



**MINUTES
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE
JUNE 18, 2026, at 10:00 AM**

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

CALL TO ORDER:

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

ROLL CALL:

Present: Special Magistrate Keith Davis, Code Enforcement Officer Mitchell Sebastian, Code Enforcement Officer Henry Stout, Code Enforcement Officer Nanciann Cuenot, Building Official Peter Ringle, Code Enforcement Supervisor Thomas Gehrman, Code Enforcement Officer David Urrutia, Village Attorney Christy Goddeau, and Village Clerk Kimberly Wynn.

Absent: Code Enforcement Officer Joey Sanders.

SWORN IN:

Special Magistrate Davis swore in the Code Enforcement Officers and Witnesses

AGENDA CHANGES

Village Attorney Goddeau stated that Item #1 (Case No. 2025-00761), Item #2 (Case No. 26-00588), and Item #3 (Case #26-00511) were removed from the agenda because the property owners came into compliance before the Hearing.

Special Magistrate Davis swore in staff and the witnesses.

MOTION HEARINGS

1. **Case No. 25-00761 - 4077 Lakewood Road - Samuel Sarabia**

CE Officer Joey Sanders (REMOVED)

Violation of Village Code of Ordinances

Section 10-8: Driveways. Driveway observed to be in disrepair and in need of resurfacing.

Section 34-914: Vehicles/Parking. Remove all inoperative and/or unregistered vehicles and trailers from the property. Remove all vehicles and trailers parked on the grass.

Section 10-9: Exterior Property Maintenance. Remove all shutters covering the windows. Paint the mailbox post and display the house number "4077" on the left side of the mailbox.

Citation Fine: N/A
Admin Cost: \$257.35
Recommendation: \$100.00 per day, per violation
Compliance Date: July 1, 2026

Staff: Joey Sanders, Code Enforcement Officer

2. Case 26-00588 - 3818 South Congress Avenue - Bismillah Enterprises Inc. CE Officer Tom Gehrman (REMOVED)

Violation of Village Code of Ordinances

Section 30-143: Public Nuisance (Trash & Debris). Repeat

Violation. Citation Fine: N/A
Admin Cost: \$237.35
Recommendation: \$500.00 per day (Repeat Violation)
Compliance Date: Daily Fines Running

Staff: Thomas Gehrman, Code Enforcement Officer

3. Case - 26-00511 - 711 Lori Drive, 407 - Outstanding Construction Inc. CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Working without the required permits. **Section 10-31 (FBC 110.1): Required inspections not obtained.**

Citation Fine: N/A
Admin Cost: \$217.35
Recommendation: \$100.00 per day
Compliance Date: June 30, 2026

Staff: Thomas Gehrman, Code Enforcement Officer

Special Magistrate Davis heard the testimony of Code Enforcement Officer Supervisor, Mr. Gehrman. Mr. Gehrman entered the case file into the record. The owner was not present.

Special Magistrate Davis found the property owner in violation of Section 10-31 (FBC 105.1) and Section (FBC 110.1). Further, he granted the Staff's recommendation for the property owner to pay an Administrative Fee of \$217.35. Outstanding Construction must come into compliance by June 30, 2026. If the property owner fails to come into compliance by that date, fines shall begin to accrue at \$100.00 per day.

4. Case 26-00598 - 448 Kirk Road - Ida Gutierrez
CE Officer Tom Gehrman

Violation of Village Code of Ordinances

Section 34-1327: Driveway not maintained, unapproved surface, and no progress made toward correction.

Section 34-913: Prohibited parking of a truck at a residential property.

Section 34-914: Parking on an unapproved surface and trailer located in front of the residence within the right-of-way.

Citation Fine:	N/A
Admin Cost:	\$217.35
Recommendation:	\$100.00 per day, per violation
Compliance Date:	June 30, 2026

Staff: Thomas Gehrman, Code Enforcement Officer

Special Magistrate Davis heard the testimony of Code Enforcement Officer Supervisor, Mr. Gehrman. Mr. Gehrman entered the case file into the record. The owner was not present.

Special Magistrate Davis found the property owner in violation of Section 34-1327, Section 34-913, and Section 34-914. Further, he granted the Staff's recommendation for the property owner to pay an Administrative Fee of \$217.35. Ms. Ida Gutierrez must come into compliance by June 30, 2026. If the property owner fails to come into compliance by that date, fines shall begin to accrue at \$100.00 per day, per violation.

5. Case 25-00188 - 3328 Lake Worth Road - Barbara Dick TR & Barbara Dick Trust

CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-221: Responsibility of owner. Maintain all landscaping on the property in good condition.

Section 30-132: Maintenance of abutting parkways. Replace missing grass and trees within the parkway area abutting the street.

Section 34-224: Replacement of vegetation. Replace missing shrubs and trees along the sidewalk.

Section 10-8: Exterior of Property. Repave the parking lot on the east

side of the building and replace or remove the damaged fence. Remove broken parking stops, graffiti, and repair curbs in the parking median.

Section 10-9: Street numbers. Post the property address range on the roadside marquee/sign with a minimum of 6-inch numerals in a contrasting color.

Section 34-1366: Building Design Requirements. Relocate dumpster(s) to the rear or side yard and provide the required screening from view of any street or adjoining property.

Citation Fine:	N/A
Admin Cost:	\$220.74
Recommendation:	\$100.00 per day, per violation
Compliance Date:	August 17, 2026

Staff: Nanciann Cuenot, Code Enforcement Officer

Special Magistrate Davis combined this case with Item #6. Special Magistrate Davis heard the testimony of Code Enforcement Officer Mrs. Cuenot. Mrs. Cuenot entered the case file into the record. The property owner's attorney and property maintenance personnel were present.

Special Magistrate Davis found the property owner in violation of Section 30-132 and Section 10-9. The property owner came into compliance with the following violations: Sections 34-221, 34-224. 10-8 and 34-1366. The attorney asked for consideration to extend the time and lower the daily fine for the two remaining violations.

Special Magistrate Davis granted the request to extend the time to 150 days (November 19, 2026); however, he denied the Attorney's request to lower the daily fine. Staff's recommendation for the property owner to pay an Administrative Fee of \$220.74. Barbara Dick TR & Barbara Dick Trust must come into compliance by November 19, 2026. If the property owner fails to come into compliance by that date, fines shall begin to accrue at \$100.00 per day, per violation.

6. Case 26-00965 - 3328 Lake Worth Road - Barbara Dick TR & Barbara Dick Trust CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 10-31 (FBC 105.1): Working without required permit for monument sign.

Section 10-31 (FBC 110.1): Failure to obtain required inspections.

Citation Fine:	N/A
Admin Cost:	\$110.34
Recommendation:	\$100 per day, per violation.
Compliance Date:	August 17, 2026

Staff: Nanciann Cuenot, Code Enforcement Officer

Special Magistrate Davis combined this case with Item #5. Special Magistrate Davis heard the testimony of Code Enforcement Officer Mrs. Cuenot. Mrs. Cuenot entered the case file into the record. The property owner's attorney and property maintenance personnel were present.

Special Magistrate Davis found the property owner in violation of Section 30-132 and Section 10-9. The property owner came into compliance with the following violations: Section 34-221, 34-224. 10-8 and 34-1366. The attorney asked for consideration to extend the time and lower the daily fine for the two remaining violations.

Special Magistrate Davis granted the request to extend the time to 150 days (November 19, 2026). Staff's recommendation for the property owner to pay an Administrative Fee of \$220.74. Barbara Dick TR & Barbara Dick Trust must come into compliance by November 19, 2026. If the property owner fails to come into compliance by that date, fines shall begin to accrue at \$100.00 per day, per violation.

**7. Case No. 26-03399 - 1829 Fairview Villas Dr, Apt 2 - Buechner
Alison N CE Officer Mitchell Sebastian
Violation of Village Code of Ordinances**

Section 14-32: Residential rental permit required for residential rental unit. Citation Fine: \$250.00

Admin Cost: \$265.77

Recommendation: N/A

Compliance Date: June 19, 2026

Staff: Mitchell Sebastian, Code Enforcement

The Code Officer, Mr. Sebastian, read and entered the case into the record. The owner was not present. Special Magistrate Davis found the property owner in violation of Section 14-32 and accepted the Staff's recommendation to impose a Citation Fine of \$250.00 and Administrative Cost of \$265.77 on the property owner. The property owner must come into compliance before June 19, 2026.

**8. Case 25-01012 - PCN 70-43-44-19-260-010-000 - Pine Needle Park POA Inc.
CE Officer David Urrutia (CONTINUED)
Violation of Village Code of Ordinances
Section 34-225: Missing or broken fence.**

Citation Fine: N/A

Admin Cost: \$99.60

Recommendation: \$200.00 per day
Compliance Date: July 1, 2026
Staff: David Urrutia, Code Enforcement Officer

The Code Officer, David Urrutia, read the case file and entered it into the record. Pine Needle Park HOA Board Member, Steven James Cook, was present. He asserted that the HOA did not own the fence. There was a property fire at the location which caused damage to the fence. The Village Attorney, Ms. Goddeau, explained that the property, according to County records, belongs to the HOA. Mr. Cook asked if the Village would give him six (6) months to do some research. Special Magistrate Davis denied Mr. Cook's request. However, he offered Mr. Cook until July 16, 2026, to do their additional research, then come back.

The Special Magistrate granted a continuance of this case until the next hearing on July 16, 2026, at 10:00 AM.

9. Case 25-01230 - 3138 Lake Worth Road -Store 66 Inc CE
Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 34-1332: Drainage; maintenance; restriction of use; pavement; additional application. Maintain off-street parking area in a neat, clean, orderly, and dust-free condition.

Section 34-1327: Off-Street Parking. Do not obstruct parking spaces or access aisles. Limit parking to no more than nineteen (19) trucks and six (6) trailers in accordance with the approved site plan.

Section 34-1329: Parking. Maintain six (6) parking spaces and one (1) handicap space for customers and employees. Parking spaces shall not be occupied by U-Haul trucks or trailers.

Section 62-75: Commercial Development Storage Areas. Screen dumpster enclosures on three (3) sides with landscaping and an opaque gate. Relocate dumpster enclosure in accordance with the approved site plan and paint existing walls.

Section 10-8: Exterior Property Areas. Remove weeds, replace grass, and maintain property in clean and safe condition. Complete all site improvements in accordance with the approved site plan, including paving and striping the parking lot, relocating the dumpster enclosure, and installing required landscaping.

Citation Fine: N/A

Admin Cost: \$179.20

Recommendation: \$200.00 Per day, per violation

Compliance Date: July 6, 2026

**September 16, 2026 — Complete all work
per approved Site Plan**

Staff: Nanciann Cuenot, Code Enforcement Officer

Code Enforcement Officer Cuenot presented, then entered the case file into the record. The owner was not present.

Special Magistrate Davis found the property owner, Store 66, Inc., in violation of Sections 34-1332, 34-1327, 34-1329, 62-75, and 10-8 and accepted the Staff's recommendation of \$179.20 for Administrative Cost. Further, the property owner will pay \$200 per day, per violation, if they are not in compliance before July 6, 2026. Per the Site Plan on file, they must complete all work before September 16, 2026.

AUTHORIZATION FOR FORECLOSURE

**10. Case 2025-52 -4157 Lakewood Road - Caslmon Rebecca J
CE Officer David Urrutia**

Violation of Village Code of Ordinances

Section 10-9: Building. Exterior of structure not maintained in good repair. Section 10-7: Property. General property maintenance violations observed. Section 30-141: Overgrowth. Excessive growth of weeds and vegetation.

Section 30-143: Nuisance. Rubbish, stagnant water, weeds, and/or overgrowth present on the property.

Section 34-225: Fencing. Missing and/or broken fence, wall, or gate.

Section 34-1381: Nuisance. Nuisance materials stored outside and visible from neighboring properties.

Citation Fine: \$105,600 and running

Admin Cost: \$279.10 from original hearing

Recommendation: Village authorization to foreclose

Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Code Officer, Mr. Urrutia, presented this case and entered it into the record. The owner was not present. Mr. Urrutia explained the property owner was non-responsive to his multiple attempts to communicate. The fines at the location continue.

Special Magistrate Davis confirmed the property's homestead status and authorized the Village to proceed with foreclosure action.

**11. Case 2025-50 -4167 Lakewood Road - Earl Smyth CE
Officer David Urrutia**

Violation of Village Code of Ordinances

Section 10-9: Building. Exterior of structure not maintained in good repair. Section 10-7: Property. General property maintenance

violations observed.

Fine Citation: \$52,000 and running
Admin Cost: \$279.10 from original hearing
Recommendation: Village authorization to foreclose
Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Special Magistrate combined Items 11, 13,14, and 15. The Code Officer, Mr. Urrutia, presented this and entered the case file into the record. The Attorney, Mr. Ari Pregon, presented his case and requested a 90-day extension to come into compliance. The owner of the property was present. The Village noted that they were not in favor of the foreclosure, but there is a process that must be followed (i.e., Council Approval and notice).

Special Magistrate Davis granted the property owner's request to extend the foreclosure action until September 18, 2026. They granted authorization for the Village to proceed with foreclosure proceedings after this time.

12. Case 2025-51- 4165 Lakewood Road - Lakewood Villas Prop Assn
CE Officer David Urrutia
Violation of Village Code of Ordinances

Section 30-141: Overgrowth. Excessive growth of weeds and vegetation.
Section 34-1381: Nuisance. Nuisance materials stored outside and visible from neighboring properties.

Section 34-225: Fencing. Missing and/or broken fence, wall, or gate.

Section 10-8: Property. Exterior property, accessory structures, pools, sidewalks, and driveways not properly maintained.

Citation Fine: \$124,000.00
Admin Cost: \$279.10 from original hearing
Recommendation: Village authorization to foreclose
Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Special Magistrate combined Items 11, 13,14, and 15. The Code Officer, Mr. Urrutia, presented this and entered the case file into the record. The Attorney, Mr. Ari Pregon, presented his case and requested an extension of 90 days to come into compliance. The owner of the property was present. The Village noted that they were not in favor of the foreclosure, but there is a process that must be followed (i.e., Council Approval and notice).

Special Magistrate Davis granted the property owner's request to extend the foreclosure action until September 18, 2026. They granted authorization for the Village to proceed with foreclosure proceedings after this time.

13. 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. Nuisance materials stored outside and visible from neighboring properties.

Section 34-225: Fencing. Missing and/or broken fence, wall, or gate.

Section 10-7: Property. General property maintenance violations observed. Section 10-31 (FBC 105.1): Failure to obtain the required building permit.

Section 14-32: Rental. Required residential rental unit permit not obtained. Citation Fine: \$8,000.00

Admin Cost: Paid

Recommendation: Authorization to foreclose

Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Special Magistrate combined Items 11, 13, 14, and 15. The Code Officer, Mr. Urrutia, presented this and entered the case file into the record. The Attorney, Mr. Ari Pregon, presented his case and requested an extension of 90 days to come into compliance. The owner of the property was present. The Village noted that they were not in favor of the foreclosure, but there is a process that must be followed (i.e., Council Approval and notice).

Special Magistrate Davis granted the property owner's request to extend the foreclosure action until September 18, 2026. They granted authorization for the Village to proceed with foreclosure proceedings after this time.

14. Case 2025-65 - 4169 Lakewood Road - Earl F Smyth & Errol R Smyth
CE Officer David Urrutia
Violation of Village Code of Ordinances

Section 14-32: Rental. Required residential rental unit permit not obtained. Section 34-225: Fencing. Missing and/or broken fence, wall, or gate.

Section 10-7: Property. General property maintenance violations observed.

Citation Fine: \$68,700.00

Admin Cost: Paid

Recommendation: Authorize to foreclose

Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Special Magistrate combined Items 11, 13,14, and 15. The Code Officer, Mr. Urrutia, presented this and entered the case file into the record. The Attorney, Mr. Ari Pregon, presented his case and requested an extension of 90 days to come into compliance. The owner of the property was present. The Village noted that they were not in favor of the foreclosure, but there is a process that must be followed (i.e., Council Approval and notice).

Special Magistrate Davis granted the property owner's request to extend the foreclosure action until September 18, 2026. They granted authorization for the Village to proceed with foreclosure proceedings after this time.

**15. 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 throughout the property.

Section 34-1381: Nuisance. Nuisance materials stored outside and visible from neighboring properties.

Section 10-7: Property. General property maintenance violations observed throughout the property.

Section 14-32: Rental. Required residential rental unit permit not obtained.

Citation Fine: \$104,000 and running

Admin Cost: \$252.35 from original hearing

Recommendation: Village authorization to foreclose

Compliance Date: TBD

Staff: David Urrutia, Code Enforcement Officer

The Special Magistrate combined Items 11, 13,14, and 15. The Code Officer, Mr. Urrutia, presented this and entered the case file into the record. The Attorney, Mr. Ari Pregon, presented his case and requested an extension of 90 days to come into compliance. The owner of the property was present. The Village noted that they were not in favor of the foreclosure, but there is a process that must be followed (i.e., Council Approval and notice).

Special Magistrate Davis granted the property owner's request to extend the foreclosure action until September 18, 2026. They granted authorization for the Village to proceed with foreclosure proceedings after this time.

PETITION FOR REDUCTION OR ABATEMENT OF FINE:

16. Case 2025-100 - 2935 Lake Worth Road - Kennedy Evans & Mary Nichols

CE Officer Nanciann Cuenot
Violation of Village Code of Ordinances

Section 34-878.8: Prohibited Use. Violation of Ordinance 2025-03.
Section 70-93: Prohibited Occupation and Business Classifications.
Psychic readings conducted at the property.

Initial Violation:	August 4, 2025
Order Finding Violation:	November 19, 2025
Compliance Deadline:	February 9, 2026
Compliance Date:	April 26, 2026
Fine Amount:	\$18,750.00
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	\$1,650.00
Compliance Date:	August 17, 2026

Staff: Nanciann Cuenot, Code Enforcement Officer

Code Officer Cuenot presented this case and entered the file into the record.
The owner was not present.

Special Magistrate Davis accepted the Staff's recommendation to reduce the fine amount from \$18,750.00 to \$1,650 to be paid before August 17, 2026.

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE:

17. Case 2026-04 - 3920 South Congress Avenue - Blackhall Inc CE Officer Nanciann Cuenot

Violation of Village Code of Ordinances

Section 10-8: Exterior property area — pave & stripe the parking lot, remove gravel and replace it with an approved surface.

Section 10-9: Exterior of building — replacing windows/doors/decorative features

Initial Violation:	October 21, 2025
Order Finding Violation:	January 15, 2026
Compliance Deadline:	March 13 ,2026
Compliance Date:	September 28, 2026
Fine Amount:	\$250.00 per day
Citation Fine:	N/A
Admin Cost:	Paid
Recommendation:	3-month extension
Compliance Date:	September 28, 2026

Staff: Nanciann Cuenot, Code Enforcement Officer

The Code Officer, Mrs. Cuenot presented this case and entered the file into the record. The property owner was not present for testimony. Special Magistrate Davis found the property owner in violation of Section 10-8 and 10-9 and accepted the staff's recommendation to extend the time given to come into compliance. The property owner must come into compliance before September 28, 2026, or a fine of \$250 per day will be imposed.

STIPULATION AND AGREED ORDER

MOTIONS FOR CONTINUANCE

APPEAL

ADJOURNMENT

Hearing no further business, Special Magistrate Davis adjourned the Hearing at 11:52 PM

Next Magistrate Hearing

Thursday, July 16, 2026, at 10:00 AM

Village of Palm Springs

Title VI/Nondiscrimination Policy

a. Policy Statement:

The Village of Palm Springs values diversity and interest parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration and welcomes input from all 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.

b. 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

c. 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