOOD RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-11-001-0121
Subdivision : LAKEWOOD GARDENS PL 1 IN
Official Records Book/Page : 20102 / 1782
Sale Date : FEB-2006
Legal Description : LAKEWOOD GARDENS PLAT 1 N 130 FT OF TR 12 /LESS E 20 FT RD R/W/ BLK 1

Owner Information**Owner(s)**

PICKENS JAMES R

Mailing Address

3858 LAKEWOOD RD
 LAKE WORTH BEACH FL 33461 3554

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2006	\$250,000	20102 / 01782	WARRANTY DEED	PICKENS JAMES R
MAR-2004	\$177,000	16681 / 01417	WARRANTY DEED	BASTION LYNN
JAN-1980	\$34,000	03342 / 00376		
JAN-1977	\$20,000	02718 / 00790		

Exemption Information

Applicant/Owner(s)	Year	Detail
PICKENS JAMES R	2025	HOMESTEAD
PICKENS JAMES R	2025	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 1345
Acres : .43
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Building Details**Structural Details**

Structural Element for Building 1	Sketch for Building 1
Exterior Wall 1	MSY: CB STUCCO
Year Built	1938
Air Condition Desc.	HTG & AC
Heat Type	FORCED AIR DUCT
Heat Fuel	NONE
Bed Rooms	0
Full Baths	2
Half Baths	0
Exterior Wall 2	NONE
Roof Structure	GABLE/HIP
Roof Cover	ASPHALT/COMPOSITION
Interior Wall 1	PLASTER
Interior Wall 2	N/A
Floor Type 1	CARPETING
Floor Type 2	CERAMIC/QUARRY TILE
Stories	1



ANNE M. GANNON

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Account Information

Property Control Number:
70-43-44-19-11-001-0121

Mailing Address:
3858 LAKEWOOD RD
Lake Worth Beach, FL 33461-3554

Owner of Record:
PICKENS JAMES R

Property Type:
Real Property

Property Address:
3858 LAKEWOOD RD
PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
LAKEWOOD GARDENS PLAT 1 N 130 FT
OF TR 12 /LESS E 20 FT RD R/W/ BLK 1

Last updated: 1/09/2025 06:08:06 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

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT

CODE CASE: 2024 - 81

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,



JAMES R PICKENS
3858 LAKEWOOD ROAD
PALM SPRINGS, FLORIDA 33461 3554

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. Mow all overgrown grass and trim all overgrown trees, bushes, and vegetation.

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

Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.

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

Section 10-8 & 10-9: Exterior property maintenance. Open all shutters. Remove all black discoloration off the overhang extensions, exterior walls and pool area. Retore black/green colored pool water to a safe and sanitary condition. Remove all prohibited tarps. Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure. Post "3858" house ID numbers on the front of the property facing Lakewood Road.

Address: 3858 LAKEWOOD ROAD

Legal Description: LAKEWOOD GARDENS PLAT 1 N 130 FT OF TR 12 /LESS E 20 FT RD
R/W/ BLK 1

PCN: 70-43-44-19-11-001-0121

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 16th day of January 2025, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

- ☐ Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.
 - ☐ Section 30-143: Trash/debris/rubbish/materials. Remove all trash/debris/rubbish/materials stored around the property.
 - ☐ Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.
 - ☐ Section 34-914: Vehicles/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
 - ☐ Section 10-8 & 10-9: Exterior property maintenance. Open all shutters. Remove all black discoloration off the overhang extensions, exterior walls and pool area. Retore black/green colored pool water to a safe and sanitary condition. Remove all prohibited tarps. Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure. Post "3858" house ID numbers on the front of the property facing Lakewood Road.
- ☐ Respondent was in violation of the following Village of Palm Springs Code of Ordnaances:
- ☐ Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.
 - ☐ Section 30-143: Trash/debris/rubbish/materials. Remove all trash/debris/rubbish/materials stored around the property.
 - ☐ Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.
 - ☐ Section 34-914: Vehicles/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
 - ☐ Section 10-8 & 10-9: Exterior property maintenance. Open all shutters. Remove all black discoloration off the overhang extensions, exterior walls and pool area. Retore black/green colored pool water to a safe and sanitary condition. Remove all prohibited tarps. Repair all damaged accessory structures, roofs, vents, unsecured electrical fixtures, downspouts, ripped screens, doors and rear patio enclosure. Post "3858" house ID numbers on the front of the property facing Lakewood Road.

ORDER

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

- ☐ Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **February 1st, 2025:**
 - ☐ Administrative costs of **\$ 236.60**
 - ☐ 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 **February 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. The respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **February 1st, 2025.**
 - ☐ Administrative costs of **\$236.60**
 - ☐ 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 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of January 2025.

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:

3858 LAKEWOOD ROAD
PALM SPRINGS, FL 33461 3554

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-82

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, FL 33461
Respondent(s).

70-43-44-19-18-000-0160

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 29th, 2024**, the Respondent(s), **William L & Marietta Barney** owner(s) of the property at **3538 Hunt RD, ALM SPRINGS, FL, 33461** is in violation of local ordinances.

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

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

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

SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for the property.

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

SECTION 10-8: Weeds/Driveways-Remove all weeds and resurface the driveway.

SECTION 10-9: Exterior Property Maintenance-Remove prohibited brown tarp/Repair damaged screen on the front window/Post "3538" house ID numbers on the front exterior wall of the property.

These violations must be corrected on or before **January 14th, 2025**, 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 January 16th, 2025**. 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 29th, 2024 _____
Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-82

RETURN OF SERVICE

**WILLIAM L & MARIETTA BARNEY
4449 RENDE LN
LAKE WORTH BEACH, FL 33461 4910**

Respondent

On the **29th Day of December 2024 at 5:26PM**, I served the attached NOV/NOH on the within named Respondent, **William L & Marietta Barney** at **3538 Hunt 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



29.12.2024 17:26



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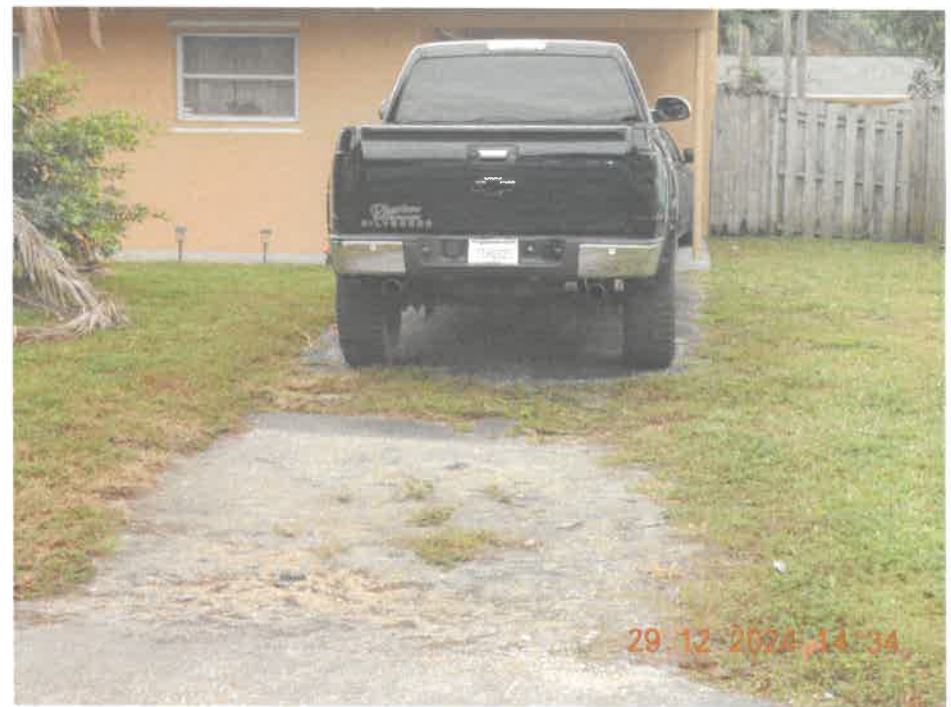
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PALM SPRINGS POLICE DEPARTMENT

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

December 29th, 2024

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, FL 33461

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3538 Hunt RD in Palm Springs, FL.**

PCN: 70-43-44-19-18-000-0160

VIOLATION/HEARING CASE 2024-82

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

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

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

SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for the property.

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

SECTION 10-8: Weeds/Driveways-Remove all weeds and resurface the driveway.

SECTION 10-9: Exterior Property Maintenance-Remove prohibited brown tarp/Repair damaged screen on the front window/Post "3538" house ID numbers on the front exterior wall of the property.

The options available include coming into voluntary compliance on or before **January 14th, 2025 OR** arguing your case at the Special Magistrate Hearing, **Thursday January 16th, 2025 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

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, FL 33461



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

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, FL 33461



9489 0178 9820 3034 7922 50



Label 890-GDT, March 2023

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

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

(Code 1994, § 30-150)

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

- (a) Parking or storage locations for cars, light trucks, motorcycles, and other vehicles not otherwise provided for in this subdivision, shall be permitted as provided below. Such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and permanent building(s), as follows:
 - (1) Within a garage, covered carport, or front driveway.
 - (2) In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house,
 - (3) In the rear yard behind the setback line, at the height of or below the roofline of the house,

-
- (4) In the swale portion of the public right of way, and not within the paved roadway, in front of a single-family residence. However, not more than two automobiles or light trucks may be parallel parked, and no vehicle so parked shall remain parked for more than 48 hours at a time.
- (b) No vehicle, boat and trailer, recreational vehicle, hobby vehicle or race vehicle shall exceed 40 feet in length.
- (c) The use of a shipping container, a portable storage container, or any type or brand of portable/mobile storage container (collectively referred to herein as "storage container(s)" or a roll-off construction dumpster ("dumpster")) within any zoning district in the village, is subject to the following regulations:
- (1) Neither a storage container nor a construction dumpster, shall be located on any property, for more than 72 consecutive hours, unless the occupant-owner or occupant-lessee, first obtains a permit from the village land development department. Applicants for such a permit, must complete and submit a permit application, on a form prescribed by the village, and pay a permit fee as established by resolution of the village council. A permit for a roll-off dumpster and the related permit fee is not required by this section, if the roll-off dumpster is separately permitted pursuant to a valid building permit issued by the village. The land development department may require the applicant to submit documentary evidence to demonstrate that the applicant is either an occupant-owner, or and occupant-lessee of the property on which the storage container or dumpster will be located, such as a deed, lease agreement, utility bill, etc.
 - (2) Not more than one standard size (eight-foot height × eight-foot width × 16-foot length) storage container or one roll-off construction dumpster in a size not to exceed (4.5-foot height × eight-foot width × 22-foot length) (20-yard capacity), may be located on an impervious or semi-pervious surface, at a single-family residence, multi-family residential property or commercial property, for a time period not to exceed 30 consecutive days. In the event of exceptional circumstances, the permit holder may request an extension of an additional 30 consecutive days time. Any request for an extension of time must be in writing, and must include a written justification statement demonstrating "good cause" as to why the 30-day period should be extended for up to an additional 30 consecutive days. The decision to grant or deny the request for an extension, shall be within the sole discretion of the village. Not more than one permit, per year, for a storage container or a dumpster, shall be issued by the village for the same property.
 - (3) No storage container or dumpster shall exceed the height of the roofline of the house or building. No storage container or dumpster, shall be located within a utility easement, drainage easement, right-of-way, front yard area (except for driveways), alley right-of-way or street right-of-way. No storage container or dumpster shall be stored within a required side yard setback between a building and an adjacent street or property line. The storage container or dumpster, must be owned or leased by the occupant-owner or occupant-lessee of the property, and may not be used for living or sleeping purposes, or for any other use except storage.
 - (4) Upon the issuance of a tropical storm watch and/or a hurricane watch by the National Weather Service, the occupant-owner or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall use every reasonable and best effort to remove, or to arrange for the removal of, the storage container or roll-off dumpster from the property. In the event removal is not possible, the storage container or the roll-off dumpster and its contents, shall be secured against windloads up to 150 mph. The occupant-owner and/or occupant-lessee of property on which a storage container or roll-off dumpster is located, shall be subject to civil liability and/or code enforcement action, for damages and/or code violations caused by an unsecured storage container or roll-off dumpster and/or its contents.
- (d) Parking or storage locations for not more than the following:

-
- (1) One boat and trailer, or recreational vehicles, or any combination thereof, shall be permitted so that such parking shall first be accomplished, whenever physically possible, based on the layout of the lot and fixed obstructions as follows:
- a. Within a garage or covered carport, if not otherwise used to park or store a vehicle such as a car, motorcycle, or light truck;
 - b. In any interior, or side yard, behind the front building line, at the height of or below the roofline of the house.
- (2) Additional boats and trailers, or recreational vehicles or any combination thereof, shall be permitted in the side yard or rear yard behind the setback lines, at the height of or below the roofline of the house.
- (e) Each vehicle, boat and trailer, trailer, recreational vehicle, hobby vehicle or race vehicle must be parked on an impervious or semipervious surface.
- (f) The maximum area of impervious and semipervious parking surface in the front yard in any residential zoning district, shall be 40 percent, unless the front yard shall contain a semicircular driveway, in which event, the maximum area of impervious and semipervious parking surface shall be 60 percent of the front yard. Paver blocks set in sand shall only be considered as 25 percent pervious and 75 percent impervious. See section 34-881 also.
- (g) Each hobby vehicle or race vehicle must be completely and securely covered by a commercial, weatherproof, opaque fabric cover. Such vehicle shall be screened from view, if parked in an interior, side or rear yard.
- (h) No major repairs or overhaul work on vehicles which constitutes either a public or private nuisance shall be made or performed on any property within the village, unless otherwise permitted by this Code.
- (i) All parking areas shall be maintained in a clean, and neat manner, and the vehicles, boat and trailer, trailer, recreational vehicle, or combination thereof, shall be in usable and operable condition at all times, and shall have a current tag, if required by state law to have a registration and tag.
- (j) Variances from the size, location, screening and distance requirements set forth in this section shall only be for good cause shown in an administrative variance application to the land development director, as set forth in section 34-607.
- (Ord. No. 2005-25, § 2(30-629), 10-13-2005; Ord. No. 2006-15, § 1, 5-11-2006; Ord. No. 2007-08, § 7, 4-26-2007; Ord. No. 2011-12, § 1, 6-9-2011; Ord. No. 2016-21, § 10, 1-12-2017)

Sec. 34-1381. Nuisances generally; scope.

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

(Code 1994, § 30-956)

CASE PRESENTATION

CASE No. CASE 2024-82

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 #2024-82 is concerning the property located at 3538 Hunt 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 William L & Marietta Barney.

4. Pursuant to observation there are violations of the following local ordinances:
SECTION 30-141: Overgrowth-Trim all overgrown trees/bushes/vegetation.
SECTION 30-143: Trash/Debris/Materials-Remove all trash/debris/materials stored around the property.
SECTION 34-1381: Open Storage-Remove all misc. items stored around the property.
SECTION 34-225: Fence Maintenance-Repair, replace or remove all fences that are broken and/or in poor condition.
SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for the property.
SECTION 34-914: Vehicles-Remove all inoperative and/or unregistered vehicles off the property.
SECTION 10-8: Weeds/Driveways-Remove all weeds and resurface the driveway.
SECTION 10-9: Exterior Property Maintenance-Remove prohibited brown tarp/Repair damaged screen on the front window/Post "3538" house ID numbers on the front exterior wall of the property.

Photos are included in the file.

5. On 01/07/2024, I inspected the property and observed multiple code violations to include a driveway that needed to be resurfaced and a brown tarp hanging from the roof. 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 four follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 09/03/2024 with a compliance date of 09/17/2024. Upon posting the original CCV notice, the property owner's son immediately reached out to me and cured many of the initial code violations. As of this writing, the property owner has failed to make any type of effort to communicate with me and I've been unable to make contact with the property owner's son since our last documented communication which was a phone call on 06/26/2024.

6. On December 29th, 2024, Notice of Violation/ Notice of Hearing 2024-82 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 February 1st, 2025. If not in compliance by February 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 February 1st, 2025.

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



Case Administrative / Court Costs

January 16, 2025, 3538 Hunt RD		Case 2024-82		
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 2024-82				316.60



PALM SPRINGS POLICE DEPARTMENT

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

September 3rd, 2024

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, 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 **3538 Hunt RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0160

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

SECTION 14-32

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

SECTION 34-225

Fence Maintenance: Repair or remove all broken sections of the fence (left side and rear).

SECTION 30-143

Trash/Debris: Remove broken copy/fax machine off the property (carport).

SECTION 10-8

Driveway Maintenance: Driveway needs to be cleaned up.

SECTION 10-9

Exterior Property Maintenance/Tarps/Mailboxes: Remove brown tarp (rear) and repair broken mailbox.

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

May 29th, 2024

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, 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 **3538 Hunt RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0160

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

SECTION 10-9

Exterior Property Maintenance/Tarps/Mailbox: Remove brown tarp (rear) and repair broken mailbox.

SECTION 30-143 & 34-1381

Trash/Debris/Open Storage: Remove all trash, debris and open storage stored throughout the property (carport and left side).

SECTION 34-225

Fence Maintenance: Repair broken section of the fence (rear). Also, replace or remove existing 4-8 ft. section of fencing (left side)

SECTION 10-8

Driveway: Driveway needs to be maintained.

SECTION 34-221

Landscape Maintenance: Improve the appearance of all sections of dead grass (front/right side).

Compliance Date: June 12th, 2024

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

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

Respectfully,

Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

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PALM SPRINGS POLICE DEPARTMENT

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

April 2nd, 2024

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, 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 **3538 Hunt RD Palm Springs, FL 33461**
PCN: 70-43-44-19-18-000-0160

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

SECTION 34-914

Vehicles/Parking: Remove all inoperative and/or unregistered vehicles off the property. Also, all vehicles must be parked on an impervious surface (no grass).

SECTION 34-225

Fence Maintenance: Repair broken section of fence (rear) and replace the left side.

SECTION 10-8

Driveways: Driveway needs to be maintained.

SECTION 10-9

Exterior Property Maintenance/Mailboxes/Tarps: Repair and/or replace broken mailbox (front) and remove dark-colored tarp (rear).

SECTION 30-143 & 34-1381

Trash/Debris/Materials/Open Storage: Remove all trash, debris, materials and misc. items stored inside the carport and the left side of the property.

Compliance Date: April 14th 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,

A handwritten signature in blue ink, appearing to be "William L. Barney", is written over the "Respectfully," text.

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

January 7th, 2024

William L & Marietta Barney
4449 Rende LN
Lake Worth Beach, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3538 Hunt RD Palm Springs, FL 33461**

PCN: 70-43-44-19-18-000-0160

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

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Shutters/Windows/Painting:

- Remove all metal shutters covering the windows located throughout the property.
- Remove black tarp (rear).
- Repair and/or replace broken window (inside carport).
- Repair and/or replace broken mailbox.
- Repair chipped paint (right side).
- Post "3538" house ID numbers on the front of the property. Must be clearly visible from the roadway and a minimum of 4" height.
- Remove all black/green discoloration off the exterior walls and fascia/trim located throughout the property.

SECTION 34-914

Vehicles/Parking: Remove all inoperative and/or unregistered vehicles off the property (green pickup). Also, all vehicles must be parked on an impervious surface (no grass).

SECTION 30-143 & 34-1381

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

SECTION 14-32

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

SECTION 10-8 & 34-225

Driveway/Fence:

- Repair and/or replace broken fence located throughout the property.
- Driveway needs to be pressure washed.

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

Overgrowth/Landscape Maintenance/Weeds:

- Trim all overgrown trees/bushes/vegetation (front).
- Remove all weeds attached to the fence, exterior walls and power lines (left side and rear).

Compliance Date: January 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

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Courtesy Code Violation Notice

Case# _____
Date: 01/07/2024 Time: _____
Location: 3538 HUNT RD

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

Please address the listed code violations:

10-4- Exterior Property Maintenance (Street Numbers/
Shutters/Windows/ Painting
34-914- Vehicles/ Parking
30-143/34-1381- Trash/Debris/Open Storage
14-32- No Residential Rental Permit
10-8/34-225- Fence/Driveway
10-8/30-142/30-142- Overgrowth/Landscape
Maintenance/Weeds
* Reference Attached Letter *

Compliance Date: 01/21/2024
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 : 3538 HUNT RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-19-18-000-0160
Subdivision : SUNSHINE ACRES IN
Official Records Book/Page : 05785 / 0106
Sale Date : JUL-1988
Legal Description : SUNSHINE ACRES LOT 16

Owner Information

Owner(s)	Mailing Address
BARNEY MARIETTA BARNEY WILLIAM L &	4449 RENDE LN LAKE WORTH BEACH FL 33461 4910

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-1988	\$51,500	05785 / 00106	WARRANTY DEED	BARNEY WILLIAM L &
JAN-1987	\$100	05149 / 01191	CERT OF TITLE	
JUL-1984	\$59,900	04312 / 00367	WARRANTY DEED	
JUN-1980	\$100	03309 / 00704	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 1
***Total Square Feet :** 1648
Acres : .21
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

Building Details**Structural Details**

Structural Element for Building 1		Sketch for Building 1
Exterior Wall 1	MSY: CB STUCCO	
Year Built	1962	
Air Condition Desc.	HTG & AC	
Heat Type	FORCED AIR DUCT	
Heat Fuel	ELECTRIC	
Bed Rooms	0	
Full Baths	2	
Half Baths	0	
Exterior Wall 2	NONE	
Roof Structure	GABLE/HIP	
Roof Cover	ASPHALT/COMPOSITION	
Interior Wall 1	DRYWALL	
Interior Wall 2	N/A	
Floor Type 1	CARPETING	
Floor Type 2	N/A	
Stories	1	

Subarea and Square Footage for Building 1



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT



Return

New Search

Print Page

View Assessment Data



Account Information

Property Control Number:
70-43-44-19-18-000-0160

Mailing Address:
4449 RENDE LN

Lake Worth Beach, FL 33461-4910

Owner of Record:
BARNEY WILLIAM L &

Property Type:
Real Property

Property Address:
3538 HUNT RD

PALM SPRINGS, FL 33461

Second Owner:
BARNEY MARIETTA

Status: Active

Legal Description:
SUNSHINE ACRES LOT 16

Last updated: 1/09/2025 08:11:06 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

VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT

CODE CASE: 2024 - 82

VILLAGE OF PALM SPRINGS, FLORIDA

Petitioner,

WILLIAM L & MARIETTA BARNEY

3538 HUNT ROAD

LAKE WORTH BEACH, FLORIDA 33461



MAILING ADDRESS:

WILLIAM L & MARIETTA BARNEY

4449 RENDE LANE

LAKE WORTH BEACH, FL 33461 4910

Respondent(s).

ORDER FINDING VIOLATION

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

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

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

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

Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.

Section 14-32: No residential rental permit. Obtain a rental permit for the property.

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

Section 10-8: Weeds/driveways. Remove all weeds and resurface the driveway.

Section 10-9: Exterior property maintenance. Remove prohibited brown tarp. Repair damaged screen on the front window. Post "3538" house ID numbers on the front exterior wall of the property.

Address 3538 HUNT ROAD
Legal Description: SUNSHINE ACRES LOT 16
PCN: 70-43-44-19-18-000-0160

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 16th day of January 2025, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

- ☐ Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.
- ☐ Section 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.
- ☐ Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.
- ☐ Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.
- ☐ Section 14-32: No residential rental permit. Obtain a rental permit for the property.
- ☐ Section 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.
- ☐ Section 10-8: Weeds/driveways. Remove all weeds and resurface the driveway.
- ☐ Section 10-9: Exterior property maintenance. Remove prohibited brown tarp. Repair damaged screen on the front window. Post "3538" house ID numbers on the front exterior wall of the property.
- ☐ Respondent was in violation of the following Village of Palm Springs Code of Ordinances:

- ☐ Section 30-141: Overgrowth. Trim all overgrown trees/bushes/vegetation.
- ☐ Section 30-143: Trash/debris/materials. Remove all trash/debris/materials stored around the property.
- ☐ Section 34-1381: Open storage. Remove all miscellaneous items stored around the property.
- ☐ Section 34-225: Fence maintenance. Repair, replace or remove all fences that are broken and/or in poor condition.
- ☐ Section 14-32: No residential rental permit. Obtain a rental permit for the property.
- ☐ Section 34-914: Vehicles. Remove all inoperative and/or unregistered vehicles off the property.
- ☐ Section 10-8: Weeds/driveways. Remove all weeds and resurface the driveway.
- ☐ Section 10-9: Exterior property maintenance. Remove prohibited brown tarp. Repair damaged screen on the front window. Post "3538" house ID numbers on the front exterior wall 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 **February 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 **February 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. The respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **February 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 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. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of January 2025.

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:

4449 RENDE LANE
LAKE WORTH BEACH, FL 33461 4910

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-79

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

MN INVESTMENTS PROPERTIES HOLDINGS INC
700 GREENBRIAR AVENUE
FORT LAUDERDALE FL 33325 6307
Respondent.

PCN 70-43-44-08-04-000-0552

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **DECEMBER 23, 2024**, the Respondent, **MN INVESTMENTS PROPERTIES HOLDINGS INC** owners of the property at **1946 S CONGRESS AVE** and the **Tangible Account within the parcel at 1952-1954 S CONGRESS AVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances. It is named Los Dos Hermanos Restaurant.

SECTION 2-233 IRREVERSIBLE OR IRREPARABLE

SECTION 14-61 VIOLATION OF HOURS OF OPERATION, RESTAURANT (open after 11:00pm)

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 JANUARY 16, 2025. 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.

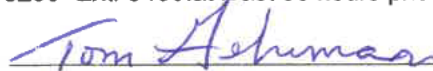
YOU ARE HEREBY ORDERED to appear and answer the above charges. You may choose to waive your rights to this hearing and the costs as determined by the Special Magistrate. Your failure to appear may result in the Special Magistrate proceeding in your absence.

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 8522 and providing proof of Permits and Inspections. A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

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

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


Code Enforcement Officer 561-584-8300 ext. 8522

Tom Gehrman
Printed Name of Officer

Date Issued: DECEMBER 26, 2024

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2024-79

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
v.

MN INVESTMENTS PROPERTIES HOLDINGS INC
700 GREENBRIAR AVENUE
FORT LAUDERDALE FL 33325 6307
Respondent.

Notices
Certified 7-27-24
9489 0178 9820 3034 7922 29
Regular 7-27-24
Posting 7-27-24
PCN 70-43-44-08-04-000-0552

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **DECEMBER 23, 2024**, the Respondent, **MN INVESTMENTS PROPERTIES HOLDINGS INC** owners of the property at **1946 S CONGRESS AVE** and the **Tangible Account within the parcel at 1952-1954 S CONGRESS AVE, PALM SPRINGS, FL, 33461** is in violation of local ordinances. It is named Los Dos Hermanos Restaurant.

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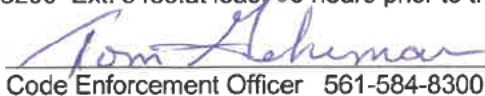
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Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made, including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


Code Enforcement Officer 561-584-8300 ext. 8522

Tom Gehrman
Printed Name of Officer

Date Issued: DECEMBER 26, 2024.

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2024-79

RETURN OF SERVICE

**MN INVESTMENTS PROPERTIES HOLINGS INC.
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307**
_____ /

Respondent

On the 27th Day of DECEMBER 2024 at 10:52 am, I served the attached Notice of Violation/Notice of Hearing on the within named Respondents, **MN INVESTMENTS PROPERTIES HOLDINGS INC.** at **1946 S CONGRESS AVE. Units 1952 & 1954**, Palm Springs, FL 33406 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

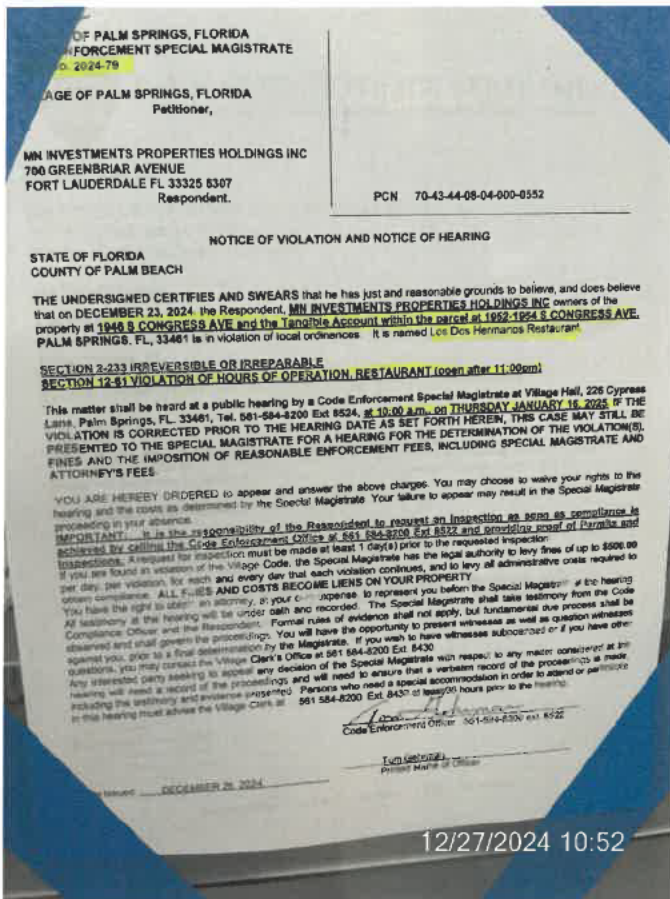
_____ INDIVIDUAL SERVICE: By serving the within named Respondent a true copy with the date and hour of service endorsed thereon by me.

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

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

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Tom Lehman



Posting 12-27-25
1946 S. Congress Ave
UNITS 1952 + 1954
Case 2024-79
"Los Dos Hermanos"
RESTAURANT



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 26, 2024

MN INVESTMENTS PROPERTIES HOLDINGS INC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **1946 S. CONGRESS AVE in Palm Springs, FL**

PCN: 70-43-44-08-04-000-0552

Tangible Account with this parcel is 1952-1954 S Congress Ave, Los Dos Hermanos

CASE 2024 - 79

Violations:

SECTION 14-61 (b) Hours of Operation of Establishments where Served.

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 11:00pm after all restaurants serving alcoholic beverages within the Village must close.

Section 2-233 (b) Irreparable or irreversible violation

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, **THURSDAY JANUARY 16, 2025, 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 26, 2024

MN INVESTMENTS PROPERTIES HOLDINGS INC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **1946 S. CONGRESS AVE in Palm Springs, FL**

PCN: 70-43-44-08-04-000-0552

Tangible Account with this parcel is 1952-1954 S Congress Ave, Los Dos Hermanos

CASE 2024 - 79

Violations:

SECTION 14-61 (b) Hours of Operation of Establishments where Served.

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 11:00pm after all restaurants serving alcoholic beverages within the Village must close.

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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, FL 33461



quadrant
FIRST-CLASS MAIL
IMI
\$000.69⁰
12/27/2024 ZIP 33480
043M31255277
US POSTAGE

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307



PALM SPRINGS POLICE
230 CYPRESS LANE
PALM SPRINGS, FL 33461



9489 0178 9820 3034 7922 29

Label 890-QDT, March 2023



quadrant
FIRST-CLASS MAIL
IMI
\$008.16⁰
12/27/2024 ZIP 33480
043M31255277
US POSTAGE

MN INVESTMENTS PROPERTIES HOLDINGS LLC
700 GREENBRIAR AVENUE
FORT LAUDERDALE, FL 33325 6307

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— Hours, authority to regulate, F.S. §§ 562.14, 562.45.

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.

CASE PRESENTATION

CASE No. 2024-79 1946 S Congress Ave

1. Good morning, my name is Tom Gehrman, and I have been sworn in.
2. I am a Code Officer for the Village of Palm Springs, Florida.
3. This CASE NO. 2024-79 Concerns the property at 1946 S Congress Ave, Palm Springs, Fl and Tangible Account within this Parcel at Units 1952 & 1954 occupied by Los Dos Hermanos Restaurant
4. According to the Palm Beach County Tax Collector and Palm Beach County Property Appraiser's Records, the owner of the property is MN Investments Properties Holdings Inc.
5. The property is in violation of Village Code Section: 2-233 Irreparable or irreversible Violation; SECTION 14-61 Violation of Hours of Operation, Restaurant (open after 11:00pm).
6. The violation at the Tangible Account within parcel 1946 is the Restaurant "Los Dos Hermanos" at units 1952-1954. The "open after hours" violations have been ongoing for recent months with multiple violations in December of 2024. Palm Springs Police Sargent Ryan McCluskey is here today to testify.
7. On DECEMBER 26, 2024, a Notice of Violation/Notice of Hearing was Issued for the violations of code sections: 2-233 and 14-61.
The Notice was mailed Certified and Regular to the Address of Record and Posted at the Property. The Notice was also Posted at Village Hall.
8. The Village requests a Finding of Fact that the Property was in Violation of code sections: 2-233 and 14-61 by remaining open past 11:00 P.M. in violation of Restaurant operating Hours.
9. The Village has incurred costs in the amount of \$336.10 in the prosecution of this case and I request the Respondent be ordered to Reimburse those costs to the Village by no later than JANUARY 30, 2025.
10. I ask that the entire file be entered into evidence and pending any further question you may have; this concludes the Village's testimony.



The Village of Palm Springs FLORIDA



Case Administrative / Court Costs

January 16, 2025, 1946 S Congress Ave - Los Dos Hermanos

Case 2024-79

Line #	Description	Unit #	Cost	Total
1	Additional Inspector Time - 1 hour CE	2.00	35.00	70.00
2	Additional Inspector Time - 1 hour Bldg	0.00	60.00	0.00
3	Additional Inspector Time - 1 hour LD Director	0.00	70.00	0.00
4	Additional photos re-inspections - 5.00 per photo	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	92.00
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 2024-79				336.10



Palm Springs Police Department Supervisor's Shift Report



Date 12/23/24 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 24-31832 CFS# End 24-31874

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24-31860 S-75 4420 Lake Worth Rd.

Tacos Al Carbon food trailer was operating after 11:00 p.m.

24-31863 S-75 1954 S. Congress Ave.

Los Dos Hermanos was operating after 11:00 p.m. Subjects were drinking beer at pool table and ran out the back door when they saw the Officer.



Palm Springs Police Department Supervisor's Shift Report



Date 12/19/24 Shift Bravo ☐ Supervisor Sgt McCluskey ☐ Jail Inspection ☒ Facility Issues

10-61 Village Facilities ☒ 10-61 Directed ☒

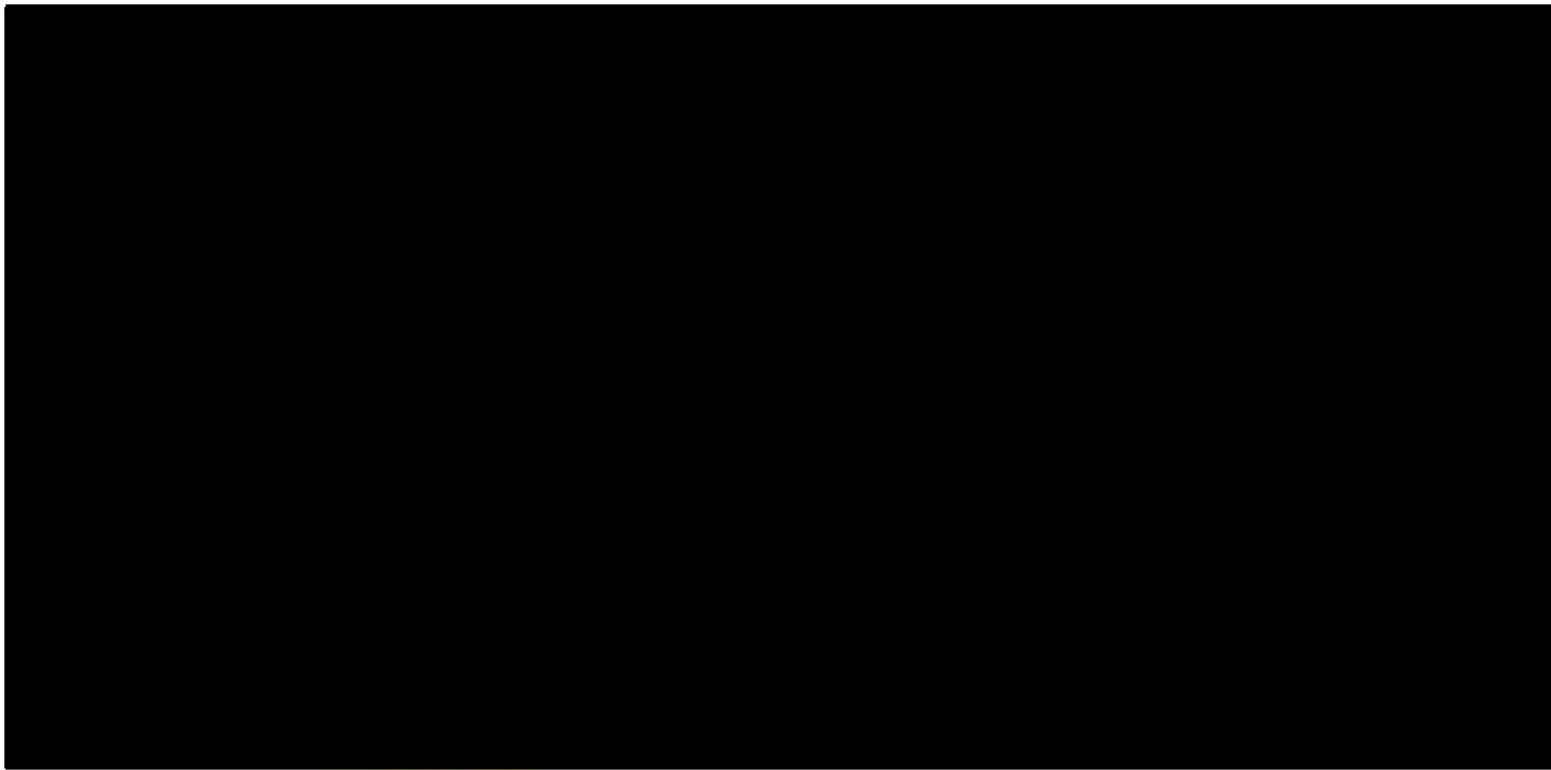
Response to Resistance ☐ Case#

Pursuit ☐ Case#

CAD Narrative Review CFS# Start 24-31647 CFS# End 24-31497

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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24-31494 S-75 4053 Lake Worth Rd.

El Rey Liquor was found operating without a license and open beyond the 11:00 p.m. required closing time, if they were properly licensed.

24-31493 S-75 1954 S. Congress Ave.

Los Dos Hermanos was found serving alcohol at the bar after 11:00 pm.



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



Date 12/13/24 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 24-30831 CFS# End 24-30887

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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24-30882	S-75	1952 S. Congress Ave.	Los Dos Hermanos was open and serving alcohol past 2AM.
----------	------	-----------------------	---

zoning inspections. I am working on getting these issues resolved immediately.

I have given violations to the tenant as well, regarding business open after hours as well. Hopefully, this will never happen again.

Thank you for all your help,

Warm Regards,

Jason Young

Lic. Real Estate Broker

Young United Realty

9 SE 11 Ave suite B

Pompano Beach FL 33060

Office : 954-715-7112

Cell: 954-914-5778

Website: www.youngunitedrealtyfl.com



From: Thomas Gehrman <tgehrman@vpsfl.org>

Sent: Wednesday, October 30, 2024 10:33 AM

To: Jason Young <jason@youngunitedrealty.com>

Cc: Nanciann M. Cuenot <ncuenot@vpsfl.org>; Christian Melendez Berrios <cmelendezberrios@vpsfl.org>;

Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>

Subject: 1946 S Congress (unit 1952, Dos Hermanos)

Good Afternoon, Jason,

I am a code officer working with Nanci Cuenot.

I have received police reports that **1952 S Congress, Dos Hermanos Restaurant** is open after hours. (after 11:00pm).

In investigating their license status, it appears that they do not have a license, required inspections have not been done.

Without a license with the Village the restaurant should not be open at all.

Inspections that have not been done and are required include.

Fire Inspections

Building Inspections

Zoning Inspection

This would be a violation that falls upon the Property Owner to make sure that businesses on their property are properly licensed.

I was told they darkened it so officers could not see inside at night.

Thanks



Chief Thomas Ceccarelli

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

From: Thomas Gehrman <tgehrman@vpsfl.org>

Sent: Wednesday, October 30, 2024 2:26 PM

To: Jason Young <jason@youngunitedrealty.com>

Cc: Nanciann M. Cuenot <ncuenot@vpsfl.org>; Christian Melendez Berrios <cmelendezberrios@vpsfl.org>;

Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>

Subject: Re: 1946 S Congress (unit 1952, Dos Hermanos)

Thanks for your effort to get this stuff into compliance.

They should NOT be open for business until inspections are done and a License is Issued.

Respectfully,



Tom Gehrman

Code Enforcement Officer
Village of Palm Springs
Cell: 561-814-3208
Phone: (561) 584-8300, 8522
tgehrman@vpsfl.org

From: Jason Young <jason@youngunitedrealty.com>

Sent: Wednesday, October 30, 2024 1:55 PM

To: Thomas Gehrman <tgehrman@vpsfl.org>

Cc: Nanciann M. Cuenot <ncuenot@vpsfl.org>; Christian Melendez Berrios <cmelendezberrios@vpsfl.org>;

Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>

Subject: Re: 1946 S Congress (unit 1952, Dos Hermanos)

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.

Hello Thomas

Good afternoon, the BTR has been approved last week pending inspections. The fire inspection is scheduled for early next week, once completed they will call out for building and

**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 <ncuenot@vpsfl.org>**Sent:** Wednesday, October 30, 2024 2:51 PM**To:** Thomas Ceccarelli <tceccarelli@vpsfl.org>; Thomas Gehrman <tgehrman@vpsfl.org>**Cc:** Christian Melendez Berrios <cmelendezberrios@vpsfl.org>; Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>**Subject:** Re: 1946 S Congress (unit 1952, Dos Hermanos)

Good afternoon,

I was on site Monday 10/28 and found that the windows to the north of the address 1952 were covered with carpet. The windows to the south of #1952 are not tinted have window blinds. The front door is a clear zone.

I was previously advised by Village attorney, that we can enforce window tinting and signage, but we cannot enforce what they cover the windows with or place within their spaces. I've had dark tint removed on units to expose unsightly window coverings, spaces and situations, so I inquired.

**Nanciann Cuenot, CEP**

Code Enforcement Officer

226 Cypress Lane | Palm Springs, Florida 33461

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: Thomas Ceccarelli <tceccarelli@vpsfl.org>**Sent:** Wednesday, October 30, 2024 2:30 PM**To:** Thomas Gehrman <tgehrman@vpsfl.org>**Cc:** Nanciann M. Cuenot <ncuenot@vpsfl.org>; Christian Melendez Berrios <cmelendezberrios@vpsfl.org>;Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>**Subject:** RE: 1946 S Congress (unit 1952, Dos Hermanos)

Tom

Can someone check their window tinting to see if it meets code?

Yes, we can enforce the window tint and window signs. Also, the carpet is prohibited. I cannot make them take down blinds, drapery, or other acceptable window covering. The entry door must remain a clear zone.

I will have the tint, and the carpet removed.

(c)



Nanciann Cuenot, CEP

Code Enforcement Officer

226 Cypress Lane | Palm Springs, Florida 33461

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: Thomas Ceccarelli <tceccarelli@vpsfl.org>

Sent: Wednesday, October 30, 2024 3:04 PM

To: Nanciann M. Cuenot <ncuenot@vpsfl.org>; Thomas Gehrman <tgehrman@vpsfl.org>

Cc: Christian Melendez Berrios <cmelendezberrios@vpsfl.org>; Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>

Subject: RE: 1946 S Congress (unit 1952, Dos Hermanos)

Thanks Nanciann.

So if officers respond at night and cannot see inside because of tint or coverings, is that an enforceable violation?

If so, could they note that in a report, take pictures and forward the info to you?



Chief Thomas Ceccarelli

Palm Springs Police Department

230 Cypress Lane

Palm Springs, Florida 33461

561-584-8300 ext. 8511

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

Sent: Wednesday, October 30, 2024 3:00 PM

To: Thomas Ceccarelli <tceccarelli@vpsfl.org>; Thomas Gehrman <tgehrman@vpsfl.org>

Cc: Christian Melendez Berrios <cmelendezberrios@vpsfl.org>; Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter Ringle <pringle@vpsfl.org>

Subject: Re: 1946 S Congress (unit 1952, Dos Hermanos)

I see that the bottom portion of the carpet covered windows have mirrored tint on them. I will have the property manager remove the tint and the carpet.



Re: 1946 S Congress (unit 1952, Dos Hermanos)

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

Date Wed 10/30/2024 3:42 PM

To Thomas Ceccarelli <tceccarelli@vpsfl.org>

Cc Thomas Gehrman <tgehrman@vpsfl.org>; Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter J. Buhr <pbuhr@vpsfl.org>; Ralph Fequiere <rfequiere@vpsfl.org>

Thank you

**Nanciann Cuenot, CEP**

Code Enforcement Officer

226 Cypress Lane | Palm Springs, Florida 33461

Phone: 561.584.8300 Ext. 8524

Email: ncuenot@vpsfl.org

From: Thomas Ceccarelli <tceccarelli@vpsfl.org>

Sent: Wednesday, October 30, 2024 3:41 PM

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

Cc: Thomas Gehrman <tgehrman@vpsfl.org>; Katelyn M. Niskanen <kniskanen@vpsfl.org>; Peter J. Buhr <pbuhr@vpsfl.org>; Ralph Fequiere <rfequiere@vpsfl.org>

Subject: RE: 1946 S Congress (unit 1952, Dos Hermanos)

Great. We will instruct nightshift officers to document the violations and forward them to you.

Thanks

**Chief Thomas Ceccarelli**

Palm Springs Police Department

230 Cypress Lane

Palm Springs, Florida 33461

561-584-8300 ext. 8511

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

Sent: Wednesday, October 30, 2024 3:39 PM

To: Thomas Ceccarelli <tceccarelli@vpsfl.org>

Subject: Re: 1946 S Congress (unit 1952, Dos Hermanos)

Property Detail

Location Address : 1946 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-08-04-000-0552
Subdivision : CONGRESS HGHTS IN
Official Records Book/Page : 29780 / 120
Sale Date : FEB-2018
Legal Description : CONGRESS HEIGHTS TRACT B /LESS N 132 FT OF W 125 FT/

Owner Information

Owner(s)

MN INVESTMENTS PROPERTIES HOLDINGS LLC

Mailing Address

700 GREENBRIAR AVE
FORT LAUDERDALE FL 33325 6307

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
FEB-2018	\$2,200,000	29780 / 00120	WARRANTY DEED	MN INVESTMENTS PROPERTIES HOLDINGS LLC
AUG-2008	\$2,500,000	22833 / 01255	WARRANTY DEED	CHONG FAMILY INVESTMENT INC

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 22862
Acres : 1.68
Property Use Code : 1100—STORES
Zoning : CG—COMMERCIAL GENERAL (70-PALM SPRINGS)

Building Details

Structural Details

Structural Element for Building 1

Year Built	1973
STRIP SHOPPING CNTR	22862

Subarea and Square Footage for Building 1

Code Description	square Footage
MULTIPLE TENANT RETAIL	22862
SAL	
Total Square Footage	22862

Sketch for Building 1



Property Extra Feature

Description	Year Built	Units
Paving- Asphalt	1973	53495

Property Land Details

Land Line #	Description	Zoning	Acres
1	COMMERCIAL	CG	1.6824

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$1,590,071	\$1,660,881	\$1,613,661	\$1,338,523	\$1,363,283
Land Value	\$762,886	\$762,886	\$726,244	\$622,914	\$622,914
Total Market Value	\$2,352,957	\$2,423,767	\$2,339,905	\$1,961,437	\$1,986,197

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$2,352,957	\$2,373,339	\$2,157,581	\$1,961,437	\$1,986,197
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$2,352,957	\$2,373,339	\$2,157,581	\$1,961,437	\$1,986,197

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$45,717	\$46,823	\$44,392	\$40,378	\$41,246
NON AD VALOREM	\$6,337	\$6,137	\$5,853	\$5,569	\$5,452
TOTAL TAX	\$52,054	\$52,960	\$50,245	\$45,947	\$46,698

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

Search Results

70-43-44-08-04-000-0552
TANGIBLE Accounts @ 1946 S. Congress

Owner Name	Location	Municipality	Account Number	Mall Address	Mall City State Zip	Homesteaded
ALI BEAUTY STUDIO	1962S CONGRESS AVE	PALM SPRINGS	231419	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
ALL LOVES LOCS	1950S CONGRESS AVE	PALM SPRINGS	016005	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
CENTRO FAMILIAR DE ADORACION	1958S CONGRESS AVE	PALM SPRINGS	137356	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
CH BENEFITS	1964S CONGRESS AVE	PALM SPRINGS	237292	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
CITY MARKET HN	1946S CONGRESS AVE	PALM SPRINGS	240920	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
LILYS NAILS SALON	1948S CONGRESS AVE	PALM SPRINGS	227650	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
LIVING LEGACY TATOOS	1976S CONGRESS AVE	PALM SPRINGS	240919	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
RESTAURANT LOS DOS HERMANOS	1952S CONGRESS AVE	PALM SPRINGS	192098	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
THRIFT CENTER	1980S CONGRESS AVE	PALM SPRINGS	201256	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N
TRUE CARE MENTAL HEALTH	1972S CONGRESS AVE	PALM SPRINGS	231412	700 GREENBRIAR AVE	FORT LAUDERDALE FL 33325 6307	N

*



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

Detail by Entity Name

Florida Not For Profit Corporation

PRESTON SQUARE PROPERTY OWNERS ASSOCIATION, INC

Filing Information

Document Number N16000011360
FEI/EIN Number 82-3329383
Date Filed 11/28/2016
State FL
Status ACTIVE
Last Event REINSTATEMENT
Event Date Filed 11/07/2017

Principal Address

12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Changed: 06/09/2022

Mailing Address

12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Changed: 06/09/2022

Registered Agent Name & Address

Poliakoff & Backer
400 S. Dixie Hwy
Suite 420
Boca Raton, FL 33432

Name Changed: 04/26/2024

Address Changed: 04/26/2024

Officer/Director Detail

Name & Address

Title President

Bravo, Cynthia
12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Title Treasurer

Thakur, Kim
12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Title VP

Lander Gomez, Juan
12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Title Secretary

Padilla, Marzio
12765 Forest Hill Blvd.
SUITE 1320
Wellington, FL 33414

Annual Reports

Report Year	Filed Date
2022	02/11/2022
2023	04/12/2023
2024	04/26/2024

Document Images

04/26/2024 -- ANNUAL REPORT	View image in PDF format
04/12/2023 -- ANNUAL REPORT	View image in PDF format
06/09/2022 -- AMENDED ANNUAL REPORT	View image in PDF format
02/11/2022 -- ANNUAL REPORT	View image in PDF format
04/12/2021 -- ANNUAL REPORT	View image in PDF format
10/09/2020 -- AMENDED ANNUAL REPORT	View image in PDF format
03/31/2020 -- ANNUAL REPORT	View image in PDF format
05/06/2019 -- ANNUAL REPORT	View image in PDF format
04/05/2018 -- ANNUAL REPORT	View image in PDF format
11/07/2017 -- REINSTATEMENT	View image in PDF format
11/28/2016 -- Domestic Non-Profit	View image in PDF format



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2024-79

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

**MN INVESTMENTS PROPERTIES HOLDINGS LLC
1946 SOUTH CONGRESS AVENUE
PALM SPRINGS, FL 33461**

**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 2-233: Irreversible or irreparable.

Section 14-61: Violation of hours of operation, restaurant (open after 11:00pm).

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 **16th** day of **January 2025**, 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.**

☐ **Section 14-61: Violation of hours of operation, restaurant (open after 11:00pm).**

- ☐ 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.**

☐ **Section 14-61: Violation of Hours of Operation, Restaurant (open after 11:00pm).**

ORDER

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

- ☐ Respondent **has** brought the cited code violation(s) into compliance. **I request a finding of fact that the property owner was in violation of code sections: 2-233 and 14-61 by remaining open past 11:00 P.M. in violation of Village Ordinances and additional occurrences will be viewed as repeat violations.** The Respondent has failed to pay and is ordered to pay the following amounts on or before **January 30, 2025:**
- ☐ Administrative costs of **\$336.10**
 - ☐ 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. **I request a finding of fact that the property owner was in violation of code sections: 2-233 and 14-61 by remaining open past 11:00 P.M. in violation of Village Ordinances and additional occurrences will be viewed as repeat violations.** The Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **January 30, 2025.**
- ☐ Administrative costs of **\$336.10**
 - ☐ 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 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. 8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 16th day of January 2025.

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](#)
[Palm Springs, FL 33461](#)

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

CITATION NO. 2799

DAY OF WEEK	MONTH	DAY	YEAR	TIME
Monday 12-30-2024 7:30am				
FIRST NAME	MID INT.	LAST NAME		
TALOS AL		CARBON		
STREET ADDRESS				
4420 LAKE WORTH RD				
CITY	STATE	ZIP CODE		
LAKE WORTH BCH, FL		33461		
TAG NO.		DESCRIPTION		
VIOLATION CODE SECTION(S) & DESCRIPTION:				
Sec. 2-233 Irreparable or				
irreversible				
Sec. 34-572 Violation of Village				
Council Approval - Food Trailer				
serving food past 11:00 PM				
☒ REPEAT VIOLATION				

Nanciann Chenot
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:

January 16, 2025 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 \$ 500.00. 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 JAN 10, 2025, 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



PALM SPRINGS POLICE DEPARTMENT

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

DECEMBER 30, 2024

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

Dear Property Owner,

A **Citation Case No. 2024-2799** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **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

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

ANNEXATION AGREEMENT (6)(III)(d) Hours of Operation. On December 29, 2024, food was served after 11:00 p.m. The Mobile Food Trailer shall be limited to operating between 7 a.m. and 11 p.m.

THIS IS A REPEAT VIOLATION AND A FINE OF \$500.00.

The options available include coming into voluntary compliance and paying the Citation **OR** arguing your case at the Special Magistrate hearing, **THURSDAY, JANUARY 16, 2025 AT 10:00 AM** which 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 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



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



Date 12/29/24 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 24-32346 CFS# End 24-32395

Shift Calls Summary

Case #	Signal	Address	Brief of Case
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24-32383	S-75	4420 Lake Worth Rd.	Tacos Al Carbon was serving food from the food trailer after 11PM.
----------	------	---------------------	--