



**MINUTES  
CODE ENFORCEMENT MAGISTRATE HEARING  
VILLAGE HALL COUNCIL CHAMBERS  
226 CYPRESS LANE  
MAY 15, 2025  
10:00 AM**

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*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.*

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**CALL TO ORDER**

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

**ROLL CALL**

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

**SWORN IN**

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

**AGENDA CHANGES**

There were no changes in the agenda.

**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.**

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

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3590 Almar Road and the recommendations made by the Village. Mr. Sanders noted that the property complied with sections 10-8, 30-141, and 34-225. However, he clarified that it remains in violation of sections 10-31, 14-32, 34-914, and 10-9.

Jean Albert Gibbs, the property owner, was present at the hearing. Mr. Gibbs clarified that many of the sections had been addressed and that he just needed more time to complete the remaining sections.

Special Magistrate Davis found that the defendant had complied with sections 10-8, 30-141, and 34-225. However, the property is still in violation of sections 10-31, 14-32, 34-914, and 10-9. The defendant is required to correct these violations by June 30, 2025. If compliance is not achieved by June 30, 2025, the Village's recommendation of a daily fine of \$100.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$276.60 to be paid before June 30, 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**

Code Enforcement Officer Mr. Sanders testified about the violations cited at 3591 April Avenue and the recommendations made by the Village.

The owner, Elier Garcia Gonzalez, was present at the hearing. Mr. Gonzalez indicated that some of the issues have been resolved, and he is committed to addressing the remaining ones promptly. He requested additional time because the architect he is collaborating with needs to submit permits and other necessary documentation. Therefore, he asked for an extension to complete all outstanding requirements.

Special Magistrate Davis found that the defendant had violated sections 10-31 (FBC 105.1 & 110.1), 14-32, 30-141, 34-225, 34-913, 34-914, 34-1381, 30-143, and 10-9. The defendant is required to correct these violations by July 1, 2025. If compliance is not achieved by July 1, 2025, the Village's recommendation of a daily fine of \$100.00 per day per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$316.60 to be paid before July 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**

Code Enforcement Officer Ms. Cuenot testified about the violations cited at 3818 South Congress Avenue and the recommendations made by the Village. Ms. Cuenot indicated that although the yard had been mowed, various pieces of trash and debris

remained in the area. She presented photographs to the magistrate, which were submitted for inclusion in the official record.

There was no representation from the owner.

Special Magistrate Davis found that the defendant had violated sections 30-143 and 10-30. The defendant is found to be in repeat violation of section 30-143 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. A re-inspection indicates that the property complies. Respondent must comply with the property registration and maintenance improvements by July 15, 2025. If compliance is not achieved by the mentioned days, the Village's recommendation of a daily fine of \$100.00 per day will be enforced. Special Magistrate Davis assessed administrative costs of \$192.98 to be paid before May 20, 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**

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 4331 Dale Road and the recommendations made by the Village.

The magistrate inquired about the consequences of non-payment concerning the reduction of the fine. Specifically, he asked whether the amount subject to reversal would be the reduced fine of \$25,552.70 or the original fine of \$54,500.00. Attorney Ben Saver and Building Official Peter Ringle clarified that the fine would revert to the original sum of \$54,500.00 in the event of non-payment.

Alison L. Garcia, the property owner, was present at the hearing and formally requested an extension to facilitate the payment of the reduced fine. No objections were raised concerning her request for additional time.

May 15, 2025, Special Magistrate Meeting Minutes

Special Magistrate Keith Davis reduced the fine to \$5,110.54, which must be paid by June 30, 2025. If the fine is not paid by this deadline, it will revert to the original amount of \$54,500.00.

**ADJOURNMENT**

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 10:44 a.m.

**Next Magistrate Hearing is  
Tuesday, June 17, 2025, at 10:00 a.m.**

**The undersigned is the Records Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Special Magistrate Meeting held on May 15, 2025.**

**Respectfully,**

*Andrea Medera*

**Records Clerk**

## Village of Palm Springs

### Title VI/Nondiscrimination Policy

#### I. Policy Statement:

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

#### II. Persons with Disabilities:

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

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

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

Name: Ashley Saingilus  
Address: 226 Cypress Lane, Palm Springs, FL 33461  
Email: [asaingilus@vpsfl.org](mailto: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](mailto:jpiedra@vpsfl.org)  
Phone: (561) 584-8200 Ext. 8421



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