



**AGENDA
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
MAY 15, 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. 2025-20 - 3590 Almar Road - Jean Albert Gibbs & Marie Nelly Gibbs
CE Officer Joey Sanders
Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1 & 110.1): Work without permits. Remove all unpermitted structures.
Section 14-32: No residential rental permit. Obtain a rental permit for Unit #3590.
Section 10-8: Weeds. Remove all weeds attached to the fence.
Section 30-141: Overgrowth. Mow all the overgrown grass and remove all excess vegetation.
Section 34-225: Fence maintenance. Repair or remove all broken fences.
Section 34-914: Vehicles/parking. Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
Section 10-9: Exterior property maintenance. Paint fascia located on the left side of the property. Replace the broken "2" house ID number on the front of the property.
Citation Fine: N/A
Admin Cost: \$276.60
Recommendation: \$100.00 per day, per violation
Compliance Date: June 1, 2025

2. Case No. 2025-21 - 3591 April Avenue - Elier Garcia Gonzalez
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 windows, doors and pavers.

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

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

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

Section 34-913: Commercial vehicles. Remove all commercial vehicles/trailers/equipment.

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

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the east side of the property. Secure all loose electrical wires. Repair broken dryer vent and all sections of rotted wood on the door frame.

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

3. Case No. 2025-22 - 3818 South Congress Avenue - Bismillah Enterprises Inc.
CE Officer Nanciann Cuenot

Repeat Violation of Village Code of Ordinances

Section 30-143: Repeat Violation – Nuisance - trash & debris.

Violation of Village Code of Ordinances

Section 10-30: Unimproved and Vacant Property Registration and Maintenance Requirements

Citation Fine: N/A
Admin Cost: \$192.98
Recommendation: Section 30-143 Nuisance Trash & Debris - \$250.00 per day
Section 10-30 Unimproved property registration and Maintenance \$100.00 per day
Compliance Date: Repeat violation - May 10, 2025
Section 10-30 - July 15, 2025

PETITION FOR REDUCTION OR ABATEMENT OF FINE

4. CIT Case 2022-53 - 4331 Dale Road - Erick A. Encarnacion & Alison L. Garcia
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Garage door removed and building enclosed, no required issued permits. No required inspections

Initial Violation: November 28, 2022
Order Finding Violation: December 15, 2022
Compliance Deadline: February 17, 2023

Compliance Date:	January 24, 2025
Fine Amount:	\$25,552.70
Citation Fine:	NA
Admin Cost:	Paid
Recommendation:	\$5,110.54
Compliance Date:	May 30, 2025

STIPULATION AND AGREED ORDER

**Next Magistrate Hearing is June 17, 2025
@ 10:00 A.M. in 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. 2025-20

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Jean A & Marie N Gibbs
3592 Almar RD
Palm Springs, FL 33461

Respondent(s).

70-42-44-24-00-000-5242

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **April 26th, 2025**, the Respondent(s), **Jean A & Marie N Gibbs** owner(s) of the property at **3590 Almar RD, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Remove all unpermitted structures.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for Unit #3590.

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

SECTION 30-141: Overgrowth-Mow all overgrown grass and remove all excess vegetation.

SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.

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

SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the left side of the property/Replace broken "2" house ID number on the front of the property.

These violations must be corrected on or before **May 13th, 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 May 15th, 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.

Code Enforcement Officer 561-584-8300 ext. 8525

Joey Sanders

Printed Name of Officer

Date Issued: April 26th, 2025

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2025-20

RETURN OF SERVICE

**JEAN A & MARIE N GIBBS
3592 ALMAR RD
PALM SPRINGS, FL 33461 3402**
_____ /

Respondent

On the **26th Day of April 2025 at 4:11PM**, I served the attached NOV/NOH on the within named Respondent, **Jean A & Marie N Gibbs** at **3590 Almar RD**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

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

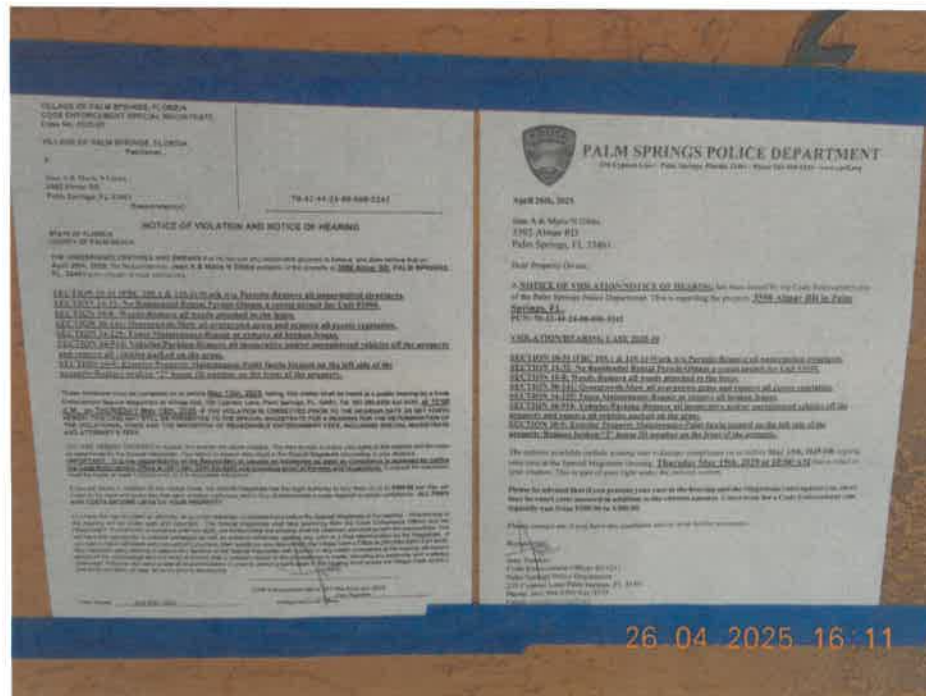
XX POSTED BY: Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders #221
Code Enforcement Officer



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- Remove weeds.



- Paint fascia.



- Remove unpermitted structure.



- Remove trash/debris/materials.



- Remove trash/debris/materials.



- Touch up small sections with paint.



- Remove vehicle off the grass.



- Remove prohibited canopy.



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- Remove trash/debris/materials -



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PALM SPRINGS POLICE DEPARTMENT

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

April 26th, 2025

Jean A & Marie N Gibbs
3592 Almar RD
Palm Springs, FL 33461

Dear Property Owner,

A **NOTICE OF VIOLATION/NOTICE OF HEARING** has been issued by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property **3590 Almar RD in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5242

VIOLATION/HEARING CASE 2025-20

SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Remove all unpermitted structures.

SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for Unit #3590.

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

SECTION 30-141: Overgrowth-Mow all overgrown grass and remove all excess vegetation.

SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.

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

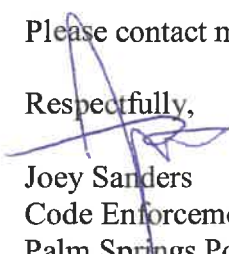
SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the left side of the property/Replace broken "2" house ID number on the front of the property.

The options available include coming into voluntary compliance on or before **May 13th, 2025 OR** arguing your case at the Special Magistrate Hearing, **Thursday May 15th, 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

Jean A & Marie N Gibbs
 3592 Almar RD
 Palm Springs, FL 33461

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 PALM SPRINGS, FL 33461



CERTIFIED MAIL®

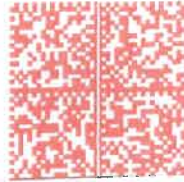
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Jean A & Marie N Gibbs
 3592 Almar RD
 Palm Springs, FL 33461

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US POSTAGE

Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the Building Official.

SECTION 105

PERMITS

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

105.1.1 Annual facility permit. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical or plumbing or interior nonstructural office system(s), the Building Official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The Building Official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual Facility permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Building Official shall have access to such records at all times or such records shall be filed with the Building Official as designated. The Building Official is authorized to revoke such permit if code violations are found to exist.

105.1.3 Food permit. In accordance with 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the local floodplain management ordinance. Permits shall not be required for the following:

Building:

1. Building permits are not required for replacement or repair work having a value of less than \$1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.
2. Cabinets and countertops with no reconfiguration for one- and two- Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Traditional swings and other standard playground equipment accessory to detached one- and two-family dwellings, as determined by the Building Official, but they may be subject to Zoning permits.
5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.
6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the Building Official as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the Building Official that shall be in addition to the required permit fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The Building Official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The Building Official is authorized to establish and publish a refund policy through local ordinance, which is located in the Village of Palm Springs Municipal Code Ch. 10, section 10-56.

SECTION 110 INSPECTIONS

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

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever

the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the Building Official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The Building Official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications, and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the Building Official. The Building Official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

The Building Official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction;
2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction. Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance. Such inspectors shall be a registered architect, or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes may perform the inspections, under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the Building Official and including a code compliance opinion of the resident inspector. At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the Building Official, stating that the work was done in compliance with this code and in

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.

Created: 2022-10-20 09:52:48 [EST]

(Supp. No. 12)

-
- (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,

(Supp. No. 12)

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but not limited to, lethal yellowing of palms, or any other peculiar characteristics, might, in time of hurricane winds prevalent in the region, cause damage to life or property within the immediate area surrounding the region or which constitutes a hazard to health, safety or proper fire control. The existence of any debris, overgrowth, vegetation or other matter as shall create such a hazard is declared to be a nuisance.

(Code 1994, § 26-86)

Sec. 34-225. 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 an 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

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(Supp. No. 12)

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 2025-20

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 #2025-20 is concerning the property located at 3590 Almar RD within the Village of Palm Springs.

3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is Jean A & Marie N Gibbs.

4. Pursuant to observation there are violations of the following local ordinances:
SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Remove all unpermitted structures.
SECTION 14-32: No Residential Rental Permit-Obtain a rental permit for Unit #3590.
SECTION 10-8: Weeds-Remove all weeds attached to the fence.
SECTION 30-141: Overgrowth-Mow all overgrown grass and remove all excess vegetation.
SECTION 34-225: Fence Maintenance-Repair or remove all broken fences.
SECTION 34-914: Vehicles/Parking-Remove all inoperative and/or unregistered vehicles off the property and remove all vehicles parked on the grass.
SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the left side of the property/Replace broken "2" house ID number on the front of the property.

Photos are included in the file.

5. On 06/11/2024, I inspected the property and observed multiple code violations to include overgrown vegetation and several unregistered vehicles being stored on the property. I issued a code courtesy violation notice and posted it on the front door of Unit #3590. 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 and I also sent numerous emails which included an attachment containing a copy of the rental permit application with instructions. On 02/02/2025, I conducted a site visit and hand delivered a copy of the rental permit application directly to the property owner. I pointed out all of the existing code violations and thoroughly explained what actions needed to be taken. The property owner advised that he understood and agreed to a final compliance due date of 03/01/2025. As of this writing, the property remains in the same condition since my last site visit and the property owner has failed to make any type of effort to further communicate with me.

6. On April 26th, 2025, Notice of Violation/ Notice of Hearing 2025-20 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 June 1st, 2025. If not in compliance by June 1st, 2025, a \$100.00 PER DAY PER VIOLATION fine shall commence.

8. The Village has also incurred costs in the amount of \$276.60 conducting this investigation and hearing. I request that the respondent be ordered to reimburse those costs to the Village by no later than June 1st, 2025.

CASE No. _____

CASE No. _____
CASE No. _____

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



PALM SPRINGS POLICE DEPARTMENT

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

September 3rd, 2024

Jean A & Marie N Gibbs
3592 Almar RD
Palm Springs, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3592 Almar RD Palm Springs, FL 33461**

PCN: 70-42-44-24-00-000-5242

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 10-8 & 34-225

Weeds/Fence Maintenance: Remove all weeds attached to the fence (left side and right side) and repair all broken sections of the fence (right side).

SECTION 30-143

Trash/Debris/Materials: Remove all trash, debris and materials stored around the property.

SECTION 34-914

Vehicles/Parking:

- Remove all vehicles off the grass. All vehicles must be parked on an impervious surface.
- Remove all inoperative and/or unregistered vehicles off the property (gold Saturn sedan and white 2-D Chrysler).

SECTION 10-9

Exterior Property Maintenance/Paint: Paint over white spots located beside Unit 3590's front door.

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

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

June 11th, 2024

Jean A & Marie N Gibbs
3592 Almar RD
Palm Springs, FL 33461

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3590 Almar RD Palm Springs, FL 33461 (Unit #3590 & Unit #3592)**

PCN: 70-42-44-24-00-000-5242

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. Obtain a rental permit for each unit by contacting the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

SECTION 30-143 & 34-1381

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

SECTION 10-8 & 34-225

Weeds/Fence Maintenance: Repair, replace or remove broken wood fence and remove all weeds attached to the fence (right side).

SECTION 30-141 & 30-142

Overgrowth/Landscape Maintenance:

- Mow all overgrown grass located throughout the property.
- Trim all overgrown trees/vegetation/bushes located throughout the property. This includes all vegetation encroaching over the property line.

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 10-9

Exterior Property Maintenance/Shutters/Gutters/Doors/Paint: Repair or replace all broken gutters (front). Also, remove white paint off of 3590's front door.

Compliance Date: June 25th, 2024

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

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

Respectfully,



Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence

Courtesy Code Violation Notice

Case# _____

Date: 06/11/2024 Time: _____

Location: 3590/3592 Almar RD

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

Please address the listed code violations:

34-32 - No Residential Rental Permit

30-143/34-136 I - Trash/Debris/Material/Unpermitted Storage

108/34-225 Weeds/Force Maintenance

30-141/30-142 - Curb/yard/Landscape Maintenance

34-914 - Vehicles/Parking

109 - Exterior Property Maintenance/Gutters/Doors/Paint

Reference Attached Letter

Compliance Date: 06/25/2024

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



3590 Almar RD

From Joey Sanders <joey.sanders@vpsfl.org>
Date Sun 12/15/2024 12:55 PM
To jeangibbs13@yahoo.com <jeangibbs13@yahoo.com>

 2 attachments (778 KB)

SKM_C300i24121513460.pdf; VPS Rental License Application and Portal Instructions.pdf;

Good afternoon Jean,

Please see the attached photos from my inspection this morning. Each photo contains instructions on what needs to be done in order to correct the remaining code violations at the property. I appreciate all of the progress thus far but I need to close out this old case as soon as possible. Additionally, you need to obtain a rental permit for the other unit of the duplex. A copy of the rental permit application and instructions were also attached to this email for your convenience.

I'll be returning to work next Saturday. Please feel free to call or email me if you have any questions and/or need any further assistance.

Have a good day.

Respectfully,



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

3590 & 3592 Almar RD

Joey Sanders <joey.sanders@vpsfl.org>

Wed'9/11/2024 3:30 PM

To: jeangibbs13@yahoo.com <jeangibbs13@yahoo.com>

📎 1 attachments (453 KB)

VPS Rental License Application and Portal Instructions.pdf;

Good afternoon Jean,

It was nice speaking with you today. Per our conversation, please see the attached application and instructions in reference to obtaining a rental permit.

Please feel free to contact me if you have any questions.

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

Property Detail

Location Address : 3590 ALMAR RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5242
Subdivision :
Official Records Book/Page : 18202 / 1991
Sale Date : 01/19/2004
Legal Description : 24-44-42, N 80 FT OF S 360 FT OF W 259.95 FT OF E 1/2 OF NE 1/4 OF NW 1/4 OF SE 1/4 (LESS W 150 FT)

Owner Information

Owner(s)	Mailing Address
GIBBS JEAN A & GIBBS MARIE N	3592 ALMAR RD LAKE WORTH BEACH FL 33461 3402

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
01/19/2004	\$51,512	18202 / 01991	WARRANTY DEED	GIBBS JEAN A &
04/01/1997	\$66,500	09784 / 00848	WARRANTY DEED	
07/01/1994	\$66,900	08387 / 00689	WARRANTY DEED	FODOR ANGELO A &
03/01/1994	\$45,200	08151 / 00136	STATE DEED	
10/01/1993	\$100	07912 / 00281	CERT OF TITLE	
08/01/1993	\$100	07996 / 00908	WARRANTY DEED	
09/01/1990	\$65,000	06583 / 00733	WARRANTY DEED	
01/01/1990	\$28,600	06328 / 01609	CERT OF TITLE	

Exemption Information

Applicant/Owner(s)	Year	Detail
GIBBS JEAN A &	2025	HOMESTEAD
GIBBS JEAN A &	2025	ADDITIONAL HOMESTEAD
GIBBS MARIE N	2025	HOMESTEAD
GIBBS MARIE N	2025	ADDITIONAL HOMESTEAD

Property Information

Number of Units : 2
***Total Square Feet :** 1940
Acres : .20
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
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	1975
Air Condition Desc.	HTG & AC
Heat Type	FORCED AIR DUCT
Heat Fuel	ELECTRIC
Bed Rooms	4
Full Baths	2
Half Baths	0
Exterior Wall 2	NONE
Roof Structure	GABLE/HIP



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT



Return

New Search

Print Page

View Assessment Data



Account Information

Property Control Number:

70-42-44-24-00-000-5242

Mailing Address:

3592 ALMAR RD

Lake Worth Beach, FL 33461-3402

Owner of Record:

GIBBS JEAN A &

Property Type:

Real Property

Property Address:

3590 ALMAR RD

LAKE WORTH, FL 33461

Second Owner:

GIBBS MARIE N

Status: Active

Legal Description:

24-44-42, N 80 FT OF S 360 FT OF W
259.95 FT OF E 1/2 OF NE 1/4 OF NW
1/4 OF SE 1/4 (LESS W 150 FT)

Last updated: 5/06/2025 06:30:22 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: 2025-20

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

**JEAN ALBERT GIBBS & MARIE NELLY GIBBS
3590 ALMAR ROAD
PALM SPRINGS, FL 33461 3402**

**MAILING ADDRESS:
JEAN ALBERT GIBBS & MARIE NELLY GIBBS
3592 ALMAR ROAD
LAKE WORTH BEACH, FL 33461 3402
Respondent(s).**

ORDER FINDING VIOLATION

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

Section 10-31 (FBC 105.1 & 110.1): Work without permits. Remove all unpermitted structures.

Section 14-32: No residential rental permit. Obtain a rental permit for unit #3590.

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

Section 30-141: Overgrowth. Mow all overgrown grass and remove all excess vegetation.

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the left side of the property. Replace broken "2" house ID number on the front of the property.

Address: 3590 ALMAR ROAD
Legal Description: 24-44-42, N 80 FT OF S 360 FT OF W 259.95 FT OF E ½ OF NE
¼ OF NW ¼ OF SE ¼ (LESS W 150 FT)
PCN: 70-42-44-24-00-000-5242

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th** day of **May 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 10-31 (FBC 105.1 & 110.1): Work without permits. Remove all unpermitted structures.

Section 14-32: No residential rental permit. Obtain a rental permit for unit #3590.

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

Section 30-141: Overgrowth. Mow all overgrown grass and remove all excess vegetation.

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the left side of the property. Replace broken "2" house ID number on the front of the property.

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

Section 10-31 (FBC 105.1 & 110.1): Work without permits. Remove all unpermitted structures.

Section 14-32: No residential rental permit. Obtain a rental permit for unit #3590.

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

Section 30-141: Overgrowth. Mow all overgrown grass and remove all excess vegetation.

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the left side of the property. Replace broken "2" house ID number on the front 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 **June 1st, 2025:**
- Administrative costs of **\$276.60**

- Citation fine of \$ N/A
- Re-inspection fee of \$ N/A

- Respondent **has not** brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **June 1st, 2025**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **June 1st, 2025**.
 - Administrative costs of **\$276.60**
 - Citation fine of \$ N/A
 - Re-inspection fee of \$ N/A

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

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of May 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:

[3592 Almar Road](#)

[Lake Worth Beach, FL 33461 3402](#)

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2025-21

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,
V.

Elier Garcia Gonzalez
3591 April Ave
Palm Springs, FL 33461

Respondent(s).

70-42-44-24-00-000-5041

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **April 26th, 2025**, the Respondent(s), **Elier Garcia Gonzalez** owner(s) of the property at **3591 April Ave, PALM SPRINGS, FL, 33461** is in violation of local ordinances.

SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove broken fence.

SECTION 34-913: Commercial Vehicles-Remove all commercial vehicles/trailers/equipment.

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

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

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

SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the east side of the property/Secure all loose electrical wires/Repair broken dryer vent and all sections of rotted wood on the door frame.

These violations must be corrected on or before **May 13th, 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 May 15th, 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
Joey Sanders

Date Issued: April 26th, 2025

Printed Name of Officer

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

**VILLAGE OF PALM SPRINGS,
FLORIDA,**

Petitioner

Case No. 2025-21

RETURN OF SERVICE

**ELIER GARCIA GONZALEZ
3591 APRIL AVE
PALM SPRINGS, FL 33461 3478**

Respondent

On the **2nd Day of May 2025 at 5:15PM**, I served the attached NOV/NOH on the within named Respondent, **Elier Garcia Gonzalez** at **3591 April Ave**, Palm Springs, FL 33461 and posted the notice at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461 Palm Beach County, Florida, by:

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

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

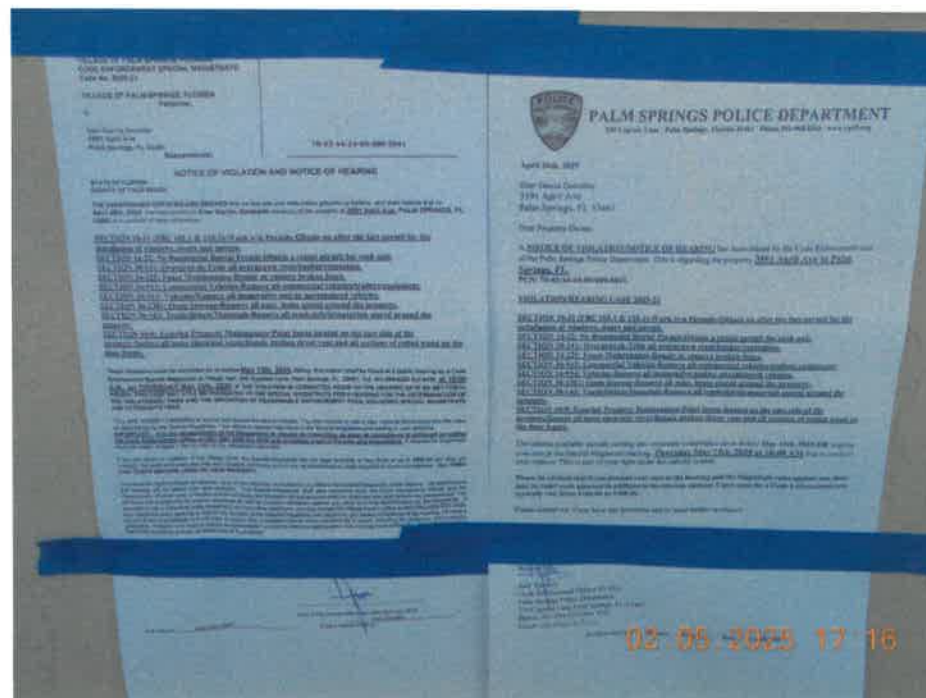
 XX POSTED BY: Securely affixing a copy to a conspicuous place on the property described within. PHOTO INCLUDED

VILLAGE OF PALM SPRINGS
DEPARTMENT OF PUBLIC SAFETY

By: Joey Sanders ID# 211
Code Enforcement Officer



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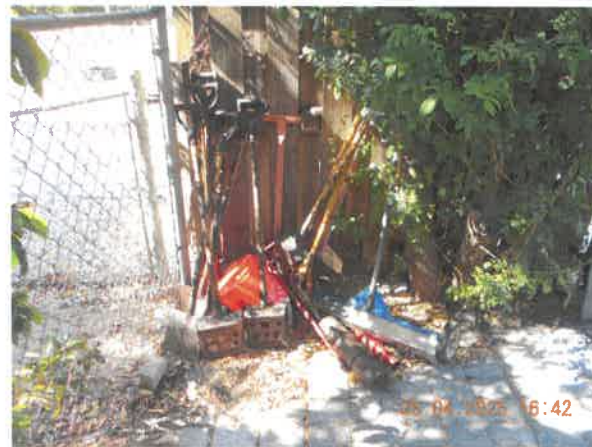
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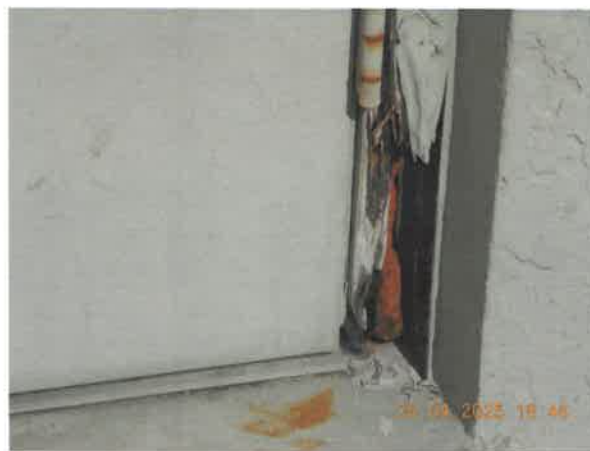
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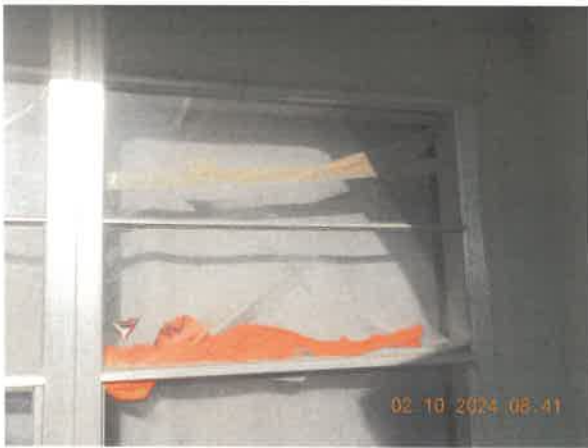
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PALM SPRINGS POLICE DEPARTMENT

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

April 26th, 2025

Elier Garcia Gonzalez
3591 April Ave
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 **3591 April Ave in Palm Springs, FL.**

PCN: 70-42-44-24-00-000-5041

VIOLATION/HEARING CASE 2025-21

SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove broken fence.

SECTION 34-913: Commercial Vehicles-Remove all commercial vehicles/trailers/equipment.

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

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

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

SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the east side of the property/Secure all loose electrical wires/Repair broken dryer vent and all sections of rotted wood on the door frame.

The options available include coming into voluntary compliance on or before **May 13th, 2025 OR** arguing your case at the Special Magistrate Hearing, **Thursday May 15th, 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

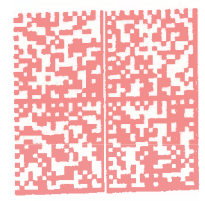
Professionalism · Respect · Integrity · Duty · Excellence



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

Elier Garcia Gonzalez
 3591 April Ave
 Palm Springs, FL 33461

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Elier Garcia Gonzalez
 3591 April Ave
 Palm Springs, FL 33461

US POSTAGE

Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the Building Official.

SECTION 105

PERMITS

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

105.1.1 Annual facility permit. In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical or plumbing or interior nonstructural office system(s), the Building Official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The Building Official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual Facility permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Building Official shall have access to such records at all times or such records shall be filed with the Building Official as designated. The Building Official is authorized to revoke such permit if code violations are found to exist.

105.1.3 Food permit. In accordance with 500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the local floodplain management ordinance. Permits shall not be required for the following:

Building:

1. Building permits are not required for replacement or repair work having a value of less than \$1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.
2. Cabinets and countertops with no reconfiguration for one- and two- Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.
3. Temporary motion picture, television and theater sets and scenery.
4. Traditional swings and other standard playground equipment accessory to detached one- and two-family dwellings, as determined by the Building Official, but they may be subject to Zoning permits.
5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.
6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or without prior approval from the Building Official as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the Building Official that shall be in addition to the required permit fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The Building Official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The Building Official is authorized to establish and publish a refund policy through local ordinance, which is located in the Village of Palm Springs Municipal Code Ch. 10, section 10-56.

SECTION 110 INSPECTIONS

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

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The Building Official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever

the boundary lines cannot be readily determined in the field. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the Building Official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The Building Official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications, and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the Building Official. The Building Official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

The Building Official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction;
2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction. Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance. Such inspectors shall be a registered architect, or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes may perform the inspections, under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the Building Official and including a code compliance opinion of the resident inspector. At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the Building Official, stating that the work was done in compliance with this code and in

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. 34-913. 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.

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 2025-21

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 #2025-21 is concerning the property located at 3591 April Ave within the Village of Palm Springs.

3. According to the Palm Beach County Property Appraiser's records and the Palm Beach County Tax Collector's records, the current owner of the property is Elier Garcia Gonzalez.

4. Pursuant to observation there are violations of the following local ordinances:

SECTION 10-31 (FBC 105.1 & 110.1)-Work w/o Permits-Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

SECTION 34-225: Fence Maintenance-Repair or remove broken fence.

SECTION 34-913: Commercial Vehicles-Remove all commercial vehicles/trailers/equipment.

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

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

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

SECTION 10-9: Exterior Property Maintenance-Paint fascia located on the east side of the property/Secure all loose electrical wires/Repair broken dryer vent and all sections of rotted wood on the door frame.

Photos are included in the file.

5. On 08/28/2024, I inspected the property and observed multiple code violations to include several commercial vehicles and equipment parked on the swale and a large quantity of miscellaneous items being stored around the property. I issued a code courtesy violation notice and posted it on the front door of Unit #3591. All of the other above noted violations were also discovered throughout the duration of this case. It should be noted that I mailed the property owner a total of two follow-up letters which included a "Final Notice Before Special Magistrate Hearing" warning notice dated 10/21/2024 with a compliance date of 11/04/2024. Additionally, I made contact with the property owner via telephone on at least 3-4 occasions and thoroughly explained all of the existing code violations and what actions needed to be taken. As of this writing, the property owner has made minimal progress over the past few months toward bringing the property into compliance and has also failed to make any type of effort to communicate with me since our last documented phone call which was on 11/19/2024.

6. On April 26th, 2025, Notice of Violation/ Notice of Hearing 2025-21 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 June 1st, 2025. If not in compliance by June 1st, 2025, a **\$100.00 PER DAY PER VIOLATION** fine shall commence.

CASE No. _____

CASE No. 154121

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 **June 1st, 2025**.

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

the respondent is ordered to reimburse the Village for the costs of this investigation and hearing by **June 1st, 2025**. Respondent's failure to do so may result in the respondent being held in contempt of court.

Witness my hand and the seal of the Village of ...
this 1st day of ...
2025.
Village Clerk
PER MYSELF



PALM SPRINGS POLICE DEPARTMENT

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

October 21st, 2024

Elier Garcia Gonzalez
3591 April Ave
Palm Springs, FL 33461

Final Notice Before Special Magistrate Hearing

Dear Property Owner,

You have been issued a code courtesy violation notice due to code enforcement violations by the Palm Springs Police Department's Code Enforcement Division. This is regarding the property located at **3591 April Ave Palm Springs, FL 33461**
PCN: 70-42-44-24-00-000-5041

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

SECTION 105.1, 110.1 & 14-32

Work w/o Permits/No Residential Rental Permits: Windows, doors and pavers installed without a permit and inspection and no rental permits on file with the Village of Palm Springs. Contact the PZB Department at 561-584-8200 Ext: 8460 for further assistance.

SECTION 34-225

Fence Maintenance: Repair or remove broken wood fence (left side and right side). Also, remove unpermitted chicken wire fence (right side).

SECTION 30-143 & 34-1381

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

SECTION 30-141:

Overgrowth: Trim all overgrown trees/vegetation (right side).

SECTION 34-913 & 34-914:

Vehicles: Remove all construction equipment and commercial vehicles off the property (left side). Also, remove all inoperative and/or unregistered vehicles off the property (brown Chevy SUV).

SECTION 10-9

Exterior Property Maintenance/Street Numbers/Mailboxes/Shutters/Fascia:

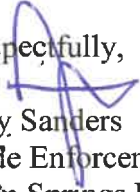
- Post new house ID numbers on each mailbox and post "3591" house ID numbers on the front of the property. Must be clearly visible from the roadway and a minimum of 4" height.
- Remove all wood boards and/or shutters covering the windows.
- Paint all raw sections of the fascia (front).

Compliance Date: November 4th, 2024

Failure to comply may result in a citation fine court costs and potential liens on the property.

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

Respectfully,



Joey Sanders

Code Enforcement Officer ID #211

Palm Springs Police Department

Phone: 561-584-8300 Ext: 8525

Email: jsanders@vpsfl.org

Professionalism · Respect · Integrity · Duty · Excellence



PALM SPRINGS POLICE DEPARTMENT

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

August 28th, 2024

Elier Garcia Gonzalez
3591 April Ave
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 **3591 April Ave Palm Springs, FL 33461**

PCN: 70-42-44-24-00-000-5041

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

SECTION 105.1, 110.1 & 14-32

Work w/o Permits/No Residential Rental Permit: Windows and doors installed without a permit and inspection and 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, replace or remove broken fence (left side and right side).

SECTION 30-143 & 34-1381

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

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

Overgrowth/Landscape Maintenance/Weeds:

- Mow all overgrown grass.
- Remove or trim tree obstructing Unit #3599's front window.
- Remove all weeds attached to the fence (left side).
- Trim all overgrown trees/vegetation/bushes located throughout the property.

SECTION 34-913 & 34-914

Vehicles:

- Remove all construction equipment and commercial vehicles off the property (left side).
- Remove all inoperative and/or unregistered vehicles off the property (brown Chevy SUV).

SECTION 10-9

Exterior Property Maintenance/Shutters/Fascia/Mailboxes:

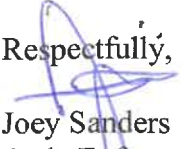
- Post new house ID numbers on each mailbox and post "3491" house ID numbers on the front of the property. Must be clearly visible and a minimum of 4" height.
- Remove all wood boards and/or shutters covering the windows (right side).
- Paint all raw sections of the fascia (front).

Compliance Date: September 11th, 2024

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

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

Respectfully,


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

Professionalism · Respect · Integrity · Duty · Excellence

Courtesy Code Violation Notice

Case# _____
Date: 08/28/2024 Time: _____
Location: 3591 April Ave

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

Please address the listed code violations:

105-1210/34-32 - Work up Permits and so
Residential Rental Permit
34-225 - Force Maintenance
30-143/34-1381 - Trash/Debris/Materials/Open Storage
30-141/30-140/106 - Overgrowth/Landscape Maintenance/Weed
34-913/34-914 - Unregistered/Commercial Vehicles/
Construction Equipment
104 - Exterior Property Maintenance/Shutters/Fascia
Mailboxes.
* Refuse Alleged Letter

Compliance Date: 09/11/2024

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

Code Officer J. Sanders #211

Name I.D. #

Palm Springs Police Department
(561) 584-8300, ext. 8520
Ext. 8525



Property Detail

Location Address : 3591 APRIL AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-24-00-000-5041
Subdivision :
Official Records Book/Page : 27994 / 637
Sale Date : 11/13/2015
Legal Description : 24-44-42, N 119.8 FT OF S 259.8 FT OF W 108 FT OF E 139 FT OF W 1/2 OF NW 1/4 OF NE 1/4 OF SE 1/4

Owner Information

Owner(s)

GONZALEZ ELIER GARCIA

Mailing Address

3591 APRIL AVE
 LAKE WORTH BEACH FL 33461 3478

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
11/13/2015	\$297,500	27994 / 00637	WARRANTY DEED	GONZALEZ ELIER GARCIA
12/30/2013	\$190,000	26553 / 00231	WARRANTY DEED	BEKKERS SANDER &
08/12/2009	\$160,000	23401 / 01571	WARRANTY DEED	SEERAM LIONEL
05/01/1990	\$100,000	06471 / 01560	WARRANTY DEED	
07/01/1981	\$100	03751 / 00556	QUIT CLAIM	
01/01/1978	\$79,900	02909 / 00060		
01/01/1973	\$3,500	02140 / 00166	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 3
***Total Square Feet :** 2760
Acres : .35
Property Use Code : 0800—MULTIFAMILY < 5 UNITS
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	1978
Air Condition Desc.	HTG & AC
Heat Type	FORCED AIR DUCT
Heat Fuel	ELECTRIC
Bed Rooms	6
Full Baths	6
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	CERAMIC/QUARRY TILE
Floor Type 2	N/A



ANNE M. GANNON

CONSTITUTIONAL TAX COLLECTOR

Serving Palm Beach County Serving you.



\$0.00
CHECK OUT

- Return
- New Search
- Print Page
- View Assessment Data

Account Information

Property Control Number: 70-42-44-24-00-000-5041	Property Type: Real Property	Status: Active
Mailing Address: 3591 APRIL AVE Lake Worth Beach, FL 33461-3478	Property Address: 3591 APRIL AVE LAKE WORTH, FL 33461	Legal Description: 24-44-42, N 119.8 FT OF S 259.8 FT OF W 108 FT OF E 139 FT OF W 1/2 OF NW 1/4 OF NE 1/4 OF SE 1/4
Owner of Record: GONZALEZ ELIER GARCIA	Second Owner:	

Last updated: 5/06/2025 06:07:45 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: 2025-21

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

**ELIER GARCIA GONZALEZ
3591 APRIL AVENUE
PALM SPRINGS, FL 33461 3478**

Respondent(s).

ORDER FINDING VIOLATION

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

Section 10-31 (FBC 105.1 & 110.1): Work without permits. Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

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

Section 34-913: Commercial vehicles. Remove all commercial vehicles/trailers/equipment.

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

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the east side of the property. Secure all loose electrical wires. Repair the broken dryer vent and all sections of rotted wood on the door frame.

Address: 3591 APRIL AVENUE

Legal Description: 24-44-42, N 119.8 FT OF S 259.8 FT OF W 108 FT OF E 139 FT
OF W ½ OF NW ¼ OF NE ¼ OF SE ¼

PCN: 70-42-44-24-00-000-5041

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th** day of **May 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 10-31 (FBC 105.1 & 110.1): Work without permits. Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

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

Section 34-913: Commercial vehicles. Remove all commercial vehicles/trailers/equipment.

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

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the east side of the property/Secure all loose electrical wires/Repair broken dryer vent and all sections of rotted wood on the door frame.

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

Section 10-31 (FBC 105.1 & 110.1): Work without permits. Obtain an after the fact permit for the installation of windows, doors and pavers.

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

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

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

Section 34-913: Commercial vehicles. Remove all commercial vehicles/trailers/equipment.

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

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

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

Section 10-9: Exterior property maintenance. Paint fascia located on the east side of the property/Secure all loose electrical wires/Repair broken dryer vent and all sections of rotted wood on the door frame.

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 **June 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 **June 1st, 2025.** If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **June 1st, 2025.**

- Administrative costs of **\$316.60**
- Citation fine of **\$ N/A**
- Re-inspection fee of **\$ N/A**

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

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

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

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext. 8525 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of May 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:

[3591 April Avenue](#)

[Palm Springs, FL 33461 3478](#)



**VILLAGE OF PALM SPRINGS CODE
ENFORCEMENT**

CODE CASE: 2025-22

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

**BISMAILLAH ENTERPRISES INC.
3818 SOUTH CONGRESS AVENUE
LAKE WORTH BEACH, FL 33461**

**MAILING ADDRESS:
BISMAILLAH ENTERPRISES INC.
P.O. BOX 211358
WEST PALM BEACH, FL 33421 1358**

Respondent(s).

ORDER FINDING VIOLATION

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

Section 30-143: Repeat violation – Nuisance - Trash & Debris.

Section 10-30: – Unimproved property registration and maintenance requirements.

- **Application for vacant property registration and \$200.00 fee required.**
- **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 – gravel and concrete.**
- **Install and maintain sod throughout the entire unimproved area of the property.**
- **Secure property with a temporary six (6) foot-tall chain-link perimeter fence; A permit is required.**
- **Landscape perimeter with a hedge three (3) feet high planted every 24 inches on center.**

Address: 3818 SOUTH CONGRESS AVENUE, PALM SPRINGS,
FL
Legal Description: MODEL LAND CO S 175 FT OF W 1/2 OF W 1/2 OF TR
103 (LESS S 25 FT & RET CURVE AREA 2ND AVE N
R/W & W 35 FT SR 807 R/W)
PCN: 70-43-44-20-01-103-0030

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the **15th** day of **May 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 30-143: Repeat violation – Nuisance - Trash & Debris

Section 10-30: Unimproved property registration and maintenance requirements.

- **Application for vacant property registration required.**
- **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 – gravel and concrete.**
- **Install and maintain sod throughout the entire unimproved area of the property.**
- **Secure property with a temporary six (6) foot-tall chain-link perimeter fence; A permit is required.**
- **Landscape perimeter with a hedge three (3) feet high planted every 24 inches on center.**

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

Section 30-143: Repeat violation – Nuisance - Trash & Debris

Section 10-30: Unimproved property registration and maintenance requirements.

- **Application for vacant property registration required.**
- **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 – gravel and concrete.**
- **Install and maintain sod throughout the entire unimproved area of the property.**
- **Secure property with a temporary six (6) foot-tall chain-link perimeter fence; A permit is required.**
- **Landscape perimeter with a hedge three (3) feet high planted every 24 inches on center.**

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 **May 20, 2025:**
 - Administrative costs of **\$192.98**
 - 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 is found to be in repeat violation of Section 30-143 (Nuisance – Trash & Debris)** and is assessed a fine of **\$250.00** per day from May 10, 2025, through May 15, 2025, which will continue to accrue at **\$250.00** per day until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance with this code section. **Respondent must comply with the property registration and maintenance improvements by July 15, 2025.** If the Respondent fails to comply within the time given, a fine of **\$100.00 per day** will continue to accrue until the Respondent contacts the Code Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **May 20, 2025.**
 - Administrative costs of **\$192.98**
 - Citation fine of **\$ N/A**
 - Re-inspection fee of **\$ N/A**

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

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

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

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

DONE AND ORDERED this 15th day of May 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:

[P.O. BOX 211358](#)

[West Palm Beach, FL 33421 1358](#)



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT
SPECIAL MAGISTRATE

Case No. 25-22

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

vs.
BISMIALLAH ENTERPRISES INC
P.O. BOX 211358
WEST PALM BEACH, FL 33461

Respondent.

PCN: 70434420011030030

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on April 28, 2025, the BISMIALLAH ENTERPRISES INC, owners of the property at **3818 S CONGRESS AVE**, Palm Springs, FL 33421, is in violation of local ordinances.

Section 30-143.REPEAT Nuisance - Trash & Debris, weeds

Section 10-30(e)(1) Registration of unimproved properties

Section 10- 30 (g) Maintenance requirements. Landscape shall not include weeds, gravel, broken concrete, asphalt, or similar material.

Section 10-30(h)(2)(3)(5) - Maintenance requirements. The parcel sodded throughout, installing a temporary 6' high chain-link fence around the entire property with a 3' high hedge planted every 24" inches on center.

These violations must be corrected on or before May 9, 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, on May 15, 2025, at 10:00 a.m. IF THE VIOLATION IS CORRECTED PRIOR TO THE HEARING DATE AS SET FORTH HEREIN, THIS CASE MAY STILL BE PRESENTED TO THE SPECIAL MAGISTRATE FOR A HEARING FOR THE DETERMINATION OF THE VIOLATION(S), FINES AND THE IMPOSITION OF REASONABLE ENFORCEMENT FEES, INCLUDING SPECIAL MAGISTRATE AND ATTORNEY'S FEES.


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

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

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

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

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


Code Enforcement Officer
NANCIANN M. CUENOT

April 28, 2025
Date Issued



9489 0178 9820 3040 0466 13

PALM SPRINGS POLICE DEPARTMENT

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

April 28, 2025

**BISMIALLAH ENTERPRISES INC
3818 CONGRESS AVE
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 a **3818 S CONGRESS AVE, Palm Springs, FL 33421, PCN: 70434420011030030.**

VIOLATION/HEARING 2025-22.

The options available include coming into voluntary compliance **OR** arguing your case at the Special Magistrate hearing, that is noted on your Notice of Violation. This is part of your right under the judicial system.

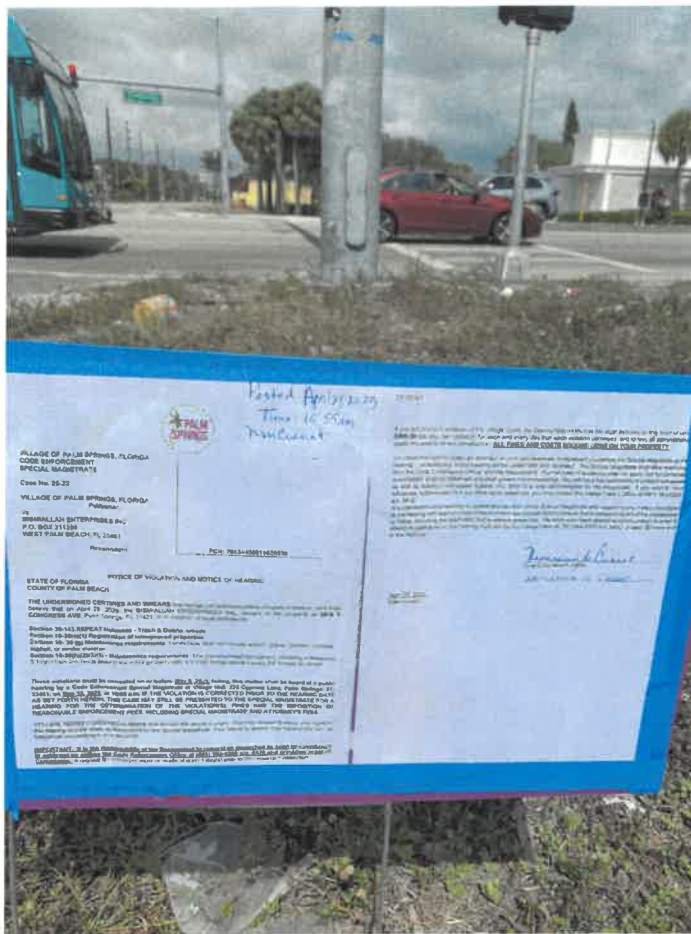
Please be advised, that if you present your case at the hearing and the Magistrate rules against you, there may be court costs assessed in addition to the citation amount. Court costs for a Code Enforcement case typically run from \$200.00 to \$300.00.

Please call Code Enforcement Office at 561-584-8300 ext. 8520.

Respectfully,

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

Professionalism · Respect · Integrity · Duty · Excellence



4/29/2025 10:55:35 AM



4/29/2025 10:56:15 AM



4/29/2025 10:57:56 AM



4/29/2025 10:58:05 AM

VILLAGE OF PALM SPRINGS, FLORIDA CODE ENFORCEMENT

VILLAGE OF PALM SPRINGS,
FLORIDA,

Petitioner

Case No. 2025-22

BISMIALLAH ENTERPRISES, INC
1277 STALLION DRIVE
LOXAHATCHEE, FL 33470
Respondent(s)

PCN: 70-43-44-20-01-103-0030
_____ /

AFFIDAVIT OF SERVICE

I, NANCIANN CUENOT, being duly sworn, depose and say that:

On the 29TH Day of APRIL 2025 at 10.55 AM, I served the attached Notice of Request for Authorization of Foreclosure on the within named Respondent(s), BISMIALLAH ENTERPRISES INC Palm Springs, FL 33461 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 at the above property address and at Palm Springs Village Hall, 226 Cypress Lane, Palm Springs, FL 33461. PHOTOS INCLUDED

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

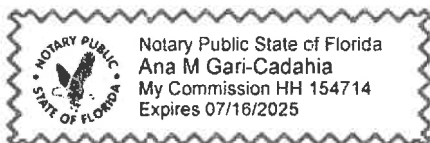
By: Naneciann Cuenot
Code Enforcement Officer

Date: April 29th, 2025

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 9th day of May, 2025 by Naneciann Cuenot, Code Enforcement Officer, who is personally known to me or who has produced a Florida driver's license as identification.

(SEAL)



NOTARY PUBLIC, State of Florida

Tracking Number:

[Remove X](#)

9489017898203040046613

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item has been delivered and is available at a PO Box at 11:49 am on May 3, 2025 in WEST PALM BEACH, FL 33411.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, PO Box

WEST PALM BEACH, FL 33411

May 3, 2025, 11:49 am

[See All Tracking History](#)

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

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus[®]



Product Information



[See Less ^](#)

Feedback

EMAIL FROM PROPERTY OWNER
CONFIRMS RECEIPT OF COVER LETTER
AND NOTICE OF VIOLATION / NOTICE OF HEARING

Thank you,

<vopsroundcleartext(custom)_8e18fa6b-069e-40a3-bc51-91eb740d8982.png>

Nanciann Cuenot, CEP
Code Enforcement Officer
Village of Palm Springs
Phone: (561) 584-8300, 8524

[www icon 01_8f4955bd-5797-47c5-9001-0e411b94b48d.png](#)

[facebook logo square 1_28604fbf-0763-4767-9e25-1c92ad84c614.png](#)

[square-instagram logo_d079425f-12b5-45d2-94c4-fe3511eb7386.png](#)

[geov jobs icon_c568868a-a62d-42e5-b84a-f457d14c81e3.png](#)

PLEASE NOTE: Florida has a very broad public records law. E-mail communications to or from the Village of Palm Springs officials and employees are public records and are available upon request. Transmission of sensitive information such as but not limited to social security numbers, credit card information, medical records and criminal justice information (outlined in the [FBI CJIS Policy](#)) via email is prohibited. If this message is unexpected or appears suspicious, please notify us immediately by replying to the message.

** Please consider the negative environmental impacts associated with printing email **

**VISIT OUR WEBSITE FOR MORE INFORMATION ABOUT THE VILLAGE OF PALM SPRINGS
FLORIDA**

www.vpsfl.org

From: jeffapatel@aol.com <jeffapatel@aol.com>

Sent: Wednesday, April 30, 2025 11:55 AM

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

Subject: 3818 S Congress Ave. Palm Springs

[You don't often get email from jeffapatel@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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.

Dear Nanciann,

I received your letter yesterday due to I was out of town and already told my landscaping company to cut grass and pick up any debris & Trash from the property.

We need some additional time for them to take care by next week if not this

week.

Regards,

Patel

561-714-6157

<Vacant & Unimproved Property Registration.pdf>

<Vacant Property Registration Form 6.14.23 (1).doc>



4/29/2025 10:58:32 AM



4/29/2025 10:58:37 AM



4/3/2025 2:38:39 PM



4/3/2025 2:38:29 PM



4/3/2025 2:39:10 PM



4/3/2025 2:38:49 PM



4/29/2025 10:59:10 AM



4/3/2025 2:39:31 PM



5/6/2025 12:04



10/4/2022 9:31:26 AM



9/26/2022 12:36:16 PM

Marcus & Millichap
FOR SALE
Jonathan De La Rosa | Matthew Albregts
(786) 522-7027 | (786) 522-7089



VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022-2350

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

BISMIALLAH ENTERPRISES INC.
3818 SOUTH CONGRESS AVENUE
PALM SPRINGS, FL 33461

MAILING ADDRESS:

BISMIALLAH ENTERPRISES INC.
PO BOX 211358
WEST PALM BEACH FL 33421 1358

Respondent(s).

CFN 20220488770
OR BK 34009 PG 85
RECORDED 12/12/2022 12:20 PM
Palm Beach County, Florida
Joseph Abruzzo, Clerk
Pgs: 85 - 87; (3pgs)

Admin \$ 180.00
Reinspec. \$ 30.00
Clt Fine \$ 200.00
Fine \$ 1,350.00
owes \$ 1,760.00
\$50.00 fine ran from
Oct. 19, 2022 -> 11, 15, 2022
for 27 days = \$1350.00

ORDER FINDING VIOLATION

Re: Violation of Section(s) 30-143: Public nuisance, Trash and debris on the property. Section 34-916: Commercial Parking Violations.

Address: 3818 SOUTH CONGRESS AVENUE
Legal Description: MODEL LAND CO S 175 FT OF W 1/2 OF W 1/2 OF TR 103 (LESS S 25 FT & RET CURVE AREA 2ND AVE N R/W & W 35 FT SR 807 R/W)
PCN: 70-43-44-20-01-103-0030

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of SEPTEMBER 2022, 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 Section(s) 30-143: Public nuisance, Trash and debris on the property; Section 34-916: Commercial Parking Violations. of the Code of Ordinances of the Village of Palm Springs. *complied.*
- Respondent was in violation of Section(s) 30-143: Public nuisance, Trash and debris on the property; Section 34-916: Commercial Parking Violations. of the Code of Ordinances of the Village of Palm Springs but is currently in compliance. *Ⓟ*

ORDER

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

Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **OCTOBER 19, 2022.**

Administrative costs of \$180.61

Citation fine of \$200.00

Re-inspection fee of \$30.00

\$50.00

Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **OCTOBER 19, 2022.** If Respondent fails to comply within the time given, a fine of ~~\$100.00~~ per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **OCTOBER 19, 2022.**

Administrative costs of \$180.61

Citation fine of \$200.00

Re-inspection fee of \$30.00

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, 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 JOSE INOA at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 EXT 8523 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of September 2022.

STATE OF FLORIDA
COUNTY OF PALM BEACH
VILLAGE OF PALM SPRINGS

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:

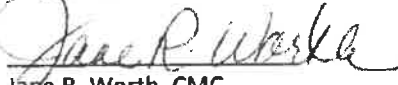

Special Magistrate

I hereby certify this is a true and correct
copy of the Code Case 2022-2350 Order
Finding Violation and the original is on file
in the Clerk's Office.



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

3818 SOUTH CONGRESS AVENUE
PALM SPRINGS FL 33461 3657


Jane R. Worth, CMC
Deputy Village Clerk

VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT

CIT CODE CASE: 2022-2764

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.
BISMILLAH ENTERPRISES INC
PO BOX 211358
WEST PALM BEACH, FL 33421 1358

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of **Section 34-916 Parking violations – Semi-trailer trucks on commercial property.**

Address: 3818 S. Congress Avenue
Legal Description: MODEL LANDCO S 175 FTOF W 1/2 OF W 1/2 OF TR103 (LESS S 25 FT&RETCURVEAREA2NDAVEN R/W & W 35 FT SR807 R/W)
PCN: 70-43-44-20-01-103-0030

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 20th day of OCTOBER 2022, 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 **Section 34-916 Parking violations – Semi-trailer trucks on commercial property:** of the Code of Ordinances of the Village of Palm Springs.
- Respondent was in violation of **Section 34-916 Parking violations – Semi-trailer trucks on commercial property:** of the Code of Ordinances of the Village of Palm Springs but is currently in compliance.

ORDER

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

- Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **NOVEMBER 21, 2022.**
 - Administrative costs of \$171.14
 - Citation fine of \$ 500.00

Re-inspection fee of \$ 30.00

Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **NOVEMBER 21, 2022** If Respondent fails to comply within the time given, a fine of **\$200.00** per day, per violation will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **NOVEMBER 21, 2022**

Administrative costs of \$171.14

Citation fine of \$ 500.00

Re-inspection fee of \$ 30.00

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer Nanciann Cuenot at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8200 ext. 8524 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 20th day of October 2022.

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:

P.O. BOX 211358

WEST PALM BEACH, FL 33421-1358

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— Nuisance abatement, F.S. § 60.05.

EXHIBIT “C”

Sec. 10-30. Foreclosed, vacant, and unimproved property registration program.

(a) *Purpose and intent.* It is the purpose and intent of this section to establish a process to monitor and address the conditions of vacant, unimproved, abandoned, and distressed real property located within the Village. This section is further intended to monitor and reduce the amount of deteriorating property located in the Village, on which a public notice of default has been filed or which is in foreclosure or where ownership has been transferred to a lender or mortgagee by any legal method. It is further intended to establish a registration program as a mechanism to protect neighborhoods from becoming blighted through the lack of adequate maintenance of abandoned or vacated properties which may or may not be subject to a mortgage or properties subject to mortgages that are in default. Accordingly, the Village Council has legislatively determined and declares that adoption of this section providing regulations for foreclosed, vacant, unimproved, abandoned or distressed real property is beneficial to the public interests of health, safety, and general welfare for the residents and visitors of the Village of Palm Springs.

(b) *Definitions.* The following words, terms, and phrases, when used in this section, shall have meanings ascribed to them, except where the context clearly indicates a different meaning. Where the context will permit and no definitions are provided herein, the definitions provided in the Florida Building Code shall indicate the meaning.

Abandoned property means any real property that is vacant or distressed.

Default means that the mortgagee has filed a foreclosure action or public notice of default on the mortgage. A mortgage shall be considered in default at such time as the mortgagee declares said mortgage to be in default in writing, by recording a lis pendens, by its actions or by commencing foreclosure proceedings or by any other actions demonstrating a breach of a security covenant on a property.

Disposition means the foreclosure status and/or the mortgagee/servicer's intent if the mortgage remains in default. If the mortgagee enters into a permanent modification agreement with the owner/mortgagor, the mortgage is considered to be no longer in default unless there is further notification by the mortgagee/servicer.

Distressed means any condition that on its own or combined with other conditions present would lead a reasonable person to believe that a property is neglected, abandoned, or otherwise not being regularly maintained. Such conditions include, but are not limited to:

- (1) A repeat violation of any provision of this Code, as defined in F.S. § 162.04(5) or violations which have not been complied;
- (2) Overgrown and/or dead vegetation;
- (3) The accumulation of trash, junk and/or debris;
- (4) Unsecured doors, windows, or other openings;
- (5) The presence of an unsanitary, stagnant swimming pool, the presence of boards over doors, windows, or other openings in violation of the Code; or
- (6) Deterioration of the structure or structures on the property.

Evidence of vacancy means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property or a building or structure is vacant. Such conditions may include, but are not limited to, overgrown and/or dead vegetation, past due utility notices and/or disconnected utilities; accumulation of trash, junk or debris; the absence of furnishings and/or personal items consistent with habitation or occupancy; an unsanitary or stagnant swimming pool; or statements by neighbors, passers-by, delivery agents or government agents, among other evidence of such conditions.

Foreclosure means the judicial process by which a property, placed as security for a mortgage loan is to be sold at an auction to satisfy a debt upon which the borrower has defaulted.

Enforcement officer means any fulltime law enforcement officer, building official, fire inspector or code enforcement officer employed by the Village.

Owner means any person, firm, corporation, or other legal entity who, individually or jointly or severally with others, holds the legal or beneficial title to any building, facilities, equipment, or property subject to the provisions of this chapter. The term shall include the owner's duly authorized agent, a purchaser, devisee, fiduciary, or any other person, firm, corporation, or legal entity having a vested or contingent interest or, in the case of a leased premises, the legal holder of the lease or his legal representative. It is intended

that this term shall be construed as applicable to the person, firm, corporation, or legal entity responsible for the construction, maintenance and operation of the building, facilities or property involved whether vacant or occupied.

Property management company means a local property manager, property maintenance company or similar entity responsible for the maintenance of abandoned real property.

Secure manner shall include, but not be limited to, the closure and locking of windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property and/or structure. In the case of broken windows, such windows shall be secured by re-glazing or if the structure is vacant it may be boarded up in accordance with code requirements.

Unimproved property means any parcel within the Village that does not contain a principal or accessory building or structure.

Vacant property means a parcel of land that contains any building or structure that is not lawfully occupied or inhabited by human beings as evidenced by the conditions set forth in the definition of "evidence of vacancy". Vacant property does not mean property that is unoccupied while the occupants are temporarily away or is not intended by the owner to be left vacant so long as the period does not exceed six (6) months.

(c) **Applicability.** This section relates to abandoned Commercial and Industrial properties, unimproved Commercial and Industrial property, and to all property subject to a mortgage that has been determined by the mortgagee to be in default, is in foreclosure, or to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee or lender as well as any properties transferred to the mortgagee or lender under a deed in lieu of foreclosure by any legal method. All such properties shall comply with the registration, security, and maintenance requirements of this section. This section shall not be applicable to property with bona fide agricultural use, as evidenced by an agricultural exemption.

(d) **Penalties.** Violations of this section shall be subject to enforcement by a special magistrate of the Village or any other legal enforcement process.

(e) Registration of abandoned or unimproved Commercial/Industrial property.

(1) Registration by owner. Every owner of an abandoned and/or unimproved Commercial or Industrial property that is located within the Village shall register with the Village by filing a registration application prescribed by the Village within ten (10) days of the property becoming abandoned. Commercial or Industrial property that is abandoned or unimproved at the time of adoption of these provisions shall register within 60 days of the effective date of this Ordinance.

(2) A registration application shall contain at least the following information:

a. The address and parcel control number of the property;

b. For purposes of notice, the name, telephone number, mailing address, and e-mail address of the owner;

c. For purposes of notice, the name, telephone number, mailing address, and e-mail address of an individual or entity designated by the owner who has the authority to make decisions concerning the conditions at the property, as well as any expenditure in connection therewith;

d. The Village reserves the right to request such other information as needed to conduct the public purpose and intent of this article.

(3) An annual registration fee, per property, for the property registration, shall be established by resolution of the Village Council. Such a fee shall accompany the registration form and shall be for the costs of registration, administration, and enforcement of this section. The Village shall charge a fee as established in the Village fee resolution for any modification of registration except as provided herein, and it may assign and delegate the collection of all fees under this section to an independent contractor.

(4) Registration pursuant to this subsection shall be required annually for as long as the property is abandoned or unimproved. A case initiated pursuant to this subsection may be presented to the special magistrate even if, prior to a hearing, the property is no longer abandoned or unimproved.

(5) Properties subject to this subsection shall be subject to the inspection, security, and maintenance standards set forth in this section as long as the property remains abandoned or unimproved.

(6) Any person or other legal entity that has registered a property under this section must report any change in the information contained in the registration within ten (10) days of the change. There shall be no fee to update the current owner's information.

(7) Failure of the property owner of record to properly register or to modify the registration from time to time to reflect a change of circumstances as required by this section is a violation and shall be subject to enforcement by any of the enforcement means available to the Village.

(8) Pursuant to a finding by the special magistrate that any property is in violation of this section, the Village may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and to bring it into compliance.

(f) Registration of real property; mortgagee holding mortgage in default, foreclosure, or where ownership of property has been transferred to a lender or mortgagee.

(1) All property located within the Village, which property is in or has been declared to be in default, mortgage foreclosure, or to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee as well as any properties transferred to the mortgagee or lender under a deed in lieu of foreclosure by any legal method shall be registered under this section.

(2) Any mortgagee who holds a mortgage on vacant or abandoned real property located within the Village shall perform an inspection of the property upon default by the mortgagor or prior to the issuance of a notice of default.

If the property is found to be vacant or shows evidence of vacancy, it shall be deemed vacant or abandoned, and the mortgagee shall, within two days of the inspection, register the property with the Village's land development department on forms provided by the department, even though the real property may not be vacant.

(3) If the property is occupied, the mortgagee or mortgagee's designee should monthly inspect it.

(4) Within ten days of the date the mortgagee declares its mortgage to be in default, the mortgagee shall register the real property with the Village's designee and, at the time of registration, and, if vacant, shall also designate in writing a local property

manager to inspect, maintain and secure the real property subject to the mortgage in default.

(5) Registration. Registration pursuant to this subsection shall contain at a minimum:

- a. The name;
- b. The mailing address;
- c. The e-mail address;
- d. The telephone number for the mortgagee, trustee and/or servicer; and
- e. The disposition and occupancy status of the real property.

If the property is vacant or deemed vacant by the code enforcement staff of the Village, then the name of the local property manager and said person's address, e-mail address, and telephone number shall also be provided for all new registrations. If the occupancy status of a registered property changes to vacant then the registration must be modified.

The local property manager shall be responsible to inspect, secure and maintain the property. The local property manager shall be available to be contacted by the Village 24 hours a day. The Village shall charge a fee as established in the Village fee resolution for any registration or modification of registration, and it may assign and delegate the collection of such fee to an independent contractor. The registration fee must be paid by the mortgagee, trustee or mortgage servicer and cannot be assigned for payment or remitted by a third party for payment.

(6) This subsection shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee, as well as any properties transferred to the mortgagee under a deed in lieu of foreclosure.

(7) Properties subject to this subsection shall remain under the annual registration requirement, inspection, security, and maintenance standards of this section as long as they remain abandoned, vacant, or subject to having been declared by a mortgagee to be in default.

(8) Any person or other legal entity that has registered a property under this subsection must report any change in the information contained in the registration within ten days of the change.

(9) Failure of the mortgagee and/or property owner of record to properly register or to revise the registration to reflect a change of circumstances as required by this subsection is a violation of the ordinances of the Village.

(g) Maintenance requirements, generally.

(1) Properties subject to this section shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state, or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, or any other items that give the appearance that the property is abandoned or not being properly maintained. Grass over twelve inches tall is prohibited.

(2) The property shall be maintained free of graffiti or similar markings by removal or painting over such graffiti or markings with an exterior grade paint that matches the color of the exterior structure.

(3) Yards shall be landscaped and maintained pursuant to the standards set forth in the ordinances of the Village. Landscaping shall include, but shall not be limited to, grass, ground cover, bushes, shrubs, hedges or similar plantings, decorative rock or bark, artificial turf or sod designed specifically for residential, commercial, or industrial installation, as applicable. Landscaping shall not include weeds, gravel, broken concrete, asphalt, or similar material. Maintenance shall include, but shall not be limited to, watering, irrigation, cutting and mowing of required landscape and removal of all trimmings and weeds.

(4) Pools and spas shall be kept in a safe and sanitary order so that pool and spa water remain free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements of the Village's Ordinances and the Florida Building Code.

(5) In the event that the National Weather Service, National Hurricane Center, or other appropriate weather agency declares a hurricane warning for any portion of the Village, all materials, furnishings, and equipment at the property shall be secured, stored, or removed so as to not create a safety hazard due to hurricane force winds.

(6) Failure of the mortgagee and/or property owner of record to properly maintain the property is a violation of the Code. Pursuant to a finding and determination by a special magistrate, the Village may take the necessary action to ensure compliance with its ordinances and place a lien or liens and a special assessment on the property.

(h) Maintenance requirements for abandoned or unimproved Commercial or Industrial property. In addition, the requirements in subsection (g) above, if an owner of abandoned or unimproved Commercial or Industrial property is cited by the Village for a code violation(s) at the property or the property is cited as a chronic nuisance property or as a public nuisance property as set forth in Chapter 46, the owner, as part of the owner's remedy of the violation(s) or nuisance shall comply with the general maintenance standards in subsection (g) above and should implement the following additional maintenance and/or security measures, including, but not limited to:

- (1) lighted in a manner to discourage crime;
- (2) sodded throughout the entire unimproved area of the property;
- (3) landscaped with a Category 1 buffer pursuant to Sec. 34-162;
- (4) irrigated, preferably with a timer mechanism;
- (5) surrounded with a temporary six (6) feet tall chain linked fence which shall

be installed around the entire property area, unless the Village's PZB Director waives or alters the requirement (temporary fence shall be removed at the time the property is improved pursuant to Chapter 34, Land Development); and,

(6) signage attached to the front building or structure or fencing that lists the responsible party for the property, which party is generally available within 24 hours' notice, including address, phone number and email address.

If the Village successfully establishes a code violation(s) at abandoned or unimproved property or the property is declared a chronic nuisance or public nuisance as set forth in Chapter 46, the Village shall request that one or more of the above additional maintenance requirements for abandoned or unimproved property be agreed to by the property owner or imposed by the special magistrate to prevent a repeat violation(s) or the continuation of the nuisance as part of the compliance requirements. If the property owner employs such additional maintenance requirements, the costs for such

requirements shall be deemed to be “documented expenses” for purposes of reducing any code enforcement fines or liens on the property.

(i) Maintenance requirements, demolished property. For the purposes of this section, demolished commercial or industrial property shall be property where all buildings or structures have been removed. In such a case, the demolished commercial or industrial property becomes unimproved property, and the owner must comply with the requirements of this section as applicable. However, the additional requirements of subsection (h) shall not apply if construction on the commercial or industrial property begins within one year of the demolition. The PZB Director has the discretion to alter the one year limitation upon good cause showing.

(j) Security requirements.

(1) Properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(2) A "secure manner" shall include, but shall not be limited to, the closure and locking of windows, doors, gates, and other openings of such size that may allow a child or adult to access the interior of the property and/or structure. Broken windows shall be secured by re-glazing or boarding. All means of access shall be secured by replacing, reglazing, or boarding the openings so as to meet all applicable laws, codes, and regulations.

(k) Property management.

(1) If a mortgage on the property is in default and/or Commercial or Industrial property has become abandoned or unimproved, a local property manager shall be designated by the mortgagee or owner to perform the work necessary to bring the property into compliance with the Code and the local property manager must perform weekly inspections to verify compliance with the requirements of this section and any other applicable laws or ordinances of the Village.

(2) Upon request of the Village or its authorized representative, the local property manager shall provide a copy of the inspection reports to the land development department.

(3) When a Commercial or Industrial property becomes abandoned, it shall be posted with the name and 24-hour contact telephone number of the local property manager. The posting shall be no less than 18 inches × 24 inches, and no larger than 36 inches × 48 inches in size, and shall be of a font that is legible from a distance of 45 feet. The posting shall contain the following language: THIS PROPERTY IS MANAGED BY [name of local property manager], who may be contacted at any time by calling () [the 24-hour contact telephone number].

(4) All written information thereupon shall be clear, legible, and updated as required. The posting shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visual from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.

(5) Failure of the mortgagee or property owner of record to properly inspect and secure the property and post and maintain the signage required by this section is a violation of this section. Pursuant to a finding and determination by a special magistrate of the Village, the Village may take the necessary action to ensure compliance with this section, and place a lien or liens on the property to recover costs and expenses in support thereof.

(l) Opposing, obstructing enforcement officer; penalty. Whoever opposes, obstructs, or resists any enforcement officer or any person authorized by the Village in the discharge of duties as provided in this section, upon conviction, may be sanctioned as provided in the Code or F.S. ch. 162.

(m) Immunity of enforcement officer. Any enforcement officer or any person authorized by the Village to enforce this section shall be immune from prosecution, civil or criminal, for reasonable, good faith entry or trespass upon real property while in the discharge of duties imposed by this section.

(n) Additional authority. The land development director shall have authority to require the mortgagee and/or owner of record of any property affected by this section to implement additional maintenance and/or security measures, including, but not limited to, having an on-site security guard. Failure to comply with the terms of this section shall constitute a continuing public nuisance. The Village shall have the authority to promptly abate the public nuisance, in whole or in part, at the expense of the mortgagee or other responsible party.

(o) Supplemental provisions. Nothing contained in this section shall prohibit the Village from enforcing its codes by any other means, including, but not limited to, injunction, abatement or as otherwise provided by Code.

CASE PRESENTATION
CASE No. 2025-22

1. GOOD MORNING, MY NAME IS NANCIANN CUENOT, and I have been sworn in.
2. I AM A CODE ENFORCEMENT OFFICER FOR THE VILLAGE OF PALM SPRINGS, FLORIDA.
3. THIS CASE CONCERNS THE PROPERTY AT 3818 S. CONGRESS AVENUE IN THE VILLAGE OF PALM SPRINGS.
4. ACCORDING TO THE PALM BEACH COUNTY PROPERTY APPRAISER'S RECORDS AND THE PALM BEACH COUNTY TAX COLLECTOR, THE CURRENT OWNER OF THE PROPERTY IS BISMIALLAH ENTERPRISES, INC.
5. PURSUANT TO OBSERVATION, THERE IS A REPEAT VIOLATION OF LOCAL ORDINANCE **SECTION 30-143 NUISANCE – TRASH, DEBRIS AND WEEDS** AND VIOLATIONS OF **SECTION 10-30 UNIMPROVED PROPERTY REGISTRATION AND MAINTENANCE REQUIREMENTS**.
6. Violations still exist, and on April 28, 2025, I wrote NOTICE OF VIOLATION / NOTICE OF HEARING 2025-22 for the violations. The Notice was mailed both Certified and Regular to the Respondent's address on record and posted at the property and Village Hall. The property owner, Jeff Patel, confirmed by Email receipt of the cover letter and Notice of Violation, Notice of Hearing on April 30, 2025. The digital status of the Certified Mail Notice appears as delivered as of May 3, 2025.
7. **Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent is in repeat violation of Section 30-143 (Nuisance – Trash, Debris & Weeds)**
8. The Respondent is in chronic violation of trash, debris, illegal dumping and parking of semi-trucks and vehicles overnight and the Village requests the respondent be ordered comply with the Vacant & Unimproved Property registration and maintenance standards according to Section 10-30 paragraph (g) and paragraph (h) and implement the following additional maintenance measures:
 - **Application for vacant property registration and \$200 fee.**
 - **Maintenance shall include, but shall not be limited to, watering, irrigation, cutting, and mowing of required sod & hedges and removal of all trimmings and weeds. Landscaping should not include gravel or broken concrete. Remove unapproved surface gravel and concrete.**
 - **Install and maintain sod throughout the entire unimproved area of the property.**
 - **Obtain a permit to secure property with a temporary six (6) foot-tall chain-link perimeter fence.**
 - **Landscape perimeter with a hedge in front of the fence that is three (3) feet high when planted every 24 inches on center.**

CASE No. _____

9. I REQUEST THAT THE Respondent is found to be in repeat violation of Section 30-143 (Nuisance – Trash & Debris) and is assessed a fine of \$250.00 per day from May 10, 2025, through May 15, 2025, which will continue to accrue at \$250.00 per day until the Respondent contacts the Code Officer and a reinspection indicates that the property is in compliance with this code section. I request that the Respondent comply with the property registration and maintenance improvements by July 15, 2025. If the Respondent fails to comply within the time given, a fine of \$100.00 per day will continue to accrue until the Respondent contacts the Code Officer and a re-inspection indicates that the property is in compliance .

10. THE VILLAGE HAS ALSO INCURRED COSTS IN THE AMOUNT OF \$192.98 CONDUCTING THIS INVESTIGATION AND HEARING. I REQUEST THAT THE RESPONDENT BE ORDERED TO REIMBURSE THOSE COSTS TO THE VILLAGE BY NO LATER THAN May 20, 2025.

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



PALM SPRINGS POLICE DEPARTMENT

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

March 26, 2025

BISMIALLAH ENTERPRISES INC
PO BOX 211358
WEST PALM BEACH FL 33421 1358

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at 3818 s Congress Ave. Palm Springs, FL 33410.

PCN:70-43-44-20-01-103-0030

This property is in violation of local ordinances.

Section 30-143. REPEAT Nuisance – Trash & Debris Remove rubbish, weeds, and overgrowth required.

Section 10-30(e)(1) Registration of unimproved properties.

Section 10- 30 (g) Maintenance requirements. Specifically, Landscape shall not include weeds, gravel, broken concrete, asphalt, or similar material.

Section 10-30(h)(2)(3)(5) - Maintenance requirements include that the parcels be sodded throughout, installing a temporary 6' high chain-link fence around the entire property with a 3' high hedge planted every 24" on center.


Compliance Date: Trash, debris, and overgrowth - April 11, 2025.

Compliance Date: Sections 10-30 -Application for Unimproved Properties – April 10, 2025

Compliance Date: Sections 10- 30 – Sod lot and apply for fence permits and inspections and hedges – May 9, 2025

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

Respectfully,


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



PALM SPRINGS POLICE DEPARTMENT

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

MAY 23, 2024

BISMIALLAH ENTERPRISES INC
PO BOX 211358
WEST PALM BEACH FL 33421 1358

Dear Property Owner,

You have been issued a courtesy notice for code violations by the Code Enforcement unit of the Palm Springs Police Department. This is regarding the property at **3818 S CONGRESS AVE in Palm Springs, FL**
PCN: 70-43-44-20-01-103-0030

SECTION 30-143 Public Nuisance
Trash and debris

SECTION 10-30 – Vacant And Unimproved Property Registration Program
Your application and \$200.00 Registration fee are delinquent and subject to Code Enforcement.

Compliance Date: JUNE 5, 2024

Failure to comply can result in a Citation Fine, Court Costs and possible Lien on the property.
Please call me if you have any questions (561)584-8300 Ext. 8524.

Respectfully,

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

Professionalism • Respect • Integrity • Duty • Excellence



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

June 23, 2023

RE: Ordinance No. 2023-06 – Vacant And Unimproved Property Registration Program

Dear Property Owner:

The Palm Springs Village Council adopted ordinance No. 2023-06 on second and final reading at its June 8, 2023 regular meeting. The ordinance amended the Village Code to require registration of and minimum maintenance requirements for vacant and unimproved commercial and industrial property.

In the event of nuisance code violations, including graffiti, illegal dumping, tall grass, trash and debris, overnight parking of trucks, etc., the Village (through the code enforcement process) may require property improvements including, but not limited to :

- 1) Providing signage on the fence with contact information;
- 2) Installing/maintaining sod and perimeter landscape hedge, and irrigation;
- 3) Securing property with a 6' perimeter fence;
- 4) Maintaining minimum security lighting on the premises.

At this time, Registration with contact information for the owner or authorized individual who has responsibility for the property and can make decisions to address conditions on the property, including expenditures required to remedy issues, is required. All vacant and unimproved properties must be registered within 60 days of the effective date (with an annual administrative fee of \$200).

As OWNER, it is your responsibility to be familiar with Village code requirements, and to comply with any new provisions that may be applicable. Lack of action on your part may result in code enforcement action, which could include a hearing before the Special Magistrate.

If you have any questions, please contact a Village Code Enforcement Officer at (561) 584-8300 ext. 8520. Thank you in advance for your assistance and prompt compliance.

Sincerely,

Kim Glas-Castro
Assistant Village Manager



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

May 30, 2023

RE: Proposed Ordinance No. 2023-06 – Vacant And Unimproved Property Registration Program

Dear Property Owner:

The Palm Springs Village Council will be considering proposed ordinance No. 2023-06 on second and final reading at its June 8, 2023 regular meeting. The ordinance, if approved, amends the Village Code to require registration of and minimum maintenance requirements for vacant and unimproved commercial and industrial property.

The proposed vacant and unimproved property requirements include:

- 1) Registration with contact information for the owner or authorized individual who has responsibility for the property and can make decisions to address conditions on the property, including expenditures required to remedy issues;
- 2) Providing signage on the fence with contact information;
- 3) Installing/maintaining sod and perimeter landscape hedge, and irrigation;
- 4) Securing property with a 6' perimeter fence;
- 5) Maintaining minimum security lighting on the premises.

If approved, vacant and unimproved properties must be registered within 60 days of the effective date (with a proposed annual administrative fee of \$200). Compliance with minimum maintenance requirements must occur within 90 days of registering.

As OWNER, it is your responsibility to be familiar with Village code requirements, and to comply with any new provisions that may be applicable. Lack of action on your part may result in code enforcement action, which could include a hearing before the Special Magistrate.

If you have any questions, please contact a Village Code Enforcement Officer at (561) 584-8200. Thank you in advance for your assistance and prompt compliance.

Sincerely,

Kim Glas-Castro
Assistant Village Manager



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

**VACANT AND UNIMPROVED PROPERTY REGISTRATION &
24-HOUR CONTACT INFORMATION
Ordinance No. 2023-06**

(Please Type or Print All Information)

Date _____

Property Owner Name _____

If corporate entity, Name of Officer _____

Property Address _____

Property Control Number (PCN) _____

Owner's Telephone Number _____

Owner's Mailing Address _____

Owner's Email Address _____

Local Contact Person¹, if different than Owner:

Name _____

24-Hour Telephone _____

Alternate Telephone _____

Mailing Address _____

Email _____

¹ Individual or Entity Designated by Owner who has authority to make decisions concerning conditions on the property, as well as any expenditures, and is generally available by telephone.

Note: Report any changes to the information contained in this Registration within ten (10) days of change.

Note: \$200 annual registration fee per Fee Schedule is due with Registration

Property Detail

Location Address : 3818 S CONGRESS AVE
Municipality : PALM SPRINGS
Parcel Control Number : 70-43-44-20-01-103-0030
Subdivision : MODEL LAND CO
Official Records Book/Page : 26760 / 1177
Sale Date : 04/17/2014
Legal Description : MODEL LAND CO S 175 FT OF W 1/2 OF W 1/2 OF TR 103 (LESS S 25 FT & RET CURVE AREA 2ND AVE N R/W & W 35 FT SR 807 R/W)

Owner Information**Owner(s)**

BISMIALLAH ENTERPRISES INC

Mailing Address

PO BOX 211358
WEST PALM BEACH FL 33421 1358

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
04/17/2014	\$10	26760 / 01177	QUIT CLAIM	BISMIALLAH ENTERPRISES INC
05/20/2005	\$410,000	18653 / 01310	WARRANTY DEED	PATEL ABUBKR
07/23/2001	\$10	12761 / 01428	REP DEED	HAIFA REALTY INC
03/06/2001	\$235,000	12356 / 01206	WARRANTY DEED	HAIFA REALTY INC
07/01/1999	\$185,000	11244 / 01332	WARRANTY DEED	BACCARI LOUIS
06/08/1998	\$100,000	10457 / 00726	QUIT CLAIM	MALONEY THOMAS J
08/01/1989	\$100	06169 / 00205	WARRANTY DEED	
01/01/1979	\$90,000	03016 / 00489		

Exemption Information

No Exemption Information Available.

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$437,450	\$437,450	\$416,619	\$357,102	\$357,102
Total Market Value	\$437,450	\$437,450	\$416,619	\$357,102	\$357,102

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$437,450	\$432,093	\$392,812	\$357,102	\$357,102
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$437,450	\$432,093	\$392,812	\$357,102	\$357,102

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$8,499	\$8,500	\$8,021	\$7,351	\$7,416
NON AD VALOREM	\$145	\$146	\$146	\$146	\$146
TOTAL TAX	\$8,644	\$8,645	\$8,166	\$7,497	\$7,561

Account Information

Property Control Number:
70-43-44-20-01-103-0030

Mailing Address:
PO BOX 211358
West Palm Beach, FL 33421-1358

Owner of Record:
BISMILLAH ENTERPRISES INC

Property Type:
Real Property

Property Address:
3818 S CONGRESS AVE
PALM SPRINGS, FL 33461

Second Owner:

Status: Active

Legal Description:
MODEL LAND CO S 175 FT OF W 1/2 OF W
1/2 OF TR 103 (LESS S 25 FT & RET CURVE
AREA 2ND AVE N R/W & W 35 FT SR 807
R/W)

Last updated: 5/05/2025 12:37:46 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 Total Due: \$18,971.34

2024 | BILL TYPE: ORIGINAL | BILL NO: 101543902 | ROLL: ANNUAL | PAST DUE \$8,924.80

NOT PAYABLE

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
3/31/25	\$8,924.80	\$0.00	\$8,924.80	Past Due	
	Net Tax: \$8,643.98		5/5/25 \$8,924.80		
	Interest: \$259.32		5/30/25 \$8,924.80		
	Penalty: \$0.00				
	Fees: \$21.50				
	Discount: \$0.00				

2023 | BILL TYPE: TAX CERTIFICATE | BILL NO: (05/31/2024) 2024:19133 | ROLL: ANNUAL | PAST DUE \$10,046.54

NOT PAYABLE

[View Info](#)

Date	Total Tax	Paid	Amount Due If Paid By Date	Status	Payment Options
4/1/24	\$10,046.54	\$0.00	\$10,046.54	Past Due	
	Net Tax: \$9,361.58		5/5/25 \$10,046.54		
	Interest: \$678.71		5/30/25 \$10,046.54		
	Penalty: \$0.00				
	Fees: \$6.25				
	Discount: \$0.00				



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

Detail by Entity Name

Florida Profit Corporation

BISMIALLAH ENTERPRISES INC

Filing Information

Document Number	P11000070944
FEI/EIN Number	45-2934309
Date Filed	08/08/2011
Effective Date	08/08/2011
State	FL
Status	ACTIVE
Last Event	REVOCATION OF VOLUNTARY DISSOLUT
Event Date Filed	06/04/2013
Event Effective Date	NONE

Principal Address

1549 NE 123RD STREET
NORTH MIAMI, FL 33161

Changed: 03/30/2016

Mailing Address

PO BOX 211358
ROYAL PALM BEACH, FL 33421

Changed: 06/05/2013

Registered Agent Name & Address

MEDINA, OLIVIA
1549 NE 123RD STREET
NORTH MIAMI, FL 33161

Name Changed: 03/07/2018

Address Changed: 03/30/2016

Officer/Director Detail

Name & Address

Title Director

PATEL, M
PO BOX 211358
ROYAL PALM BEACH, FL 33421

Annual Reports

Report Year	Filed Date
2023	05/01/2023
2024	05/01/2024
2025	04/30/2025

Document Images

04/30/2025 -- ANNUAL REPORT	View image in PDF format
05/01/2024 -- ANNUAL REPORT	View image in PDF format
05/01/2023 -- ANNUAL REPORT	View image in PDF format
04/28/2022 -- ANNUAL REPORT	View image in PDF format
02/23/2021 -- AMENDED ANNUAL REPORT	View image in PDF format
02/16/2021 -- ANNUAL REPORT	View image in PDF format
06/29/2020 -- ANNUAL REPORT	View image in PDF format
04/30/2019 -- ANNUAL REPORT	View image in PDF format
03/07/2018 -- ANNUAL REPORT	View image in PDF format
05/01/2017 -- ANNUAL REPORT	View image in PDF format
03/30/2016 -- ANNUAL REPORT	View image in PDF format
04/28/2015 -- ANNUAL REPORT	View image in PDF format
04/30/2014 -- ANNUAL REPORT	View image in PDF format
06/05/2013 -- ANNUAL REPORT	View image in PDF format
03/19/2013 -- Voluntary Dissolution	View image in PDF format
04/28/2012 -- ANNUAL REPORT	View image in PDF format
08/08/2011 -- Domestic Profit	View image in PDF format



Village of Palm Springs
Code Enforcement Magistrate Hearing

Case No.: 2022 - 53
Village of Palm Springs, Florida
Petitioner,

vs.

ERICK A. ENCARNACION
ALISON L. GARCIA
4331 DALE ROAD
PALM SPRINGS, FL 33406 7527

Respondent(s).

PCN: 70-42-44-13-05-002-0200

FINE REDUCTION OR ABATEMENT ORDER

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on **MAY 15, 2025** and the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances, and based upon a preponderance of the evidence, does find as follows:

The above Respondent(s) is the owner or occupant of **4331 DALE ROAD (70-42-44-13-05-002-0200)**
THE PROPERTY DESCRIBED AS: MILITARY HILL LOTS 20 & 21 BLK B

1. On DECEMBER 15, 2022, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of **Section(s) 10-31 (FBC 105.1) No Required Issued Permit**, the garage door was removed and the building enclosed, **(FBC 110.1) No Required Inspections** by the Village Building Department of the Village of Palm Springs Code of Ordinances. The Respondent was given until FEBRUARY 17, 2023 within which to comply with the code, failing which a fine of \$100.00 per day was assessed against respondent(s). The fines continued for 584 days and totaled \$54,500.00 minus expenses of \$29,247.30 to gain compliance, the total owed is \$25,552.70.
2. Administrative Costs of \$181.14 were also levied against the Respondent(s) and were paid.
3. On JANUARY 24, 2025, the Respondent(s) complied with the cited violation(s).
4. The Respondent has submitted an application for a fine reduction.

IT IS HEREBY ORDERED, that

- A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent, fine reduction criteria under Section 162.09(2)(b), Florida Statutes, has been _____ or _____ has not been established; and
- B. _____ Respondent is ordered to pay a reduced fine of **\$5,110.54** and costs in the amount of **\$-0-** on or before **May 30, 2025**. If the reduced fine is not paid within the specified time, **the fine shall revert to the original accrued amount of \$54,500.00 before the reduction.**

DONE AND ORDERED this 15th day of May 2025.

By: _____
Special Magistrate

Copies Furnished to the Parties by U.S. Mail

VILLAGE OF PALM SPRINGS, FLORIDA

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE
ON REQUEST FOR REDUCTION OF FINE

Code Enforcement Officer: Gehrman

Date: May 15, 2025

Case No.: 2022-53

Respondent(s): ERICK A. ENCARNACION & ALISON L. GARCIA

Violation Address (Subject Property): 4331 DALE ROAD

BACKGROUND

On **December 15, 2022** the above referenced case was adjudicated by the Special Magistrate/Code Enforcement Board as being in violation of Code Section(s): **10-31 (FBC 105.1) garage door removed and building enclosed, no Required Issued Permit, (FBC 110.1) No Required Inspections by the Village Building Department.** The Respondent was given a violation and fine commencing on **February 17, 2023** and continuing to accrue at the rate **of \$100.00 per day** for every day not in compliance. To date, the fine has accumulated for **548 days**, for a total fine of **\$54,800.00** as of the compliance date of **January 24, 2025**. In Consideration the Village deducted expenses of \$29,247.30 for respondent expenses and removed 159 days from the total due to Village delays in the permit review process. **For a reduced total fine of \$25,552.70.**

The **\$181.14** administrative costs have been paid.

RECOMMENDATION.

Code Enforcement Staff recommends the following actions pursuant to Florida Statute Section 162.09(b), for the Special Magistrate's consideration:

- A. That based upon the criteria of Section 162.09(2)(b), Fla. Stat., that the Special Magistrate **approve** the Respondent's Request for a Reduction of Fine, and that the Respondent pay the reduced fine in the amount of **\$5,110.54** within fifteen (15) days of the date of the Magistrate's Final Order on the Request or on or before **May 30, 2025**. If the reduced fine is not paid within the time specified, the original fine in the amount of **\$54,800.00** shall be reinstated.
- B. That based upon the criteria of Section 162.09(2)(b), Fla. Stat., that the Special Magistrate **deny** the Respondent's Request for a Reduction of Fine.

STAFF JUSTIFICATION FOR RECOMMENDATION

Staff has based its recommendation to the Special Magistrate on the following factors which include, but are not limited to, the gravity of the violation(s), the actions taken by the Respondent to correct the violation(s), and any previous violations committed by the Respondent. The basis for Staff's recommendation is set forth as follows: This property was purchased with an illegal garage conversion Florida Building Code Violation existing. The New owners have brought the property into compliance. The property is now in compliance and the Village recommends the reduction of the accrued fine from case 2022-53.

Dated: May 20, 2025

By: Tom Gehrman
Code Enforcement Officer



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

CASE NO: 2022-53

REQUEST FOR REDUCTION OF FINE

INSTRUCTIONS: Please answer all questions on this form completely. Be specific and use additional pages if necessary. **PRIOR TO SUBMITTING THIS REQUEST, ALL UNPAID CITATIONS AND ADMINISTRATIVE COSTS MUST BE PAID AND PROPERTY MUST BE IN TOTAL COMPLIANCE.** Return this form and the \$250.00 application fee, to the Village Clerk of the Code Enforcement Special Magistrate. The request will then be presented to the Magistrate at the next regularly scheduled hearing. **The Special Magistrate will not consider your request unless you are present at the hearing.** You will be notified in writing of the Special Magistrate's decision within ten (10) days after the meeting. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a Doctor's statement or proof of income). If you have any questions, please call the Village Clerk's Office (561) 965-4010.

Property Owner's Name: Alison L. Garcia, Erick A. Vargas Encarnacion

Property Address: 4331 Dale Rd. Palm Springs, FL 33406

Telephone number where you can be reached during the day: 407-456-1417

Is the property now in compliance: Yes: No: (If no, explain in detail)

Are you requesting an extension of time to make repairs: Yes: No:

If yes, until what date: N/A

Date you called The Village of Palm Springs Code Enforcement Division for a re-inspection: 1-27-2025

Compliance date specified by Special Magistrate: _____

Are you claiming a financial hardship: Yes: No:

Are you claiming a medical hardship: Yes: No:

If the property owner is unable to complete this form, list name of person who is authorized to act for the property owner: N/A

Relationship to property and/or property owner: N/A

MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR POSITION.

I, Alison L. Garcia & Erick A. Vargas Encarnacion, do hereby submit this petition in request for a reduction in the total amount of penalty imposed, or a request for an extension of time to bring the property into compliance, and in support, offer the following statement:

Please view attached statement.

Date: 4-21-2025 Signature: Alison Garcia, Erick Vargas

State of: Florida County of: Palm Beach

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF April 2025, BY Alison Garcia WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED drivers license AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

[Signature]
SIGNATURE OF NOTARY PUBLIC

Dornia James
PRINT NAME OF NOTARY PUBLIC

(OFFICIAL SEAL)



Monday, April 21, 2025

Attention: Village of Palm Springs Code Enforcement Special Magistrate

Subject: Request for Fine Reduction

In regards to Case NO: 2022-53

Property Owners: Alison L. Garcia & Erick A. Vargas Encarnacion

Property Address: 4331 Dale Rd. Palm Springs, FL 33406

Email: alisbett23@gmail.com

Cell: 407-456-1417

Dear Magistrate,

We hope this message finds you well. We, Alison Garcia and Erick Vargas Encarnacion, are writing to respectfully request a reduction in the total fines imposed in connection with the property located at **4331 Dale Rd.**

We closed on this property on **March 27, 2023**, purchasing it "as-is" without fully understanding the extent of the challenges that would follow. As first-time homeowners, the journey to compliance with the Village of Palm Springs has been far more difficult and costly than anticipated. Since the closing, we have made every effort—both financially and physically—to bring the property into full compliance, working in good faith with the city throughout the entire process.

While we fully understand the basis for the fines, we would like to provide some context for our request:

- We are both hard-working individuals currently experiencing financial hardship. I work full time, Monday through Friday, often until 8:00 p.m., and my husband was working overtime before enlisting in the military. He was also out of work for two months after coming back from aiding in Hurricane Milton in late 2024.
- Every dollar we earn has gone into this property: from mortgage payments to permits, multiple inspections, professional services (plumbing, electrical, mechanical), and supplies ranging from drywall to pest control. Much of this was paid for out-of-pocket or through credit cards we've opened just to cover these essential expenses.
- Despite the financial strain, we have remained committed to compliance. We have passed all required permits as of **January 27, 2025**, and have worked tirelessly with the city throughout this process.

- There were delays that were beyond our control, including extended periods of waiting for city responses and inspections—sometimes for weeks at a time.
- At the time of sale, \$14,000 was held in escrow with a contingency agreement that we would meet compliance within 90 days. Unfortunately, this agreement was terminated by the seller due to the unexpected length of the process.

We have provided all supporting documents, including receipts and paid invoices, to demonstrate the extent of our efforts and expenses.

We truly hope you will consider all the hard work, dedication, and personal sacrifice we have made over the last two years in bringing the property into compliance. We are not seeking to avoid responsibility but rather asking for leniency and understanding in the face of genuine hardship. A reduction—or complete forgiveness—of the fines would make a significant difference for us as we continue to recover financially and move forward.

We remain fully committed to resolving this matter and are available to provide any additional documentation or clarification you may need.

Thank you very much for your time, understanding, and consideration.

Sincerely,

Alison Garcia & Erick Vargas Encarnacion

Alison Garcia & Erick Vargas E.

Department of the Army

28 February 2025

Order Number: 0022041491.00

EMPLID: 0006983393

Assignment ID: 225392268

PFC Vargas Encarnacion, Erick Antonio 1639024446 W0GR6A - Ft Jackson, SC 29207

Action: Permanent Change of Station

Reason: Accession

Effective Date: 21 April 2025

Report To: W0U5HE - HHC 15TH SIG BDE TR

UNK, FT EISENHOWER, GA 30905

Position Number: 09043051

Position Title: INITIAL ACTIVE DUTY TNG (IADT)

Assignment Loss Reason: A3 - ENLST

Major Personnel Action: AA - ENLISTMENT

Additional Information:

Lines of Accounting:

Accessions 1AE5

SDN: Var3996PE92268

By Authority of Department of the Army



Department of the Army

10 March 2025

Order Number: 0022041491.01

EMPLID: 0006983393

Assignment ID: 225392268

PFC Vargas Encarnacion, Erick Antonio 1639024446 W0G46B - Ft Jackson, SC 29207

Order 0022041491.00 is Amended

Action: Permanent Change of Station

Reason: Accession

Effective Date: 18 April 2025

Report To: W0U5HE - HHC 15TH SIG BDE TR
UNK, FT EISENHOWER, GA 30905

Position Number: 09043051

Position Title: INITIAL ACTIVE DUTY TNG (IADT)

Assignment Loss Reason: A3 - ENLST

Major Personnel Action: AA - ENLISTMENT

Additional Information:

Lines of Accounting:

Accessions 1AE5

SDN: Var3996PE92268

By Authority of Department of the Army

Approved By: MELINDA HUNTER, Government Civilian, W6CCAA



VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2022-53

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner

vs.

ERICK A. ENCARNACION
ALISON L. GARCIA
4331 DALE ROAD
PALM SPRINGS, FL 33406 7527

Respondent

The property at 4331 DALE ROAD IN Palm Springs in the Code Enforcement Notice of Violation dated NOVEMBER 28, 2022, in the above-mentioned case, has been re-inspected and, I Tom Gehrman state that said property is **NOW in compliance SECTION 10-31 (FBC 105.1) Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. SECTION 10-31 (FBC 110.1) No Required Inspections by the Village Building Department. (PZ&B) of the Ordinance Codes of the Village of Palm Springs on the TWENTYFOURTH (24th) day of JANUARY 2025. Permits Issued and closed with passed inspections.**

ADMINISTRATIVE COSTS PAID

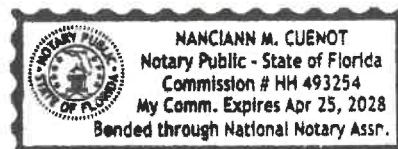

Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 1ST day of MAY, 2025 by Tom Gehrman, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

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


Notary Public - State of Florida
My Commission Expires: April 25, 2028



9-5-24

Record: 202301044 Permit

Submittal → Fees Paid Intake Fees → Route Plans → Review Complete → Final Review → Fees Paid Issuance Fees → Approved → Insp Done → Close Permit

Permit #	202301044	Status	Closed	Intake	
Permit Type	Permit	Primary Contact	ENCARNACION ERICK A & GARCIA ALISON L	Applied	8/22/2023
Type	Building - Residential	Address	4331 DALE RD, Palm Springs, FL 33406	Issued	9/5/2024
Scope of Work	Porch Enclosure	Parent Record	<input checked="" type="checkbox"/>	Expires	7/24/2025
Assigned to	(Deleted) smcdonaldc9bc27	Parcel	70424413050020200	Days to	147
Estimated Cost	6,000.00	Subdivision		Closed	1/24/2025
		Flood Zone	X - ZONE X	CO	
		Zoning Code	RM	TCO	
Description 1	GARAGE ENCLOSURE TO A BATHROOM				
Status Memo					
CRA		CRA memo			
Homestead	No				
Use Code	MEDIUM DENSITY				
	<input type="checkbox"/> HOA				
Finished SF					

30 1st Review
13 2nd Rev
49

4-16
39

4331 Dale Rd.

- Planned Inspections (14)

Inspection Type	Inspections	Commands
1.1. BUILDING FINAL	TK24-42769 Result: Pass	
1.2. EXT LATH/STUCCO	TK24-42768	
1.3. FINAL SURVEY	TK24-42767	

Village of Palm Springs, FL
Planning and Zoning
226 Cypress Ln
Palm Springs, FL 33461
(561) 584-8200 x8460
Welcome

006073-0003 Shamaigha 01/19/2023 10:19

MISCELLANEOUS

Code Citations (35401)
External Item Reference: 35401
External Payment Reference:
2023 Item: 35401
Balance unpaid: -181.14
Code Citations (35401) 181.

181

Subtotal 181.
Total 181.

CREDIT CARD PBZ 181.
*****9355
Ref=18331551503
Auth=019301
202301194DDE

Change due 0.0

Paid by: GORDON R IMBODEN -SAM

Comments: CASE# 2022-53

Thank you for your payment

CUSTOMER COPY

Addendum to Contract

Addendum No. _____ to the Contract with the Effective Date of February 15, 2023 between
Bret Imboden and Gordon Imboden (Seller)
 and Erick Antonio Vargas Encarnacion and Alison Lisbet Garcia (Buyer)
 concerning the property described as: 4331 Dale Road, Palm Springs, FL 33406

(the "Contract"). Seller and Buyer make the following terms and conditions part of the Contract:

1. The Buyer hereby assumes obligation of resolving that certain Village of Palm Springs Code Compliance Case No.: 2022-53 (the "Code Case") within three (3) months of the Closing Date. The costs pertaining to bringing the Property into compliance post Closing shall be borne by the Buyer. Once the Property has been brought into compliance, Buyer shall apply for a lien reduction with the Village of Palm Springs pertaining to the Code Case.
2. Seller shall escrow the sum of \$14,000 ("Escrow Amount") at Closing from sale proceeds due to Seller to ensure payment of any fines and costs due under the Code Case once the lien reduction described above has been approved. Once the Property is brought into compliance by Buyer and the lien reduction described in Paragraph 1, above, has been approved, any fines and costs pertaining to the Code Case shall be paid from the Escrow Amount, and the balance remaining shall be refunded to Seller.
3. All other terms and conditions of the Contract, as amended, shall remain the same.

Buyer: <u>Erick Vargas</u>	Date: <u>03/13/2023 5:53 PM EDT</u>
Buyer: <u>Alison Lisbet Garcia</u>	Date: <u>03/13/2023 6:17 PM EDT</u>
Seller: <u>[Signature]</u>	Date: <u>03 / 13 / 2023</u>
Seller: <u>[Signature]</u>	Date: <u>03 / 13 / 2023</u>

ACSP-4 Rev. 8/17

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Doc ID c679bcd5d10bb342fd0e5c4d52e5e871a53450

On Fri, Jun 2, 2023 at 10:37 Thomas Gehrman <tgehrman@vpsfl.org> wrote:

**VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT**

CODE CASE: 2022 - 53

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

v.

**BRETT IMBODEN
GORDON IMBODEN
12802 ANTHORNE LANE
BOYNTON BEACH, FL 33436 2204**

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of SECTION 10-31 (FBC 105.1) - Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. SECTION 10-31 (FBC 110.1) - No Required Inspections by the Village Building Department. (PZ&B)

**Address: 4331 DALE ROAD
Legal Description: MILITARY HILL LOTS 20 & 21 BLK B
PCN: 70-42-44-13-05-002-0200**

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of DECEMBER 2022, 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 Section(s) **SECTION 10-31 (FBC 105.1)** - Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. **SECTION 10-31 (FBC 110.1)** - No Required Inspections by the Village Building Department. (PZ&B), of the Code of Ordinances of the Village of Palm Springs.

Respondent was in violation of Section(s) **SECTION 10-31 (FBC 105.1)** Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. **SECTION 10-31 (FBC 110.1)** No Required Inspections by the Village Building Department. (PZ&B), of the Code of Ordinances of the Village of Palm Springs.

ORDER

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

- Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before January 18, 2023.
- Administrative costs of \$181.14

- Citation fine of NA
- Re-inspection fee of NA

Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **JANUARY 18, 2023**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **JANUARY 18, 2023**.

- Administrative costs of \$ 181.14
- Citation fine of NA
- Re-inspection fee of NA

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

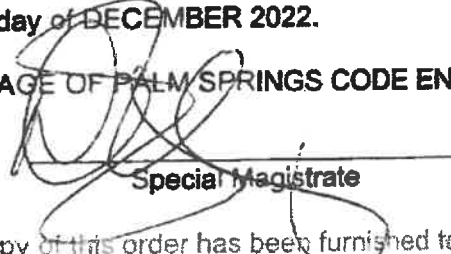
A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer **TOM GEHRMAN** at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext.8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of DECEMBER 2022.

VILLAGE OF PALM SPRINGS CODE ENFORCEMENT

BY:



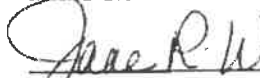
Special Magistrate

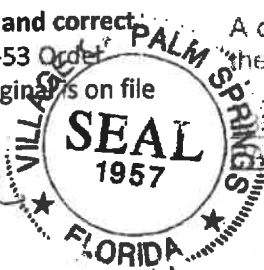
STATE OF FLORIDA
COUNTY OF PALM BEACH
VILLAGE OF PALM SPRINGS

I hereby certify this is a true and correct copy of the Code Case 2022-53 Order Finding Violation and the originals on file in the Clerk's Office.

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

31 DALE ROAD
PALM SPRINGS, FL 33406


Jane R. Worth, CMC
Deputy Village Clerk



Village of Palm Springs
Code Enforcement Magistrate Hearing

CODE CASE: 2022-53

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

v.

Brett Imboden
Gordon Imboden
4331 Dale Road
West Palm Beach, FL 33406

Respondent(s).

PCN: 70-42-44-13-05-002-0200

ORDER GRANTING / DENYING EXTENSION OF TIME

THIS MATTER having come before the Village of Palm Springs Code Enforcement Special Magistrate on DECEMBER 15, 2022, by the Respondent's request for an extension of time within which to come into compliance, the Magistrate, having heard the testimony and other evidence of the parties, and having been fully apprised of the circumstances:

1. The above Respondent is the owner or occupant of THE PROPERTY DESCRIBED AS: 4331 DALE ROAD;
Legal Description: MILITARY HILL LOTS 20 & 21 BLK B


2. On DECEMBER 15, 2022, the Village of Palm Springs Code Enforcement Special Magistrate entered an order finding the Respondent in violation of Section 10-31 (FBC 105.1) No required Permit for Garage Enclosure. (FBC 110.1) No required inspections of the structure of the Village of Palm Springs Code of Ordinances. The Respondent was given until JANUARY 18, 2023, within which to comply with the code, failing which a fine of \$100.00 per day, per violation was assessed against respondent.

(see form attached).

IT IS HEREBY ORDERED, that

- A. Based upon the testimony of the parties, and viewing the facts presented in the light most favorable to the Respondent(s), shall/shall not be given an extension until, FEBRUARY 17, 2023, to comply on this matter on or before JANUARY 18, 2023.
- B. If the Respondent shall not bring the alleged violations into compliance on or before the extended compliance date of FEBRUARY 17, 2023, the compliance Date will revert to the Original Compliance Date of January 18, 2023.

DONE AND ORDERED this 19TH day of JANUARY 2023

By: 
Special Magistrate

Copies Furnished to the Parties by U. S. MAIL
Brett & Gordon Imboden
4331 Dale Road
West Palm Beach, Fl 33406

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT

CITATION 2022-53

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

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner


vs.

BRETT IMBODEN
GORDON IMBODEN
12802 ANTHORNE LN
BOYNTON BEACH, FL 33436 204

Respondent

The property at 4331 DALE ROAD IN Palm Springs in the Code Enforcement Notice of Violation dated NOVEMBER 28, 2022, in the above-mentioned case, has been re-inspected and, I Tom Gehrman state that said property is **NOT in compliance SECTION 10-31 (FBC 105.1) Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. SECTION 10-31 (FBC 110.1) No Required Inspections by the Village Building Department. (PZ&B) of the Ordinance Codes of the Village of Palm Springs on the SEVENTEENTH (17th) day of FEBRUARY 2023. No new permits applied for and inspections not allowed.**

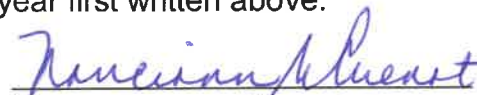
ADMINISTRATIVE COSTS PAID

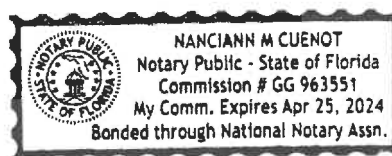

Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Affidavit acknowledged before me this 24th day of February, 2023 by Tom Gehrman, who is personally known to me to be a Code Enforcement Officer of the Village of Palm Spring, Florida.

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


Notary Public - State of Florida
My Commission Expires: April 25, 2024



**VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT**

CODE CASE: 2022 – 53

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

v.

**BRETT IMBODEN
GORDON IMBODEN
12802 ANTHORNE LANE
BOYNTON BEACH, FL 33436 2204**

Respondent(s).

ORDER FINDING VIOLATION

Re: Violation of **SECTION 10-31 (FBC 105.1)** - Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. **SECTION 10-31 (FBC 110.1)** - No Required Inspections by the Village Building Department. (PZ&B)

Address: 4331 DALE ROAD
Legal Description: MILITARY HILL LOTS 20 & 21 BLK B
PCN: 70-42-44-13-05-002-0200

The Special Magistrate appointed by the Village of Palm Springs to hear code enforcement cases for the Village of Palm Springs, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement hearing held on the 15th day of DECEMBER 2022, 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 Section(s) **SECTION 10-31 (FBC 105.1)** - Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department. **SECTION 10-31 (FBC 110.1)** - No Required Inspections by the Village Building Department. (PZ&B), of the Code of Ordinances of the Village of Palm Springs.

Respondent was in violation of Section(s) **SECTION 10-31 (FBC 105.1)** Garage door removed and building enclosed, No Required Issued Permits with the Village of Palm Springs Building Department.

SECTION 10-31 (FBC 110.1) No Required Inspections by the Village Building Department. (PZ&B), of the Code of Ordinances of the Village of Palm Springs.

ORDER

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

- Respondent has brought the cited code violation(s) into compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before **January 18, 2023**.
- Administrative costs of \$181.14

- Citation fine of NA
- Re-inspection fee of NA

Respondent has not brought the cited code violation(s) into compliance and remains in violation. Respondent must comply with all code violations on or before **JANUARY 18, 2023**. If Respondent fails to comply within the time given, a fine of **\$100.00 per day, per violation** will continue to accrue until the Respondent contacts the Code Inspector/Officer and a re-inspection indicates that the property is in compliance. Respondent has failed to pay and is ordered to pay the following amounts on or before the date set for compliance or by **JANUARY 18, 2023**.

- Administrative costs of \$ 181.14
- Citation fine of NA
- Re-inspection fee of NA

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

A certified copy of this order may be immediately recorded in the Public Records of Palm Beach County and if recorded, shall constitute notice pursuant to section 162.07(4), Fla. Stat. Within twenty (20) days of the date of this order, the Respondent may submit a written request to Code Inspector/Officer TOM GEHRMAN at the Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Village shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the written request for the hearing. The requested hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why this order and the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violations into compliance and/or pay all administrative costs and fees as ordered herein, the Village, if it has not already done so pursuant to section 162.07(4), Fla. Stat., may record a certified copy of this order in the Public Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to section 162.09, Fla. Stat. If a certified copy of this order has previously been recorded pursuant to section 162.07(4), Fla. Stat., then that recorded order shall constitute a lien pursuant to section 162.09, Fla. Stat. The lien shall be assessed against the real property at issue (if applicable) and the real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Village Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be considered a repeat violation for which a fine of up to five-hundred-dollars (\$500.00) per day may be imposed beginning on the date the violation begins.

Upon complying, it is the responsibility of the Respondent to notify the Village of Palm Springs Code Inspector/Officer at (561) 584-8300 ext.8520 to request a reinspection of the property and/or violation(s).

DONE AND ORDERED this 15th day of DECEMBER 2022.

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:

4331 DALE ROAD
PALM SPRINGS, FL 33406

VILLAGE OF PALM SPRINGS, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
Case No. 2022-53

VILLAGE OF PALM SPRINGS, FLORIDA
Petitioner,

V.

BRET IMBODEN
GORDON IMBODN
4331 DALE ROAD
PALM SPRINGS, FL 33436 2204

Respondent.

Noticer
certified 11-28-22
regular 11-28-22 !
BOSTING 11-30-22

PCN 70-42-44-13-05-002-0200

NOTICE OF VIOLATION AND NOTICE OF HEARING

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he has just and reasonable grounds to believe, and does believe that on **NOVEMBER 28, 2022**, the Respondent, **BRET & GORDON IMBODEN** owner of the property at 4331 DALE ROAD, PALM SPRINGS, FL, 33406 is in violation of local ordinances

SECTION 10-31 (FBC 105.1) Garage Enclosed, No Required Issued Permits, NO Required permits with Village PZ&B,


SECTION 10-31 (FBC 110.1) NO Required Inspections of the work done by Village PB&Z.

These violations must be corrected on or before **DECEMBER 12, 2022**, 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. 561-965-4010, **at 10:00 a.m., on THURSDAY DECEMBER 15, 2022.** 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) 304-4826 and providing proof of Permits and Inspections.** A request for inspection must be made at least 1 day(s) prior to the requested inspection.

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

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



Code Enforcement Officer 561-304-4826 or 561-584-8300 ext. 8522

TOM GEHRMAN
Printed Name of Officer

Date Issued: **NOVEMBER 28, 2022**

tgehrman@UPSFL.ORG

Property Detail

Location Address : 4331 DALE RD
Municipality : PALM SPRINGS
Parcel Control Number : 70-42-44-13-05-002-0200
Subdivision : MILITARY HILL IN
Official Records Book/Page : 34207 / 1517
Sale Date : 03/13/2023
Legal Description : MILITARY HILL LOTS 20 & 21 BLK B

Owner Information

Owner(s)

ENCARNACION ERICK A &
 GARCIA ALISON L

Mailing Address

4331 DALE RD
 PALM SPRINGS FL 33406 7527

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
03/13/2023	\$420,000	34207 / 01517	WARRANTY DEED	ENCARNACION ERICK A &
04/22/2022	\$450,000	33514 / 01442	WARRANTY DEED	IMBODEN BRET &
01/24/2020	\$360,000	31201 / 01076	WARRANTY DEED	AGUILAR LUIS O
09/17/2019	\$250,000	30902 / 01943	QUIT CLAIM	362 GREGORY LLC
09/17/2019	\$10	30902 / 01941	REP DEED	362 GREGORY LLC
02/01/1990	\$100	06373 / 00672	QUIT CLAIM	DISANTO NICK EST
01/01/1980	\$65,000	03399 / 00457		
01/01/1978	\$6,000	02917 / 00875		

Exemption Information

Applicant/Owner(s)

ENCARNACION ERICK A &
 ENCARNACION ERICK A &
 GARCIA ALISON L
 GARCIA ALISON L

Year
 2025
 2025
 2025
 2025

Detail

HOMESTEAD
 ADDITIONAL HOMESTEAD
 HOMESTEAD
 ADDITIONAL HOMESTEAD

Property Information

Number of Units : 1
***Total Square Feet :** 2092
Acres : .30
Property Use Code : 0100—SINGLE FAMILY
Zoning : RM—RESIDENTIAL MULTI-FAMILY (70-PALM SPRINGS)

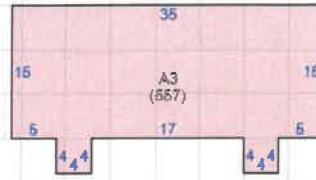
Building Details

Structural Details

Structural Element for Building 1	
Exterior Wall 1	MSY: CB STUCCO
Year Built	1978
Air Condition Desc.	HTG & AC
Heat Type	FORCED AIR DUCT
Heat Fuel	ELECTRIC
Bed Rooms	4
Full Baths	2
Half Baths	0
Exterior Wall 2	WSF: WOOD SIDING
Roof Structure	GABLE/HIP

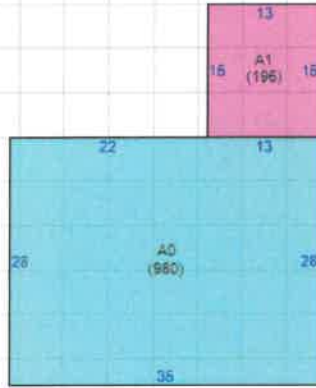
Sketch for Building 1

Roof Cover	ASPHALT/COMPOSITION
Interior Wall 1	DRYWALL
Interior Wall 2	N/A
Floor Type 1	MARBLE
Floor Type 2	CARPETING
Stories	2



Subarea and Square Footage for Building 1

Code Description	square Footage
BAS Base Area	980
FUS Finished Upper Story	557
FSP Finished Screened Porch	195
FDG Finished Det. Garage	360
Total Square Footage	2092
Area Under Air	1537



Property Extra Feature

Description	Year Built	Units
Patio	1978	120

Property Land Details

Land Line #	Description	Zoning	Acres
1	SFR	RM	0.3024

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$298,570	\$241,703	\$198,349	\$189,970	\$142,390
Land Value	\$160,266	\$180,300	\$183,339	\$83,758	\$55,000
Total Market Value	\$458,836	\$422,003	\$381,688	\$273,728	\$197,390

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$458,836	\$422,003	\$301,101	\$273,728	\$197,390
Exemption Amount	\$50,000	\$0	\$0	\$0	\$0
Taxable Value	\$408,836	\$422,003	\$301,101	\$273,728	\$197,390

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$8,101	\$8,268	\$6,555	\$5,635	\$4,099
NON AD VALOREM	\$516	\$511	\$483	\$427	\$422
TOTAL TAX	\$8,617	\$8,778	\$7,037	\$6,062	\$4,521