

**CITY OF PALM BEACH GARDENS
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
OCTOBER 19, 2010
COUNCIL CHAMBERS
2:00PM**

Special Magistrate:	Kevin Wagner
Code Enforcement Attorney:	Abigail Jorandby Keith W. Davis R. Max Lohman
Operations Director:	David Reyes
Code Supervisor:	Mohammad Jamal
Recording Secretary:	Theresa Gonzalez
Code Officers:	Alex Lopez – Senior Code Officer Michael Williams – Code Officer Robert Williams- Code Officer Ismael Vasquez – Code Officer Robert Creston – Code Officer

I. REPEAT VIOLATION CASES

- A. **Case No.**
 [10.09.4049](#)
- Property Owner**
 Edward and Cathy Lawrence
 538 Riverside Drive
 Palm Beach Gardens
- Violation Location:**
 546 Riverside Drive
 Palm Beach Gardens
- PCN: 52434218030040240
- LEGAL: PLAT 1 PALM BEACH GARDEN ESTS LT 24 BLK 4
- Code Section Violated:**
 79-5 Maintenance and appearance standards for all structures and landscaping
- Corrective Action:**
 Cut and clean entire property, i.e., high grass and weeds; remove trash, debris, and tree limbs and/or fronds
- Code Officer:**
 Michael Williams

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- B. Case No.**
[10.10.4136](#)
Property Owner
Daniela Riccelli
9518 Keating Drive
Palm Beach Gardens
Violation Location:
9518 Keating Drive
Palm Beach Gardens
PCN: 52424213020070150
LEGAL: UNIT 2 PALM BEACH SQUARE LT 15 BLK 7
Code Section Violated:
303.2 Enclosures
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
303.2 Repair/replace fence gate door so that pool area is secured
79-5 Cut, mow, trim, clean and keep maintained all landscaping/lawn areas; remove all trash and debris from property; replace missing mailbox or remove mailbox pole; repair fence sections where needed
Code Officer:
Ismael Vasquez

II. VIOLATION CASES

- A. Case No.**
[10.09.4084](#)
Property Owner
PBG Commercial LTD
28 Country Road
Boynton Beach, FL 33436
Violation Location:
10333 N Military Trail
Palm Beach Gardens
PCN: 52424212040520010
LEGAL: PGA NATIONAL GOLF CLUB ESTATES PL 2, LTS 1 & 2 BLK 52 &
LTS 1 THRU 4 & N 59.42 FT LT 5 BLK 53
Code Section Violated:
78-328 Pruning
Corrective Action:
Improper pruning of 17 Sabal Palms and 3 Oak Trees are irreversible and irreparable;
Special Magistrate will set forth ruling
Code Officer:
Alex Lopez

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B. Case No.
[10.07.3918](#)
Property Owner
Florin Louigene
9161 Reed Drive
Palm Beach Gardens
Violation Location:
9161 Reed Drive
Palm Beach Gardens
PCN: 52424213030460040
LEGAL: UNIT NO 3 PALM BEACH SQUARE LT 4 BLK 46
Code Section Violated:
78-393 Parking and storage restrictions for commercial vehicles
78-275 Addresses
Corrective Action:
78-393 Remove trailer from property or properly screen according to above code section
78-275 Paint address numbers to be able to see from roadway
Code Officer:
Ismael Vasquez

C. Case No.
[10.07.3892](#)
Property Owner
William H Robinson
10047 Daphne Ave
Palm Beach Gardens
Violation Location:
10047 Daphne Ave
Palm Beach Gardens
PCN: 52434207010560120
LEGAL: CITY OF PALM BEACH GARDENS 5 LT 12 BLK 56
Code Section Violated:
78-395 Recreational vehicles and watercraft
Corrective Action:
Boat must be properly screened; boat cannot be stored in front yard
Code Officer:
Michael Williams

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- D.** **Case No.**
[10.06.3809](#)
Property Owner
Lannette and Kenneth Newlon
365 Riverside Drive
Palm Beach Gardens
Violation Location:
365 Riverside Drive
Palm Beach Gardens
PCN: 52434218030140090
LEGAL: PLAT 1 PALM BEACH GARDEN ESTS LT 9 BLK 14
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
54-58 Placement for collection
Corrective Action:
79-5 Cut all high grass and/or weeds; remove outdoor storage from public view; remove all trash and/or debris from property including front and side yards
54-58 Garbage cans cannot be maintained in side yard of property; must be maintained per code
Code Officer:
Michael Williams
- E.** **Case No.**
[10.06.3834](#)
Property Owner
Robin and Charles Stark
292 Balsam Street
Palm Beach Gardens
Violation Location:
292 Balsam Street
Palm Beach Gardens
PCN: 52434218030080180
LEGAL: PLAT 1 PALM BEACH GARDEN ESTS LT 18 BLK 8
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Remove all outside storage from public view and maintain ongoing; paint all faded and/or peeling areas to home (i.e., facia areas)
Code Officer:
Michael Williams

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- F.** **Case No.**
[10.09.4097](#)
Property Owner
Dwayne Nadeau
370 Riverside Drive
Palm Beach Gardens
Violation Location:
370 Riverside Drive
Palm Beach Gardens
PCN: 52434218030120230
LEGAL: PLAT 1 PALM BEACH GARDEN ESTS LT 23 BLK 12
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut all high grass and/or weeds throughout entire property; remove all trash and/or debris from entire property and maintain ongoing; property presents health and safety issue in its current condition
Code Officer:
Michael Williams
- G.** **Case No.**
[10.08.3959](#)
Property Owner
Haven S Sipple
356 Azalea Street
Palm Beach Gardens
Violation Location:
356 Azalea Street
Palm Beach Gardens
PCN: 52434218030090260
LEGAL: PL 1 PALM BEACH GARDEN ESTS LT 26 BLK 9
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut, mow, trim, clean and keep maintained all lawn/landscaping areas; remove piles of debris from property; remove all materials (garbage containers, recycle bins, etc.) from property or public view
Code Officer:
Ismael Vasquez

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H. **Case No.**
 [10.08.3985](#)
 Property Owner
 IPROC PALM BEACH LLC
 280 Park Ave
 New York, NY 10017
 Violation Location:
 4000 RCA Blvd
 Palm Beach Gardens
 PCN: 52424201000005070
 LEGAL: 1/12-42-42, TH PT OF S 1/4 OF SE 1/4 OF SE 1/4 OF SEC 1 & TH PT
 OF NE 1/4 OF NE 1/4 OF SEC 12 ALL LYG W OF & ADJ TO
 Code Section Violated:
 30-39 Excessive false alarm signals limited
 Corrective Action:
 Cease excessive false alarm activity and pay fine of \$380.00.
 Police Officer:
 Julius Barone

I. **Case No.**
 [10.09.4020](#)
 Property Owner
 Jerry and Kathleen Baxter
 5004 Whispering Hollow
 Palm Beach Gardens
 Violation Location:
 617 Holly Drive
 Palm Beach Gardens
 PCN: 52434218030100010
 LEGAL: PL 1 PALM BEACH GARDEN ESTS LT 1 BLK 10
 Code Section Violated:
 79-5 Maintenance and appearance standards for all structures and landscaping
 Corrective Action:
 Cut all high grass and/or weeds; remove all weeds encroaching onto home exterior;
 remove all dead palm fronds from property; remove all trash and debris from property;
 trim all hedges and/or bushes; repair broken mailbox
 Code Officer:
 Michael Williams

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- J.** **Case No.**
[10.09.4048](#)
Property Owner
Rebecca Kelly
PO Box 31862
Palm Beach Gardens
Violation Location:
4438 Golfers Circle W
Palm Beach Gardens
PCN: 52424212030000621
LEGAL: GOLFERS VILLAGE W 40 FT OF LT 62
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut, mow, trim, and clean all lawn/landscaping areas; remove all materials (boxes, bins, panel, etc.) from property or public view; remove all trash/debris from property
Code Officer:
Ismael Vasquez
- K.** **Case No.**
[10.10.4118](#)
Property Owner
Troy and Flor Reifschneider
4293 Hazel Ave
Palm Beach Gardens
Violation Location:
4293 Hazel Ave
Palm Beach Gardens
PCN: 52424201020470470
LEGAL: PL NO 4 CITY OF P B GARDENS LT 47 BLK 47
Code Section Violated:
78-275 Addresses
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
78-275 Install and display address numbers so they are visible at street level; life/safety issue for emergency services
79-5 Remove dead trees from front yard; cut, mow, trim, and prune the entire lawn and all shrubs, including palms, so not to show signs from lack of maintenance; keep maintained on an ongoing basis; fill in deep hole next to driveway in front of dead palm so not to be a falling/tripping hazard
Code Officer:
Robert Williams

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L. Case No.

[10.09.4119](#)

Property Owner

Donald Ross Military LC
4650 Donald Ross Road, Ste 200
Palm Beach Gardens

Violation Location:

4550 Donald Ross Road
Palm Beach Gardens

PCN: 52424125140030010

LEGAL: SHOPS OF DONALD ROSS REPL OF TR A TR C (LESS GAS
STATION IN OR18391P54, PAR IN OR18435P825, CVS PAR IN
OR19392P846)

Code Section Violated:

78-157 Special events

Corrective Action:

Violation of City Ordinance 78-157, Special Events, is irreversible and irreparable due to the fact that the event took place without first obtaining a permit; Special Magistrate will set forth ruling

Code Officer:

Robert Williams

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III. FINE ASSESSMENT/STATUS HEARING

A. Case No.

[10.03.3635](#)

Property Owner

Leona T Grant
301 Balsam Street
Palm Beach Gardens

Violation Location:

301 Balsam Street
Palm Beach Gardens

PCN: 52434218030070150

LEGAL: PLAT 1 PALM BEACH GARDEN ESTS LT 15 BLK 7

Code Section Violated:

78-112 Building permits required

79-5 Maintenance and appearance standards for all structures and landscaping

78-329 Maintenance

Corrective Action:

78-112 Obtain permits for structure erected in rear yard; contact Building Department at 799.4201 for all information regarding permits and/or inspections to structure

79-5 Paint all faded, unpainted, peeling and/or dirty areas of home's entire exterior; cease from parking all vehicles in swale areas in front of home; replace all dead and/or missing sod in swale areas; remove all outside storage, tools, equipment, containers, ladders, buckets, plywood, etc.

78-329 Property must be maintained per code; contact City Forester Mark Hendrickson at 799.4259 to get update/clarification and requirements for "Florida Certified Property" designation as your property does not meet the designation in its current condition

Code Officer:

Michael Williams

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- B.** **Case No.**
[10.06.3842](#)
Property Owner
Paul A Thomas
305 3rd Court
Palm Beach Gardens
Violation Location:
305 3rd Court
Palm Beach Gardens
PCN: 52434207180003050
LEGAL: SANDALWOOD ESTATES LOT 305
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Repair and/or replace broken missing shingles on mansard; after repairs are made, clean the mansard and courtyard fence so not to show signs of deterioration and weathering.
Code Officer:
Robert Williams
- C.** **Case No.**
[10.08.3956](#)
Property Owner
Eric Van Geary
8690 SE Harbor Island Way
Hobe Sound, FL 33455
Violation Location:
4018 Willow Run
Palm Beach Gardens
PCN: 52424202030000580
LEGAL: SHADY LAKES PL LT 58
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Mow, cut, trim, prune entire landscape on property and keep maintained
Code Officer:
Alex Lopez

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- D.** **Case No.**
 [10.09.4007](#)
 Property Owner
 Terry Wagner
 4344 S Mary Circle
 Palm Beach Gardens
 Violation Location:
 4344 S Mary Circle
 Palm Beach Gardens
 PCN: 52424224030000390
 LEGAL: NICHOLAS PARK UNREC LOT 39 (LESS N 10 FT)
 Code Section Violated:
 79-5 Maintenance and appearance standards for all structures and landscaping
 Corrective Action:
 Mow, cut, trim, and keep maintained the lawn and shrubs on entire property; pressure
 clean driveway to be free of mold and mildew; paint front entry door so not to show
 signs of weathering
 Code Officer:
 Robert Williams
- E.** **Case No.**
 [10.09.4027](#)
 Property Owner
 Mikie B Camp
 8575 Wakefield Drive
 Palm Beach Gardens
 Violation Location:
 8575 Wakefield Drive
 Palm Beach Gardens
 PCN: 52424224080000070
 LEGAL: GARDEN OAKS PL 1 LT 7
 Code Section Violated:
 79-5 Maintenance and appearance standards for all structures and landscaping
 Corrective Action:
 Mow, cut, trim, prune, and keep the entire rear yard so not to be in an overgrown state
 creating a safety, health, or welfare issue to the neighboring properties; clean pool so
 the water is clear and keep in a sanitary condition; repair torn screens in pool enclosure;
 pressure wash/clean entire roof, driveway, and pool deck to include patio and privacy
 wall
 Code Officer:
 Robert Williams

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- F.** **Case No.**
[10.04.3686](#)
Property Owner
A D and Dorothy Sanville
10170 Dahlia Avenue
Palm Beach Gardens
Violation Location:
10170 Dahlia Avenue
Palm Beach Gardens
PCN: 52434207010560260
LEGAL: CITY OF PALM BEACH GARDENS 5 LOT 26 BLK 56
Code Section Violated:
78-395 Recreational vehicles and watercraft
Corrective Action:
Boat must be maintained per code; boat cannot remain in front of property
Code Officer:
Michael Williams
- G.** **Case No.**
[10.01.3444](#)
Property Owner
William and Daisy Fornaro
3316 Pine Hill Trail
Palm Beach Gardens
Violation Location:
3316 Pine Hill Trail
Palm Beach Gardens
PCN: 52424202030000690
LEGAL: SHADY LAKES PL LT 69
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
1-1 Title of Code
Corrective Action:
79-5 Cut, mow, trim, prune entire landscape and keep maintained; remove deceased landscaping and keep maintained; pressure wash roof to be free of stains/mildew and keep maintained
1-1 Maintain pool to be clean and clear at all times
Code Officer:
Alex Lopez

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IV. STIPULATION

(NONE)

V. FINE REDUCTION HEARING

A. Case No.

[09-02-2624](#)

Property Owner

Donnini Enterprises, Inc.
3501 SW Corporate Parkway
Palm City, FL 34990

Violation Location:

9730 Alt A1A

Palm Beach Gardens

PCN: 52434218000001020

LEGAL: 18-42-43, IRREG SHAPED PAR OF NEWLY 154.15 FT OF NE ¼
LYG NLY OF & ADJ TO ALT A1A R/W & SLY OF & ADJ TO
LIGHTHOUSE DR R/W

Code Section Violated:

78-159 Permitted uses, minor and major conditional uses, and prohibited uses

78-226 Zoning regulations

0-0 Multiple (78-329, 79-5, 78-378, 78-284, 78-112)

Corrective Action:

78-159 Must remove all vehicles from lot (auto dealership requires approval from the City) or must obtain approval from the City prior to operating an automotive dealership

78-226 Must remove all vehicles stored on the property

0-0 Per City Forester: restore missing/damaged hedges, mulch, sod on entire property and keep maintained as per approved landscape site plan; replace and restore all missing palms and keep maintained; all irrigation shall be operable, in good repair, in designated areas and keep maintained as per approved landscape site plan

0-0 Pressure wash entire buildings and walk paths and keep maintained; paint entire buildings and curbs and keep maintained; repair all pot holes, damaged curbs, light stands, dumpster enclosure and fencing on entire property and keep maintained; repair damaged structure at rear of property (permits may apply – consult with Building Department); remove from property all trash and debris and keep maintained; all open storage to be stored out of public view; remove non-permitted and prohibited A-frame signs; banners pennants, window signs and keep maintained; obtain permits and final inspection for dumpster enclosure, installment of window in bay area and sign display overhang

0-0 All repairs are to be made as per PBG Building Department; please contact Building Department for detailed instructions

Code Officer:

Alex Lopez

VI. FORECLOSURE AUTHORIZATION HEARING

(NONE)