

**CITY OF PALM BEACH GARDENS
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
SEPTEMBER 20, 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.**
11.07.4888
- Property Owner**
Michael Colia and Varaluck Chandhasin
9910 Dogwood Ave
Palm Beach Gardens
- Violation Location:**
9910 Dogwood Ave
Palm Beach Gardens
PCN: 52434218040210200
LEGAL: PL NO 3 CITY OF P B GARDENS LT 20 BLK 21
- Code Section Violated:**
79-5 Maintenance and appearance standards for all structures and landscaping
- Corrective Action:**
Replace rotted fascia boards; scrape peeling paint and repaint entire structure to include front door; remove debris and open storage from public view and maintain
- Code Officer:**
Alex Lopez

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- B. Case No.**
11.09.4998
Property Owner
Hilltop Residential LTD
9900 SW 107th Ave
Miami, FL 33176
Violation Location:
3090 Lychee Street
Palm Beach Gardens
PCN: 524334218000005120
LEGAL: 18-42-43, TH PT OF S ¾ OF SE ¼ LYG E OF & ADJ TO C-17 CNL
(LESS N 518.69 FT OF E 663.32 FT, S 147.58 FT OF N 666.27 FT OF
E 515.74 FT, S 467 FT OF E 100 FT & S 453 FT OF W 973.35 FT)
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Repair and/or replace all damaged/downed sections of fencing
Code Officer:
Michael Williams

II. VIOLATION CASES

- A. Case No.**
11.05.4627
Property Owner
Gastion Inc
12305 S Dixie Hwy
Miami, FL 33156
Violation Location:
4481 Northlake Blvd
Palm Beach Gardens
PCN: 52424213000005030
LEGAL: 13-42-42, N 150 FT OF S 200 FT OF E 150 FT OF W 200 FT OF SE ¼
(LESS W 3 FT & TRGLR SHAPED PARCEL IN SW CORNER FOR
RD R/W IN OR2257P1098)
Code Section Violated:
78-285 Permitted signs
78-284 Prohibited signs and prohibited sign locations
Corrective Action:
78-285 Apply for, receive approval, and obtain permit for existing window signage or
remove from property; contact City's Planning and Zoning Department at 561.799.4243
for further clarification
78-284 Remove sign attached to light pole
Code Officer:
Ismael Vasquez

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B. Case No.

10.12.4207

Property Owner

TRU 2005 RE I LLC

1 Geoffrey Way

Wayne, NJ 07470

Violation Location:

3195 PGA Blvd

Palm Beach Gardens

PCN: 52434206000005050

LEGAL: 6-42-43, N 550 FT OF E 400 FT OF W 800 FT OF NE ¼ OF NW ¼ OF
SE ¼ (LESS NLY 72 FT SR 786 R/W)

Code Section Violated:

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

78-344 Construction and maintenance

Corrective Action:

79-5 Replace all missing and broken roof tiles; pressure wash roof after repaired;
pressure wash and repaint areas on the main building to include the area around the
customer pickup door and trash compactor containment; pressure wash and repaint the
shopping cart containment areas in parking lot

78-344 Re-stripe parking area so that each parking space is easily defined in accordance
to the ordinance; building permits may apply; contact the City of Palm Beach Gardens
Building Department at 561.799.4210 for permit information

Code Officer:

Robert Williams

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- C.** **Case No.**
11.08.4945
Property Owner
Sead Salijevic
10188 Flag Drive
Palm Beach Gardens
Violation Location:
10188 Flag Drive
Palm Beach Gardens
PCN: 52434207010530130
LEGAL: CITY OF PALM BEACH GARDENS 5 LOT 13 BLK 53
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Repair and/or replace all damaged, rotted wood areas to roof, soffit and fascia areas of home; remove all outside storage in public view (i.e. tools, sofa, etc.); cut all high grass and/or weeds; paint all faded, peeling and dirty areas of house exterior; you must inquire with Building Services regarding possible permits necessary to effect repairs to roofing/rotted wood areas; Building Services can be contacted at 561.799.4201
Code Officer:
Michael Williams
- D.** **Case No.**
11.08.4957
Property Owner
Frenchmans Creek Inc
13495 Tournament Drive
Palm Beach Gardens
Violation Location:
13495 Tournament Drive
Palm Beach Gardens
PCN: 52434130210010000
LEGAL: FRENCHMANS CREEK GOLF COURSE BLK 1 (LESS TRGLR PAR
DONAD ROSS RD & SR A1A R/WS) & BLK 23 A/K/A GOLF
COURSE & WATER MGMT TRS
Code Section Violated:
78-303 Approval required
78-302 Violations and penalties
Corrective Action:
78-303 and 78-302 Due to the irreversible/irreparable nature of the violations, the removal of four (4) Oak trees without City approval/permit, the Code Enforcement Special Magistrate will set forth ruling
Code Officer:
Robert Williams

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- E.** **Case No.**
11.04.4555
Property Owner
Palm Beach Gardens Plaza LLC
100 N Tampa Street
Tampa, FL 33602
Violation Location:
4076 PGA Blvd
Palm Beach Gardens
PCN: 52424201000005010
LEGAL: 1-42-42, TH PT OF SE ¼ LYG SELY OF PGA BLVD, ELY OF SR 9,
 WLY OF RCA DR (LESS S 310 FT, SELY SWLY 145.04 FT OF
 NELY 310 FT & PARS IN OR1681P673, OR3710P434, &
 OR3744P1117)
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Clean and repaint exterior wall section where needed to show no evidence of
discoloration; replace/repair/reface theater monument sign so that in state of good repair
Code Officer:
Ismael Vasquez
- F.** **Case No.**
11.07.4893
Property Owner
Donna M Cmar
9900 Dahlia Ave
Palm Beach Gardens
Violation Location:
9900 Dahlia Ave
Palm Beach Gardens
PCN: 52434218040240070
LEGAL: PL NO 3 CITY OF P B GARDENS LT 7 BLK 24
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
303.1 Swimming pools
Corrective Action:
79-5 Cut all high grass and weeds and maintain ongoing; remove all trash and debris
from property
303.1 Clean pool and maintain ongoing
Code Officer:
Michael Williams

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G. Case No.
11.08.4947
Property Owner
Cynthia Hubartt
15773 8th Ave N
Palm Beach Gardens
Violation Location:
4261 Bellewood Street
Palm Beach Gardens
PCN: 52424213050420140
LEGAL: UNIT NO 5 PALM BEACH SQUARE LT 14 BLK 42
Code Section Violated:
78-395 Recreational vehicles and watercraft
Corrective Action:
Remove boat from property or properly screen according to above code section by
2:00pm today (August 12, 2011)
Code Officer:
Ismael Vasquez

H. Case No.
11.07.4859
Property Owner
Donald Pottratz
11898 Hemlock Street
Palm Beach Gardens
Violation Location:
11898 Hemlock Street
Palm Beach Gardens
PCN: 52424201020380040
LEGAL: PL NO 4 CITY OF P B GARDENS LT 4 BLK 38
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Cut, mow, trim, prune entire landscaping and maintain; pressure wash structure and
driveway to be free of stains; remove debris and open storage from public view
Code Officer:
Alex Lopez

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- I. Case No.**
11.07.4877
Property Owner
Lloyd Heilbrunn
11955 Hemlock St
Palm Beach Gardens
Violation Location:
11955 Hemlock St
Palm Beach Gardens
PCN: 52424201020370120
LEGAL: PL NO 4 CITY OF P B GARDENS LT 12 BLK 37
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Mow, trim, cut, prune entire landscape and maintain; remove from property all trash and debris and maintain
Code Officer:
Alex Lopez
- J. Case No.**
11.08.4919
Property Owner
Terri Berryman
418 Riverside Dr
Palm Beach Gardens
Violation Location:
418 Riverside Dr
Palm Beach Gardens
PCN: 52434218030120150
LEGAL: PL 1 PALM BEACH GARDEN ESTATES LT 15 BLK 12
Code Section Violated:
78-395 Recreational vehicles and watercraft
Corrective Action:
Cease repeated parking of RV in front yard; parking of RV in front yard is not in compliance with City ordinance; RV must be removed by August 8, 2011 no later than 4:00pm
Code Officer:
Michael Williams

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- K.** **Case No.**
11.08.4987
Property Owner
Willie and Kia Milton
9397 Bellewood St
Palm Beach Gardens
Violation Location:
9397 Bellewood St
Palm Beach Gardens
PCN: 52424213050420240
LEGAL: UNIT NO 5 PALM BEACH SQUARE LT 24 BLK 42
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

III. FINE ASSESSMENT/STATUS HEARING

- A.** **Case No.**
11.01.4249
Property Owner
Magazine Gardens East LP
75 Second Ave #200
Needham, MA 02494
Violation Location:
550 Coronado Way
Palm Beach Gardens
PCN: 52434207310000010
LEGAL: GARDENS EAST APTS PH I, ALL OF PH I & GARDENS EAST
 APTS PH 2 PB67P79 ALL OF PH II
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Repair and/or replace all deteriorated and rotten wood on the pedestrian bridge leading
to Promenade Plaza from Gardens East Apartments so not to cause a hazard to the
public; paint structure when complete so to match throughout
Code Officer:
Robert Williams

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- B. Case No.**
10.10.4158
Property Owner
Murry & Suzanne Cohen
4140 Battersea Rd
Miami, FL 33133
Violation Location:
9056 N Military Trail
Palm Beach Gardens
PCN: 52424213000005020
LEGAL: 13-42-42, N 150 FT OF S 350 FT OF E 300 FT OF W 350 FT OF SE ¼
(LESS W 3 FT RD R/W)
Code Section Violated:
78-344 Construction and maintenance
Corrective Action:
Comply with above code section 78-344 for parking lot area maintenance and repairs;
permit required; contact City at 561.799.4201
Code Officer:
Ismael Vasquez
- C. 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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D. 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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- E.** **Case No.**
11.01.4310
Property Owner
Donnini Enterprises Inc
3501 SW Corporate Pkwy
Palm City, FL 34990
Violation Location:
8961 N Military Trail
Palm Beach Gardens
PCN: 52424224000003011
LEGAL: 24-42-42, TH PT OF NE ¼ OF NE ¼ OF NW ¼ AS IN OR2027P469
 (LESS RD R/W TAKEN IN OR2257P1100)
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Remove from property all trash/debris and keep maintained; remove abandoned poles on north side of property; repair damaged fencing, awning, and roofing; permits may apply (consult with Building Department at 561.799.4210); repair potholes; repair, replace or remove damaged concrete fencing; permits may apply (consult with Building Department); pressure wash, scrape and remove peeling paint and re-paint all areas required
Code Officer:
Alex Lopez
- F.** **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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- G.** **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
- 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.**
10.12.4222
Property Owner
Triple Crown Investments LLC
1645 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
- J.** **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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IV. FINE REDUCTION HEARING

- A. Case No.**
10.12.4243
- Property Owner**
Richard and Renee Hanna
4169 Larch Avenue
Palm Beach Gardens
- Violation Location:**
4169 Larch Avenue
Palm Beach Gardens
- PCN: 52424212020080380
LEGAL: PGA NATIONAL GOLF CLUB EST 1 LT 38 BLK 8
- Code Section Violated:**
79-5 Maintenance and appearance standards for all structures and landscaping
- Corrective Action:**
Maintain sod throughout entire property (i.e. dead and/or dying areas); areas damaged by boat also require maintenance and/or replacement; remove outside storage, equipment, etc. from public view; repair and/or replace all broken or missing fence
- Code Officer:**
Michael Williams

V. STIPULATION (NONE)

VI. FORECLOSURE AUTHORIZATION HEARING (NONE)