



**MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
SEPTEMBER 18, 2025
10:00 AM**

If a person decides to appeal any decision made by the Magistrate, they will need a record of the proceeding. For such a purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

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

ROLL CALL

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

Also present: Police Officer Mariah L. Thompson and Police Officer Nathan A.E. Lambe.

Absent: Code Enforcement Officer Joey Sanders.

SWORN IN

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

AGENDA CHANGES

Village Attorney Goddeau informed the Magistrate that Items #2 (Case No. 2025-62) and #12 (Case No. 2025-70) would be presented first. She further stated that Item #8 (Case No. 2025-68), Item #9 (Case No. 2025-69), and Item #14 (Case No. 2025-74), were in compliance and therefore removed from the agenda. Additionally, item #10 (Case No. 2025-71) was also removed from the agenda.

MOTION HEARINGS

1. **Case 2025-60 - 4033 Lakewood Road - Laura Lee Chapman**
CE Officer - Tom Gehrman

Violation of Village Code of Ordinances

Section 34-914: Parking: All vehicles must be operable with registration & tag; no parking on grass in front of the house.

Section 30-143: Public Nuisance: debris & overgrowth visible.

Section 10-31 (FBC 105.1 & 110.1): Issued permits and inspections required.

Section 34-1381: Materials stored in an outside area visible from nearby streets or property.

Citation Fine:	N/A
Admin Cost:	\$246.21
Recommendation:	\$100.00 per day, per violation
Compliance Date:	October 16, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 4033 Lakewood Road and the recommendations made by the Village.

The property owner, Ms. Laura Lee Chapman, was present and provided testimony. Ms. Chapman testified that she has been working diligently to address most of the cited sections. She also inquired about the bus currently being converted into an RV and asked what steps would be required to bring it into compliance. Code Enforcement Officer Mr. Gehrman responded by outlining the steps that must be taken and clarifying what is permitted and not permitted under the Code of Ordinances.

Based on the testimony and evidence presented, Special Magistrate Davis found that the respondent is in violation of Sections 34-914, 30-143, and 34-1381. The respondent is required to correct these violations by October 16, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$246.21, payable before October 16, 2025.

2. **Case No. 2025-62 - 344 Shady Lane Road - Robelo Dinora & Avina Jorge**
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 34-1382: Noise nuisances: Excessive noise from music and/or karaoke machines disturbing neighbors nearby.

Section 46-20 (20): Pattern of nuisance activity.

Section 34-915: Improper storage of RV.

Citation Fine:	\$80.00
Admin Cost:	\$265.77
Recommendation:	\$100 per day, per violation
Compliance Date:	September 18, 2025

Code Enforcement Officer Mr. Stout testified about the violations cited at 344 Shady Lane Road and the recommendations made by the Village. Mr. Stout also called Police Officer Mariah L. Thompson and Building Official Peter Ringle to testify about the violation cited at the property.

Police Officer Ms. Thompson testified that she had responded to four (4) noise nuisances so far this year. Ms. Thompson stated that on each occasion, the music was very loud, and neighbors were complaining about the excessive noise late at night. Attorney Goddeau asked Ms. Thompson whether, in her opinion, the noise was excessive from a reasonable person's standpoint, and how far the subject property was from the location of the complaints. Ms. Thompson responded accordingly.

Building Official Peter Ringle also testified regarding the recreational vehicle (RV) parked at the rear of the property. He stated that the way it was positioned, the RV could not be moved in or out unless a crane was used.

Special Magistrate Davis inquired about the RV's original placement on the property. Building Official Ringle explained that it was placed there with a crane, and in the process, the City's sidewalk had been damaged, which was later repaired by the property owners.

The property owner, Mr. Jorge Avina, was present and provided testimony. He stated that he was new to the Village of Palm Springs and had several questions to clarify how to remain in compliance with the Code. He asked both the Police Officer and the Building Official about the complaints related to noise and about the RV parked at the rear of his property. Mr. Avina explained that the RV was initially parked in the driveway, but that a Code Enforcement Officer had informed him it could not remain there. As a result, he hired a crane to move it to the rear yard in an attempt to comply with the Code. Mr. Avina admitted that his mistake was not contacting the Village directly for guidance on where and how the RV should be parked appropriately, which had ultimately brought him before the Special Magistrate for resolution.

Building Official Ringle clarified that RVs are permitted to be stored or parked on residential properties; however, they may not be connected to utilities or used for living purposes while on the property. Mr. Ringle stated that the RV must be parked on a hard surface with adequate access to allow for easy movement in and out without driving on the grass, as required by the Code.

Mr. Avina also stated that he was willing to obtain any permits necessary to bring the property into compliance. He requested that the Village provide him with a written rule or guidance regarding Section 34-1382. Village Attorney Goddeau responded that he should refer to the Village's Code of Ordinances, which is available on the Village's website, where he could review the requirements applicable to his citations.

Village Attorney Goddeau stated that the Village was seeking a Finding of Fact for section 34-1382, and further recommended allowing the respondent additional time to obtain the required permits related to Section 34-915.

Based on the testimony and the evidence presented, Special Magistrate Davis found the respondent was in violation of Section 34-1382 and approved a Finding of Fact for Section 34-1382, explaining that any further violation of the same section would be treated as a repeat violation. Special Magistrate Davis also found the respondent in violation of Section 34-915, not for improper RV storage, but for failure to park the RV in accordance with Code requirements. The respondent is required to correct this violation by December 18, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine will be enforced. Special Magistrate Davis assessed administrative costs of \$265.77, payable before December 18, 2025.

3. **Case 2025-63 - 4159 Lakewood Road - Earl F. Smyth**

CE Officer David Urrutia

Violation of Village Code of Ordinances

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

Section 34-1381: Nuisance materials stored outside, visible to neighbors.

Section 34-225: Fencing. Missing or broken fence, wall, or gate (no pool).

Section 10-7: Property maintenance in general.

Section 10-31 (FBC 105.1): Failure to obtain a required building permit.

Section 14-32: Rental. Permits are required for residential rental units.

Citation Fine:

N/A

Admin Cost:

\$252.35

Recommendation:

\$100 per day, per violation

Compliance Date:

October 31, 2025

Code Enforcement Officer Mr. Urrutia testified regarding the violations cited at 4159 Lakewood Road and the recommendations made by the Village.

No representation from the owner.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 30-141, 34-1381, 34-225, 10-7, 10-31 (FBC 105.1), and 14-32. The respondent is required to correct these violations by October 31, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis also assessed administrative costs of \$252.35, payable by October 1, 2025.

4. **Case 2025-64 - 4161 Lakewood Road - Smyth Earl F. and Peggy L. Smyth**

CE Officer David Urrutia

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Failure to obtain a required building permit.

Section 10-7: Property maintenance in general.

Section 14-32: Rental. Permits are required for residential rental units.

Citation Fine: N/A
Admin Cost: \$252.35
Recommendation: \$100 per day, per violation
Compliance Date: October 31, 2025

Code Enforcement Officer Mr. Urrutia testified regarding the violations cited at 4161 Lakewood Road and the recommendations made by the Village.

No representation from the owner.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 10-31 (FBC 105.1), 10-7, and 14-32. The respondent is required to correct these violations by October 31, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis also assessed administrative costs of \$252.35, payable by October 1, 2025.

5. **Case 2025-65 - 4169 Lakewood Road - Earl F. Smyth and Errol R. Smyth**
CE Officer David Urrutia

Violation of Village Code of Ordinances

Section 14-32: Rental. Permits are required for residential rental units.

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

Section 34-1381: Nuisance materials stored outside, visible to neighbors.

Section 34-225: Fencing. Missing or broken fence, wall, or gate (no pool).

Section 10-7: Property maintenance in general.

Citation Fine: N/A
Admin Cost: \$252.35
Recommendation: \$100 per day, per violation
Compliance Date: October 31, 2025

Code Enforcement Officer Mr. Urrutia testified regarding the violations cited at 4169 Lakewood Road and the recommendations made by the Village.

No representation from the owner.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 14-32, 30-141, 34-1381, 34-225, and 10-7. The respondent is required to correct these violations by October 31, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis also assessed administrative costs of \$252.35, payable by October 1, 2025.

6. **Case 2025-66 - 4173 Lakewood Road - Earl F. Smyth**
CE Officer David Urrutia

Violation of Village Code of Ordinances

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

Section 34-1381: Nuisance materials stored outside, visible to neighbors.

Section 14-32: Rental. Permits are required for residential rental units.

Section 10-7: Property maintenance in general.

Citation Fine: N/A
Admin Cost: \$252.35
Recommendation: \$100 per day, per violation
Compliance Date: October 31, 2025

Code Enforcement Officer Mr. Urrutia testified regarding the violations cited at 4173 Lakewood Road and the recommendations made by the Village.

No representation from the owner.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 30-141, 34-1381, 14-32, and 10-7. The respondent is required to correct these violations by October 31, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis also assessed administrative costs of \$252.35, payable by October 1, 2025.

7. **Case 2025-67 - 2964 2nd Avenue North - Profit Planet**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-572: Non-compliance of Village Zoning Board Development Order. Site plan requirements not met.

Section 70-124: No Use & Occupancy Certificate.

Section 70 125: No Use & Occupancy Application and payment of fees.

Section 10-31 (FBC 105.1): Working without Permits. Interior renovations.

Section 10-31 (FBC 110.1): No required inspections.

Section 70-94: Application for local business tax receipt required - operating business in Unit A & Unit B.

Citation Fine: N/A
Admin Cost: \$221.33
Recommendation: \$250.00 per day
Compliance Date: December 17, 2025
Administration Fee Due Date: October 2, 2025

Code Enforcement Officer Ms. Cuenot testified regarding the violations cited at 2964 2nd Avenue North and the recommendations made by the Village.

Mr. Louis Vildor, a tenant of the property, and Ms. Christel Vildor, the property owner, were present at the hearing and provided testimony. Mr. Vildor stated that the property already had an air conditioning unit, which they had installed. He explained that they had only divided the property into two units and, upon being informed by Code Enforcement that permits were required, they immediately began the permitting process.

Mr. Vildor also presented a Business Tax Receipt, claiming that he had updated the address. Village Attorney Christy Goddeau, in consultation with Building Official Peter Ringle, reviewed the document and noted that it corresponded to a previous address and had expired, as it was issued in 2023. Attorney Goddeau asked whether a rental permit had been obtained. Ms. Vildor responded that she was unaware that one was required.

Mr. Vildor stated that he had applied to change the address on the Business Tax Receipt. However, Ms. Cuenot and Mr. Ringle clarified that the application had been denied, and the presented document was only a renewal of the previous license, not an updated version reflecting the current property.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 34-572, 70-124, 70-125, 10-31 (FBC 105.1), 10-31 (FBC 110.1), and 70-94. The respondent is required to correct these violations by December 17, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$250.00 daily fine will be enforced. Special Magistrate Davis also assessed administrative costs of \$221.33, payable by October 2, 2025.

8. **Case No. 2025-68 - 3941 Coconut Road - William J. Scheuring**
CE Officer Joey Sanders

Violation of Village Code of Ordinances

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

Section 10-8: Driveways. Remove all black discoloration off both driveways.

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

Citation Fine:	N/A
Admin Cost:	\$237.35
Recommendation:	\$100.00 per day, per violation
Compliance Date:	October 1, 2025

(STAFF INFORMED THAT THIS CASE WAS IN COMPLIANCE)

9. **Case 2025-69 - 441 Cypress Lane- Javier Gonzalez**
CE Officer David Urrutia

Violation of Village Code of Ordinances

Section 34-914: Parking. Parking in residential land use districts.
Section 34-1381: Nuisance. Trash and debris are visible to the public.
Citation Fine: N/A
Admin Cost: \$252.35
Recommendation: \$100 per violation, per day
Compliance Date: September 19, 2025

(STAFF INFORMED THAT THIS CASE WAS IN COMPLIANCE)

10. **Case 2025-71 - 719 Lori Drive #215 - Johanna Orozco**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances
Section 10-31 (FBC 105.1): Working without required permits (AV installation).
Section 10-31 (FBC 110.1): No required inspections.
Section 14-32: No required permit (BTR) for residential rental.
Citation Fine: N/A
Admin Cost: \$242.35
Recommendation: \$100.00 per violation, per day
Compliance Date: October 16, 2025

(STAFF REQUESTED THAT THIS CASE BE REMOVED FROM THE AGENDA)

11. **Case 2025-72 - 239 Lake Arbor Drive - Carol Suker Trust**
CE Officer - Tom Gehrman

Violation of Village Code of Ordinances
Section 10-9: Exterior building maintenance required.
Section 30-143: Public nuisance. Trash & debris visible on the property.
Citation Fine: N/A
Admin Cost: \$252.35
Recommendation: \$100.00 per day, per violation
Compliance Date: October 16, 2025

Code Enforcement Officer Mr. Gehrman testified about the violations cited at 239 Lake Arbor Drive and the recommendations made by the Village.

No representation from the owner.

Ms. Gaye Lynn Weaver, owner of the property located at 238 Lake Arbor Drive, testified that she had received a call from her tenant reporting that water was entering the apartment from the adjoining unit located at 239 Lake Arbor Drive. She further stated that the property has been abandoned since 2022 and that the owners have not taken any action to address the that are now affecting surrounding properties.

Based on the testimony and evidence presented, Special Magistrate Davis found that the respondent is in violation of Sections 10-9 and 30-143. The respondent is required to correct these violations by October 16, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis assessed administrative costs of \$252.35, payable before October 16, 2025.

12. **Case 2025-70 - 4685 South Congress Avenue - Columbia JFK Medical Center
Ducharme McMillen & Assoc C/O (JFK Cancer Center)
CE Jean Max Nord**

Violation of Village Code of Ordinances

Section 26-31: Excessive false alarms.

Citation Fine:	N/A
Admin Cost:	\$209.27
Recommendation:	N/A
Compliance Date:	September 18, 2025

Code Enforcement Officer Mr. Nord testified about the violations cited at 4685 South Congress Avenue and the recommendations made by the Village. Mr. Nord also called Police Officer Nathan A.E. Lambe to testify about the violation cited at the property.

No representation from the owner.

Police Officer Mr. Lambe testified about multiple occasions on which he had to respond to false alarm calls, noting that in most instances, the cause was employees entering the incorrect security code.

Based on the testimony and the evidence presented, Special Magistrate Davis found the respondent was in violation of Section 26-31 and approved a Finding of Fact for this section, explaining that any further violation of the same section would be treated as a repeat violation. Special Magistrate Davis assessed administrative costs of \$209.27, payable before September 20, 2025.

13. **Case No. 2025-75 - 3856 7th Avenue North - Sheel Guadalupe Trust
CE Officer Henry Stout**

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): No permits for new paved driveway. Please Contact the Building Department.

Section 10-31 (FBC 110.1): No required inspections performed.

Section 14-32: No residential rental permit on file.

Citation Fine:	N/A
Admin Cost:	\$265.77
Recommendation:	\$100.00 per day, per violation
Compliance Date:	September 30, 2025

Code Enforcement Officer Mr. Stout testified regarding the violations cited at 3856 7th Avenue North and the recommendations made by the Village.

No representation from the owner.

Based on the testimony and evidence presented, Special Magistrate Davis found the respondent in violation of Sections 10-31 (FBC 105.1), 10-31 (FBC 110.1), and 14-32. The respondent is required to correct these violations by September 30, 2025. If compliance is not achieved by that date, the Village's recommendation of a \$100.00 daily fine per violation will be enforced. Special Magistrate Davis also assessed administrative costs of \$265.77, payable by September 20, 2025.

14. **Case No. 2025-74 - 308 Riverdale Road - Dolly Vitores & Julia H.Hazim**
CE Officer Henry Stout

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): No permits for new wooden fence. No required inspections performed. Contact the Building Department.

Citation Fine:	N/A
Admin Cost:	\$265.77
Recommendation:	\$100.00 per day
Compliance Date:	September 25, 2025

(STAFF INFORMED THAT THIS CASE WAS IN COMPLIANCE)

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE

15. **Case 2025-41 - 3900 South Congress Avenue - Jonathon & Stephanie Smith**
CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1 & 110.1): Permit and inspection required for repaving and restriping the parking lot.

Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	Approve
Compliance Date:	August 26, 2025

Code Enforcement Officer Ms. Cuenot testified regarding the violations cited at 3900 South Congress Avenue and the recommendations made by the Village.

No representation from the owner.

Special Magistrate Davis granted the extension of time.

16. **CIT Case 2024-55 - 2600 Donald Road - William Thomas Jr.**
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-9: Exterior Structure: Maintenance, cleaning & painting.

Section 34-914: Parking vehicles: No parking on grass/dirt, no inoperable vehicles.

Section 30-143: Public nuisance: Trash and debris, outside storage visible.

Initial Violation:	August 7, 2025
Order Finding Violation:	August 21, 2025
Compliance Deadline:	September 18, 2025
Compliance Date:	N/A
Fine Amount:	N/A
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	Approve
Compliance Due Date:	October 16, 2025

Code Enforcement Officer Mr. Gehrman testified regarding the violations cited at 2600 Donald Road and the recommendations made by the Village.

No representation from the owner.

Special Magistrate Davis granted the extension of time.

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Special Magistrate Meeting at 12:01 p.m.

Next Magistrate Hearing is
Thursday, October 16, 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 September 18, 2025.

Respectfully,

Andrea Medero
Records Clerk

Village of Palm Springs Title VI/Nondiscrimination Policy

I. Policy Statement:

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

II. Persons with Disabilities:

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

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

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

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

III. Complaint Procedures:

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

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