

**CITY OF PALM BEACH GARDENS
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
AUGUST 16, 2011
COUNCIL CHAMBERS
2:00PM**

Special Magistrate:	Kevin Wagner
Code Enforcement Attorney:	Abigail Jorandby
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.**
11.07.4863
- Property Owner**
Benjamin Moore
10330 N Military Trail, 3B
Palm Beach Gardens
- Violation Location:**
10330 N Military Trail
Palm Beach Gardens
PCN: 52424212070020030
LEGAL: MANSON CONDO NO 3 UNIT 3-B
- Code Section Violated:**
78-393 Parking and storage restrictions for commercial vehicles
- Corrective Action:**
Remove commercial vehicle (Mac’s Bike Shop) from property
- Code Officer:**
Ismael Vasquez

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II. VIOLATION CASES

- A. Case No.**
11.07.4765
Property Owner
Devonshire at PGA National LLC
2701 N Rocky Point Dr
Tampa, FL 33607
Violation Location:
100 Devonshire Way
Palm Beach Gardens
PCN: 52424216170010000
LEGAL: DEVONSHIRE REPL PAR A
Code Section Violated:
78-328 Pruning
Corrective Action:
Improper pruning of sixty (60) Sabal Palms, seven (7) Washingtonia Palms, three (3) Chinese Fan Palms are irreversible/irreparable; Special Magistrate will set forth ruling
Code Officer:
Alex Lopez
- B. Case No.**
11.03.4437
Property Owner
Harbor Land
13373 William Myers Ct
West Palm Beach, FL 33410
Violation Location:
3804 Burns Road
Palm Beach Gardens
PCN: 52434207000007230
LEGAL: 7-42-43, ELY 58.50 FT OF WLY 1049.50 FT AS MEAS ALG & ADJ
TO S LI OF BURNS RD
Code Section Violated:
78-329 Maintenance
78-344 Construction and maintenance
Corrective Action:
78-329 Replace missing trees, plants and mulch in designated areas per City Forester
78-344 Repair parking lot sections (potholes, cracks, etc.) where needed so surface is smooth and in state of good repair
Code Officer:
Ismael Vasquez

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- C. Case No.**
11.07.4870
Property Owner
Arthur Horwitz Trust Lessor
1141 NE 175th St
Miami, FL 33162
Violation Location:
5530 Tamberlane Cir
Palm Beach Gardens
PCN: 52424211000003010
LEGAL: 11-42-42, PT OF NW ¼ LYG ADJ TO TAMBERLANE COND 2 & 5
THRU 7 K/A LEASED REC AREA
Code Section Violated:
78-303 Approval required
78-308 Compliance
78-328 Pruning
Corrective Action:
78-303 Due to the irreversible/irreparable nature of the violations for the removal of nine (9) trees without a City permit, the Code Enforcement Special Magistrate shall set forth ruling
78-308 Due to the nature of the violation, the Code Enforcement Special Magistrate will set forth ruling based on recommendations from the City Forester
78-328 Due to the irreversible/irreparable nature of the over pruning of one (1) Oak tree, the Code Enforcement Special Magistrate shall set forth ruling
Code Officer:
Robert Williams
- D. Case No.**
11.01.4269
Property Owner
Sandalwood Estates Homeowners Assn
1818 Australian Ave
West Palm Beach, FL 33409
Violation Location:
213 2nd Ct
Palm Beach Gardens
PCN: 52434207180002130
LEGAL: SANDALWOOD ESTATES LOT 213
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Replace rooftop A/C screening to conform with the other structures within the community so they are screened from public view
Code Officer:
Robert Williams

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- E.** **Case No.**
11.01.4268
Property Owner
Robert Navarro
PO Box 7245
West Palm Beach, FL 33405
Violation Location:
212 2nd Ct
Palm Beach Gardens
PCN: 52434207180002120
LEGAL: SANDALWOOD ESTATES LOT 212
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Replace rooftop A/C screening to conform with the other structures within the community so they are screened from public view
Code Officer:
Robert Williams
- F.** **Case No.**
11.01.4267
Property Owner
Alexander and Mary Viani
211 2nd Ct
Palm Beach Gardens
Violation Location:
211 2nd Ct
Palm Beach Gardens
PCN: 52434207180002110
LEGAL: SANDALWOOD ESTATES LOT 211
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Replace rooftop A/C screening to conform with the other structures within the community so they are screened from public view
Code Officer:
Robert Williams

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- G.** **Case No.**
11.01.4272
Property Owner
Giana Milazzo
214 2nd Ct
Palm Beach Gardens
Violation Location:
214 2nd Ct
Palm Beach Gardens
PCN: 52434207180002140
LEGAL: SANDALWOOD ESTATES LOT 214 PLAT BK 32 PG 167 THRU 171
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Replace rooftop A/C screening to conform with the other structures within the community so they are screened from public view
Code Officer:
Robert Williams
- H.** **Case No.**
11.05.4694
Property Owner
Raul Basantes
PO Box 02-5562
Miami, FL 33102
Violation Location:
308 Charroux Dr
Palm Beach Gardens
PCN: 52434131180000440
LEGAL: FRENCHMANS RESERVE POD C LT 44
Code Section Violated:
303.1 Swimming pools
Corrective Action:
Pool must be cleaned and remain clean at all times as it presents a health and safety issue to the community
Code Officer:
Michael Williams

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- I. Case No.**
11.07.4889
Property Owner
Eric Werner
9091 Demery Dr
Palm Beach Gardens
Violation Location:
9091 Demery Dr
Palm Beach Gardens
PCN: 52424213030450040
LEGAL: UNIT NO 3 PALM BEACH SQUARE LT 4 BLK 45
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
Code Officer:
Ismael Vasquez
- J. Case No.**
11.07.4878
Property Owner
Normac Development LLC
21707 San Simeon Cir
Boca Raton, FL 33433
Violation Location:
3333 Northlake Blvd
Palm Beach Gardens
PCN: 52434218220000020
LEGAL: SOUTH FLORIDA BLOOD BANK LT 2
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut all high grass and/or weeds and maintain ongoing
Code Officer:
Michael Williams

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K.

Case No.

11.02.4393

Property Owner

Wilfredo and Miriam Rivas

8500 Sunset Dr

Palm Beach Gardens

Violation Location:

8500 Sunset Dr

Palm Beach Gardens

PCN: 52424224000001290

LEGAL: 24-42-42, N 100 FT OF S 1155.21 FT OF E ½ OF W ½ OF E ¼ OF NE
¼ (LESS W 15 FT RD R/W)

Code Section Violated:

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

Corrective Action:

Repair both driveway section on property (possible permits required; contact City Building Department at 799.4210); repaint exterior walls where needed to show no evidence of discoloration/fading/peeling

Code Officer:

Ismael Vasquez

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- L.** **Case No.**
11.05.4693
- Property Owner**
Tyler Lesneski
3716 Cypress St
Palm Beach Gardens
- Violation Location:**
3716 Cypress St
Palm Beach Gardens
PCN: 52434218040170170
LEGAL: PL NO 3 CITY OF P B GARDENS LT 17 BLK 17
- Code Section Violated:**
79-5 Maintenance and appearance standards for all structures and landscaping
54-58 Placement for collection
303.2 Enclosures
- Corrective Action:**
79-5 Repair and replace all damaged or missing sections of fencing; remove from entire property all outside storage in public view; repair damaged garage door; cut all high grass and weeds throughout entire property to include rear easement; remove all trash and debris from entire property to include rear easement; paint entire home to reflect one principal color; paint all faded, dirty, peeling areas of entire home
54-58 Garbage cans and recycling bins cannot be stored in front yard; must be maintained per code
303.2 Barriers surrounding pool must comply with code; gates enclosing pools must comply with code; gates and barriers do not meet code and present a health and safety issue to the community
- Code Officer:**
Michael Williams

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- M.** **Case No.**
10.12.4222
Property Owner
Triple Crown Investments LLC
16445 SE 3rd Ct, Ste 214
Deerfield Beach, FL 33441
Violation Location:
4456 S Mary Cir
Palm Beach Gardens
PCN: 52424224030000490
LEGAL: NICHOLAS PARK UNREC LOT 49 (LESS E 10 FT OF N 28.06 FT)
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Repair driveway (permits may be required; contact City Building Department at 799.4210)
Code Officer:
Ismael Vasquez
- N.** **Case No.**
11.07.4788
Property Owner
Pamela Donovan
8 Goosehill Rd, Apt A
Cold Spring Harbor, NY 11724
Violation Location:
108 Sandbourne Ln
Palm Beach Gardens
PCN: 52424215120001120
LEGAL: PGA RESORT COMMUNITY PL OF PRESTON LT 112
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
303.1 Swimming pools
Corrective Action:
79-5 Cut, mow, trim, and prune entire landscaping and keep maintained
303.1 Maintain pool to be clean and clear at all times
Code Officer:
Alex Lopez

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- O.** **Case No.**
11.08.4916
Property Owner
Wells Fargo Bank NA
9119 Corporate Lake Dr, Ste 300
Tampa, FL 33634
Violation Location:
9164 Bamboo Dr
Palm Beach Gardens
PCN: 52424213040460130
LEGAL: UNIT NO 4 PALM BEACH SQUARE LT 13 BLK 46
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
Code Officer:
Ismael Vasquez
- P.** **Case No.**
11.02.4374
Property Owner
Sean Brown
9108 Reed Dr
Palm Beach Gardens
Violation Location:
9108 Reed Dr
Palm Beach Gardens
PCN: 52424213030450210
LEGAL: UNIT NO 3 PALM BEACH SQUARE LT 21 BLK 45
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
78-275 Addresses
Corrective Action:
79-5 Cut, mow, trim, clean and keep maintained all lawn/landscaping areas; remove debris from property; fill hole in front yard section so surface is level
78-275 Post address numbers so visible from road right-of-way
Code Officer:
Ismael Vasquez

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III. FINE ASSESSMENT/STATUS HEARING

- A. Case No.**
11.06.4731
- Property Owner**
William Sned H TR and Johnson Farms Inc
3030 S Dixie Hwy
West Palm Beach, FL 33405
- Violation Location:**
9772 Gardens East Dr
Palm Beach Gardens
PCN: 52434218000001160
LEGAL: 18-42-43, SLY 28.75 FT OF ELY130.65 FT OF TH PT OF NE ¼, LYG
E OF GARDENS EAST DR & N OF LIGHTHOUSE DR
- Code Section Violated:**
1-1 Title of Code/104.5 Unsafe buildings or systems
- Corrective Action:**
Repair and/or replace grease interceptor cover so not to be public health, safety, or
welfare hazard; building permits are required for this repair and/or replacement
- Code Officer:**
Robert Williams
-
- B. Case No.**
11.05.4685
- Property Owner**
Bautista Rodriguez
157 Beacon Lane
Tequesta, FL 33469
- Violation Location:**
5464 Cicada Way
Palm Beach Gardens
PCN: 52424223010000060
LEGAL: HORSESHOE ACRES UNREC LT 6
- Code Section Violated:**
79-5 Maintenance and appearance standards for all structures and landscaping
303.2 Pool enclosures
- Corrective Action:**
79-5 Mow, cut, trim, prune and maintain entire landscaping to include rear and side
yards; all open storage must be placed to rear or side yards away from public view;
remove all trash and debris
303.2 Pool must be properly secured with a barrier/enclosure; permits may apply;
consult with building department at 561.799.4210 for details
- Code Officer:**
Alex Lopez

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- C.** **Case No.**
11.02.4359
Property Owner
Dawn Doubleday
9553 Keating Drive
Palm Beach Gardens
Violation Location:
9553 Keating Drive
Palm Beach Gardens
PCN: 52424213020090100
LEGAL: UNIT 2 PALM BEACH SQUARE LT 10 BLK 9
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Clean exterior walls (including gable and fascia board areas) and repaint where needed to show no evidence of discoloration/fading/peeling; repair chain fence sections where needed
Code Officer:
Ismael Vasquez
- D.** **Case No.**
11.04.4544
Property Owner
Kristine Roby
9482 Birmingham Drive
Palm Beach Gardens
Violation Location:
9482 Birmingham Drive
Palm Beach Gardens
PCN: 52424213020050130
LEGAL: UNIT 2 PALM BEACH SQUARE LOT 13 BLK 5
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
78-393 Parking and storage restrictions for commercial vehicles
78-392 Definitions
Corrective Action:
79-5 Parking of vehicles on grass is not permitted; all vehicles must be parked on an approved surface; remove all outside storage in public view to include carport, front and side yard areas
78-393 Commercial vehicles cannot be parked and/or maintained in residential areas of City
78-392 Commercial vehicles cannot be parked and/or maintained in residential areas of City
Code Officer:
Michael Williams

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- E.** **Case No.**
11.04.4584
Property Owner
Lewis Swezy Centennial Mgmnt
5709 NW 158th St
Hialeah, FL 33014
Violation Location:
103 Beaumont Ln
Palm Beach Gardens
PCN: 52424201080000030
LEGAL: BEAUMONT PLACE LOT 3
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Pressure wash entire structure to be free of mold and mildew; paint structure so not to show signs of weathering and deterioration; remove accumulation on property (i.e. old tires, pieces of lumber, plastic containers) or store from public view
Code Officer:
Robert Williams
- F.** **Case No.**
11.01.4313
Property Owner
Robert and Tiffany Clift
4369 Bamboo Drive
Palm Beach Gardens
Violation Location:
4369 Bamboo Drive
Palm Beach Gardens
PCN: 52424213040460180
LEGAL: UNIT NO 4 PALM BEACH SQUARE LT 18 BLK 46
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut, trim, clean and keep maintained all lawn/landscaping areas; repair/replace fence gate/sections where needed; possible permits may be required for fence replacement (contact Building Department at 561.799.4201)
Code Officer:
Ismael Vasquez

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G.

Case No.

08-04-2018

Property Owner

Winchester Courts HOA
8259 N Military Trail
Palm Beach Gardens

Violation Location:

4270 Hazel Ave

Palm Beach Gardens

PCN: 52-42-42-01-05-000-0442

LEGAL: WINCHESTER COURTS UNIT 44B

Code Section Violated:

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

78-322 Hardscape and nonliving landscape materials installation requirements

78-308 Compliance

78-112 Building permits required

Corrective Action:

79-5 Pressure wash entire roof on all units, walls at parking lot entrance, fencing on all units, and light poles to be free of stains and mildew; scrape all peeling paint on fascia boards and repaint; replace all damaged/rotten fascia boards; repair damaged fencing on all units; fencing shall be symmetrical and in good repair; replace missing light covers on building fixtures; repair damaged walkway at south end of property; repair damaged light pole at southeast corner of property; repair broken window glass on unit 11605; repair broken clean-out cap on unit 11625; remove board on window on unit 11579; bury all exposed cables around units; obtain the services of licensed exterminator for the removal of wasps and insects on unit 11655; replace missing roof tiles on unit 11572

78-322 Per City Forester, replace missing mulch to all areas as approved on Landscape Site Plan

78-308 Per City Forester, replace all missing and deceased landscape

78-112 Obtain permits and final inspections for re-layering and re-stripping of all parking areas

Code Officer:

Alex Lopez

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IV. FINE REDUCTION HEARING

- A. Case No.**
09.01.2513
- Property Owner**
James Scott
4413 Dawnridge St
Palm Beach Gardens
- Violation Location:**
4413 Dawnridge St
Palm Beach Gardens
PCN: 52-42-42-13-06-038-0020
LEGAL: PALM BEACH SQUARE UNIT 6, LOT 2, BLK 38
- Code Section Violated:**
78-393 Parking and storage restrictions for commercial vehicles
78-112 Building permits required
- Corrective Action:**
78-393 Remove commercial trailer (pressure cleaner trailer) from property or public view (screen and buffer trailer according to above code section)
78-112 Obtain permit or remove non-permitted canopy, also contact building department and obtain final inspection for roof permit #BLDG-05-06-001829
- Code Officer:**
Ismael Vasquez

V. STIPULATION (NONE)

VI. FORECLOSURE AUTHORIZATION HEARING (NONE)