



**MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
FEBRUARY 20, 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.

CALL TO ORDER

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

ROLL CALL

Present: Special Magistrate Keith Davis, Code Enforcement Officer Supervisor Thomas Gehrman, Code Enforcement Officer Henry Stout, Code Enforcement Officer Nanciann Cuenot, Code Enforcement Officer Joey Sanders, Building Official Peter Ringle, Village Attorney Ben Saver, and Records Clerk Andrea Medero.

SWORN IN

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

AGENDA CHANGES

Village Attorney Saver informed the Magistrate that item #1 (Case No. 2025-01 - 4040 South Military Trail) has been continued to the next Special Magistrate Hearing on March 20, 2025.

MOTION HEARINGS

1. **Case No. 2025-01 - 4040 South Military Trail - Tuller Properties LLC**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-572: Violations. Violation and non-compliance of conditions of the Annexation Agreement Ordinance No. 2014-36 approved by the Village Council on December 11, 2024.

Citation Fine: N/A
Admin Cost: TBD

Recommendation: \$250.00 per day
Compliance Date: May 21, 2025

(STAFF REQUESTED THAT THIS CASE BE CONTINUE TO THE 20, 2025 HEARING).

2. Case 2025-04 - 3808 Canal 9 Road - Michael R. Graeve
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 30-141: Overgrowth, excessive growth of weeds and vegetation.

Section 30-143: Trash debris and rubbish scattered on the property.

Section 34-914: Parking violations, missing license tags, inoperable vehicles.

Section 34-225: Missing and broken fencing, repairs or replacement required.

Citation Fine: N/A

Admin Cost: \$279.10

Recommendation: \$100.00 per day, per violation

Compliance Date: March 19, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3808 Canal 9 Road and the recommendations made by the Village.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had violated sections 30-141, 30-143, 34-914, and 34-225. The defendant is required to correct these violations by March 19, 2025. If compliance is not achieved by March 19, 2025, the Village's recommendation of a daily fine of \$100.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$279.10 to be paid before March 19, 2025.

3. Case No. 2025-05 - 3697 Gulfstream Road - Kevine Joseph & Bernadette J Saint
Hubert

CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

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

Section 34-221: Landscape maintenance. Replace all sections of dead grass.

Section 34-915: Vehicles. RV campers may not be used for living or sleeping purposes and must be shielded from public view and parked on an impervious surface.

Section 10-31 (FBC 105.1 & 110.1): Working without permits. Obtain an after the fact permit for the installation of a fence and pavers.

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

Section 34-914: Shipping containers and vehicles. Remove all prohibited shipping containers and remove all vehicles parked on the grass.

Section 10-8: Weeds and driveways. Remove all weeds attached to the rear fence and maintain the driveway.

Section 10-9: Exterior property maintenance. Post "3697" house ID numbers on the front exterior wall of the property.

Citation Fine:	N/A
Admin Cost:	\$276.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	March 1, 2025

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3697 Gulfstream Road and the recommendations made by the Village.

Kevine Joseph, one of the owners, attended the hearing. Mr. Joseph said that he has been working to ensure compliance but requires additional information about what the village requests and what is permitted under the village ordinance.

Special Magistrate Davis found that the defendant had violated sections 30-141, 34-1381, 34-221, 34-915, 10-31 (FBC 105.1 & 110.1), 30-143, 34-914, 10-8, and 10-9. The defendant is required to correct these violations by April 24, 2025. If compliance is not achieved by April 24, 2025, the Village's recommendation of a daily fine of \$100.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$276.60 to be paid before April 24, 2025.

4. Case No. 2025-06 - 3663 Almar Road - Liliana Rondon & Leonila P Verdecia
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 34-221: Landscape maintenance. Replace all sections of dead grass.

Section 30-143: Trash and debris. Remove all trash and debris stored in front of the property.

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

Section 34-914: Vehicles/parking. Remove all vehicles parked on the grass and trailer must be shielded from public view and parked on an impervious surface.

Section 10-31 (FBC 105.1 & 110.1): Working without permits. Obtain an after the fact permit for the installation of a fence, pavers, sheds and structures/additions.

Section 10-9: Exterior property maintenance. Repair damaged section of the fascia located on the left side of the property.

Citation Fine:	N/A
Admin Cost:	\$276.60
Recommendation:	\$100.00 per day, per violation
Compliance Date:	March 1, 2025

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3663 Almar Road and the recommendations made by the Village.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had complied with sections 30-143 and 10-9. However, the property is still in violation of sections 34-221, 10-8, 34-914, and 10-31 (FBC 105.1 & 110.1). The defendant is required to correct these violations by March 1, 2025. If compliance is not achieved by March 1, 2025, the Village's recommendation of a daily fine of \$100.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$276.60 to be paid before March 1, 2025.

REASONABLE ACCOMMODATION REQUESTS

PETITION FOR REDUCTION OR ABATEMENT OF FINE

5. **Case 2023-46 - Meadow Road (vacant lot) - Angel Ponce Torres**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

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

Initial Violation: September 7, 2023

Order Finding Violation: September 21, 2023

Compliance Deadline: October 16, 2023

Compliance Date: November 11, 2024

Fine Amount: \$39,100.00

Citation Fine: N/A

Admin Cost: 216.91 (paid), \$250 Application Fee (paid)

Recommendation: \$7,820.00

Compliance Date: March 3, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at Meadow Road (vacant lot) and the recommendations made by the Village.

Angel Ponce, the property owner, attended the hearing accompanied by Code Enforcement Officer Henry Stout, who assisted with translation. Mr. Ponce requested a reduction of the fine to 10%, explaining that he was not aware of the property issue until it was too late. This delay forced him to hire an attorney for representation but was not very helpful, as the attorney failed to appear for the two previous audits.

Special Magistrate Keith Davis reduced the fine to \$5,000.00, which must be paid by April 20, 2025. If the fine is not paid by this deadline, it will revert to the original amount of \$39,100.00.

6. **Case 2024-01 - 1965 South Congress Avenue - Congress Plaza II Inc.**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-1327: Insufficient off-street parking.

Section 34-1332: Off-street parking.

Section 34-1329: Minimum parking requirement. Auto Repairs.

Section 10-8: Exterior of property.

Section 30-141: Overgrown commercial property.

Section 30-142: Maintenance of right-of-way.

Section 30-143: Trash & debris.

Section 34-912: Parking vehicles have no valid tag/registration for an extended time.

Initial Violation:	June 5, 2023
Order Finding Violation:	December 12, 2023
Compliance Deadline:	February 9, 2024, and March 9, 2024, with permits & inspections
Compliance Date:	July 25, 2024, and August 20, 2024
Fine Amount:	\$101,700.00
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	\$30,510.00
Compliance Date:	March 20, 2025

Code Enforcement Officer Ms. Cuenot testified about the violations cited at 1965 South Congress Avenue and the recommendations made by the Village.

Billy Sahni and Mark Brewr, the property owners, attended the hearing. Mr. Brewr indicated that they had attempted to contact the tenant of the former auto repair shop but received no response from the owner. He also mentioned that a new auto repair shop had opened since the previous owner left. Mr. Brewr and Mr. Sahni requested a 10% reduction on the fine.

Code Enforcement Officer Supervisor Thomas Gehrman testified about the violations cited at 1965 South Congress Avenue.

Special Magistrate Keith Davis reduced the fine to \$25,000. This amount must be paid no later than May 20, 2025. If the reduced payment is not submitted by this deadline, the fine will revert to the original amount of \$101,700.00.

7. Case 2024-29 - 85 Morgans Way - FYR SFR TRS LLC

CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-8: Weeds.

Section 30-141: Overgrowth.

Section 34-883: Hedges.

Section 30-143: Trash/debris/materials.

Section 34-1381: Open storage.

Section 34-225: Fence Maintenance.

Section 34-914: Vehicles/parking.

Section 10-9: Exterior property maintenance. Remove all black discoloration off the front door. Repair damaged gutter. Repair broken window. Repair broken mailbox.

Initial Violation: August 26, 2023

Order Finding April 18, 2024

Violation:

Compliance May 1, 2024

Deadline:

Compliance Date: December 2, 2024

Fine Amount: \$172,000.00

Citation Fine: N/A

Admin Cost: Paid

Recommendation: \$68,800.00

Compliance Date: March 1, 2025

Code Enforcement Officer Mr. Sanders testified about the violations cited at 85 Morgans Way and the recommendations made by the Village.

Joanne Hernandez represented the property owners during the meeting. She indicated that the owners are currently in the process of selling the property and requested a 10% reduction on both citations. Mr. Sanders expressed his support for the proposed reduction. As a result, the special magistrate ruled that both cases (item #8 and item #9) would receive a 10% reduction, lowering the fine to \$17,200.00 for case 2024-29. This amount must be paid no later than March 1, 2025. If the reduced payment is not submitted by this deadline, the fine will revert to the original amount of \$172,000.00.

**8. CIT Case 2022-2602 - 85 Morgans Way - FYR SFR TRS LLC
CE Officer Joey Sanders**

Violation of Village Code of Ordinances

Section 34-914: Parking violations on residential property.

Section 30-143: Public nuisance trash and debris.

Initial Violation: September 20, 2022

Order Finding October 20, 2022

Violation:

Compliance November 16, 2022

Deadline:

Compliance Date: December 2, 2024

Fine Amount: \$149,400.00

Citation Fine: Paid

Admin Cost: Paid

Recommendation: \$59,760.00

Compliance Date: March 1, 2025

Code Enforcement Officer Mr. Sanders testified about the violations cited at 85 Morgans Way and the recommendations made by the Village.

Joanne Hernandez represented the property owners during the meeting. She indicated that the owners are currently in the process of selling the property and requested a 10% reduction on both citations. Mr. Sanders expressed his support for the proposed reduction. As a result, the special magistrate ruled that both cases (item #8 and item #9) would receive a 10% reduction, lowering the fine to \$14,940.00 for case 2022-2602. This amount must be paid no later than March 1, 2025. If the reduced payment is not submitted by this deadline, the fine will revert to the original amount of \$149,400.00.

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

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

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 70-94: Application. Local business tax receipt required. Exemptions Unit # 1958 & 1966.

Citation Fine: N/A

Admin Cost: Paid

Recommendation: March 20, 2025

Compliance Date: December 18, 2024

Code Enforcement Officer Ms. Cuenot testified about the violations cited at 1946 South Congress Avenue and the recommendations made by the Village.

There was no representation from the property owner.

Special Magistrate Davis assessed the extension of time.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 11:10 a.m.

**Next Magistrate Hearing is
Thursday, March 20, 2025, at 10:00 a.m.**

February 20, 2025, Special Magistrate Meeting Minutes

The undersigned is the Records Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Special Magistrate Meeting held on February 20, 2025.

Respectfully,

Andrea Medero

Records Clerk

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

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

II. Persons with Disabilities:

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

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

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

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

III. Complaint Procedures:

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

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