



**AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
MARCH 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 10:02 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, Code Enforcement David Urrutia, 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 #8 (Case No. 2025-01 - 4040 South Military Trail) has been continued to the next Special Magistrate Hearing on April 17, 2025.

AGENDA CHANGES

MOTION HEARINGS

1. **Case No. 2021-55 - 4610 Luzon Avenue - Bethel Church of God**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 105.4): Working with no issued permits FBC 110.1.

No required inspections.

Citation Fine:

N/A

Admin Cost:	TBD
Recommendation:	Village Foreclosure
Compliance Date:	TBD

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 4610 Luzon Avenue and the recommendations made by the Village.

There was no representation from the owner.

The magistrate asked if this was a homestead property, to which Mr. Gehrman replied that it was not. After reviewing the evidence presented, Magistrate Davis approved the authorization for foreclosure.

2. **Cases No. 2015-34, 2021-38, 2023-2612 - 3734 Gulfstream Road - Miguel Tijero & Isrrael Tijero**

CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Sections in cases 2015-34, 2021-38 and 2023-2612.

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

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3734 Gulfstream Road and the recommendations made by the Village.

There were no representations from the owners.

The magistrate asked if this was a homestead property, to which Mr. Gehrman replied that it was not. After reviewing the evidence presented, Magistrate Davis approved the authorization for foreclosure.

3. **Case No. 2025-08 - 3990 Lakewood Road - Carlos & Mirla Osuna**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Failure to obtain the required building permit before starting work. Failure to have any required inspections of work.

Citation Fine:	N/A
Admin Cost:	\$339.10
Recommendation:	\$200.00 per day
Compliance Date:	April 16, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3990 Lakewood Road and the recommendations made by the Village.

Owner Carlos Osuna was present at the meeting. Mr. Osuna requested 90 days to comply with everything.

Special Magistrate Davis found that the defendant had violated section 10-31 (FBC 105.1 & 110.0). The defendant is required to correct these violations by April 16, 2025. If compliance is not achieved by April 16, 2025, the Village will assess a daily fine of \$200.00 per day. Special Magistrate Davis assessed administrative costs of \$339.10 to be paid before April 16, 2025.

4. **Case No. 2025-10 - 4213 Narcissus Avenue - Susana L Cedeno Rigol**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Work without permits. Obtain an after-the-fact permit for the installation of a wood fence, metal fence and concrete slab.

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

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

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

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

Section 34-225: Fence maintenance. Repair or remove broken chain-link fence and remove broken metal fence post located in the front lawn.

Section 34-893: Canopies. Remove prohibited blue and white canopy.

Section 34-914 & 34-915: Vehicles. Remove unregistered RV/camper off the property. RV/camper may not be used for living or sleeping purposes.

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

Section 10-9: Exterior property maintenance. Remove all metal shutters covering the windows.

Citation Fine: N/A

Admin Cost: \$296.60

Recommendation: \$100.00 per day, per violation

Compliance Date: April 1, 2025

Code Enforcement Officer Mr. Sanders testified about the violations cited at 4213 Narcissus Avenue and the recommendations made by the Village.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had violated sections 10-31 (FBC 105.1 & 110.1), 34-221, 30-141, 10-8, 14-32, 34-225, 34-893, 34-914, 34-915, 30-143, and 10-9. The defendant is required to correct these violations by April 1, 2025. If compliance is not achieved by April 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 \$296.60 to be paid before April 1, 2025.

5. **Case No. 2025-09 - 4320 Lakewood Road - Phillip & Sabrina Lamb**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

Section 34-914: Vehicles/parking. Remove all vehicles parked on the grass.

Section 10-8: Accessory structures. Remove all black/green discoloration off the shed.

Section 10-9: Exterior property maintenance. Remove all metal bars and wood boards covering the windows and doors. Repair all broken windows. Repair broken mailbox and label with "4320" house ID numbers.

Citation Fine: N/A

Admin Cost: \$256.60

Recommendation: \$100.00 per day, per violation

Compliance Date: April 1, 2025

Code Enforcement Officer Mr. Sanders testified regarding the violations cited at 4320 Lakewood Road and the recommendations made by the Village. He noted that the property had complied with sections 10-8 and 10-9 concerning exterior property maintenance, including removing wooden boards covering the windows, repairing broken mailboxes, and properly labeling house ID numbers. However, Mr. Sanders clarified that the property remains in violation of Sections 34-914 and 10-9 regarding repairing broken windows.

Phillip and Sabrina Lamb were present at the meeting. Mr. Lamb spoke regarding the vehicle parked on the grass. He said his parking lot only holds two vehicles, so the third would block the driveway. Parking it on the grass is a way to avoid blocking the driveway. He also explained that the bars on the gate window were for security and that the wood was on the windows because they were broken.

The magistrate inquired with the Code Enforcement about possible solutions to the parking issue, including the expansion of the existing parking lot. Mr. Sanders replied that the owners would need to discuss this matter further with the Planning and Zoning department.

The magistrate asked building official Peter Ringle whether the obstructed windows violated fire codes and inquired about the metal bars. Mr. Ringle explained that the wooden panels should be removed from the windows, as they would serve as an essential escape route in an emergency if the doors were blocked. He also noted that while metal bars are permitted on the rear door window, they must not obstruct access to the doors.

Special Magistrate Davis found that the defendant had complied with sections 10-8 and 10-9 concerning exterior property maintenance, including removing wooden boards covering the windows, repairing broken mailboxes, and properly labeling house ID numbers. However, the property is still in violation of sections 34-914, and 10-9 regarding repairing broken windows. The defendant is required to correct

these violations by July 24, 2025. If compliance is not achieved by July 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 \$256.60 to be paid before July 25, 2025.

6. **CIT Case 2020-2442 & Case No. 2022-43 - 2887 Lake Worth Road - I.S. & R.G. LLC**

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

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

Section 10-8: Exterior of property.

Section 10-9: Exterior of building.

Section 46-3: Graffiti.

Case 2020-2442 Order Finding June 18, 2020

Violation

Case 2020-2442 Lien recorded March 10, 2021

Case 2022-43 Order Finding October 20, 2022

Violation

Case 2022-43 Lien recorded February 15, 2024

Fine Amount: \$74,500.00 + \$184,200.00 = \$258,700.00

Citation Fine: Paid

Admin Cost: Paid

Recommendation: Order Authorizing Foreclosure

Code Enforcement Officer Ms. Cuenot testified about the violations cited at 2887 Lake Worth Road and the recommendations made by the Village.

The Magistrate asked Ms. Cuenot when the certified copies were recorded to establish the lien and whether the property was classified as a homestead. Ms. Cuenot replied that the lien for case 2022-43 was recorded on February 15, 2024, while the lien for case 2020-2442 was recorded on March 10, 2021. She also clarified that the property is commercial, not homestead.

Owner Gloria Beshara attended the hearing and mentioned that she had been trying to sell the property for some time, but due to its current condition, she had been unsuccessful.

After reviewing the evidence, Magistrate Davis granted foreclosure authorization for both cases.

7. **Case No. 2025-07 - 2953 Holly Road - NS 2 PROJECT LLC**

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-823: No accessory uses. Outdoor storage of a recreational vehicle is not permitted in the CG commercial general land development district.

Section 34-914 (e): No parking on the grass.

Section 10-30(g)(3): Unimproved property maintenance. Maintenance shall include, but shall not be limited to, watering, irrigation, cutting, and mowing of required landscape and removal of all trimmings and weeds. Landscaping should not include gravel or broken concrete. Remove unapproved surface material and replace with sod.

Section 10-30 (h)(2): Sod required.

Section 10-30 (e)(1): Application for vacant property registration required.

Section 30-143: Trash and debris.

Citation Fine:	N/A
Admin Cost:	\$261.45
Recommendation:	\$50.00 per day, per violation
Compliance Date:	May 5, 2025

Code Enforcement Officer Ms. Cuenot testified regarding the violations cited at 2953 Holly Road and the recommendations made by the Village. She noted that the property had complied with sections 34-823 and 34-914(e). However, Ms. Cuenot clarified that the property remains in violation of sections 10-30(g), 10-30(h), 10-30(e), and 30-143.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had complied with sections 34-823 and 34-914(e). However, the property is still in violation of sections 34-823 and 34-914(e). However, Ms. Cuenot clarified that the property remains in violation of sections 10-30(g), 10-30(h), 10-30(e), and 30-143. The defendant is required to correct these violations by May 5, 2025. If compliance is not achieved by May 5, 2025, the Village's recommendation of a daily fine of \$50.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$261.45 to be paid before May 5, 2025.

8. Case 2025-01 - 4040 S 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:	TBD

(STAFF REQUESTED THAT THIS CASE BE CONTINUED TO THE APRIL 17, 2025 HEARING).

REASONABLE ACCOMMODATION REQUESTS

PETITION FOR REDUCTION OR ABATEMENT OF FINE

9. **Case No. 2016-100 - 3423 Grace Avenue - Erica Bell**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 78-69: Connection required to the Palm Springs Wastewater system & abandonment of the septic tank.

Initial Violation:	November 29, 2016
Order Finding Violation:	March 14, 2017
Compliance Deadline:	April 14, 2017
Compliance Date:	November 22, 2017
Fine Amount:	\$44,400.00
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	\$8,380.00.00
Compliance Date:	March 31, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 3423 Grace Avenue and the recommendations made by the Village.

Owner Erica Bell was present with her husband, Jamil Bell. Jamil mentioned that they became aware of the violations while refinancing the property. They expressed their gratitude to Mr. Gehrman and Ms. Cuenot for all the assistance they had provided. He also noted that they would need a 10% down payment.

Special Magistrate Keith Davis reduced the fine to \$4,190.00, 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 \$44,400.00.

10. **Case No. 2023-33 - 261 Woodland Road - Rose Naples Est.**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-9: Exterior building; maintenance violations.

Section 30-143: Public Nuisance; overgrowth, trash & debris.

Initial Violation:	July 10, 2023
Order Finding Violation:	July 20, 2023
Compliance Deadline:	August 16, 2023
Compliance Date:	December 16, 2024
Fine Amount:	\$48,700.00
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	\$5,440.00

Compliance Date:

March 31, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 261 Woodland Road and the recommendations made by the Village.

Property owner Gilberto Da Cruz was present. Mr. Da Cruz stated that they were requesting the reduction because they would need money for the repairs needed to bring the property into compliance.

Special Magistrate Keith Davis reduced the fine to \$5,440.00, 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 \$48,700.00.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 11:26 a.m.

**Next Magistrate Hearing is
Thursday, April 17, 2025, at 10:00 a.m.**

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 March 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