

**CITY OF PALM BEACH GARDENS
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
DECEMBER 06, 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.**
11.10.5053
- Property Owner**
CSC Tanglewood LTD
40 Randall Ave
Freeport, NY 11520
- Violation Location:**
4205 Union Square Blvd - Building
Palm Beach Gardens
PCN: 52424212000001130
LEGAL: 12-42-42, TH PT OF S 825 FT OF N ½ OF NE ¼ K/A PAR 12 (LESS
PARS MEAS 5 FT X 60 FT K/A PARS A, B & C) & PAR 14
- Code Section Violated:**
30-39 Excessive false alarm signals limited
- Corrective Action:**
Cease excessive false alarm activity and pay fine of \$230 on or before 12/02/2011.
- Police Officer:**
Julius Barone

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- B.** **Case No.**
11.10.5059
- Property Owner**
Como Properties LLC
2925 PGA Blvd
Palm Beach Gardens
- Violation Location:**
2925 PGA Blvd - 200
Palm Beach Gardens
PCN: 52434205260270051
LEGAL: REGIONAL CENTER PARS 27.05, 27.06 & 27.R02 PAR 27.05 (LESS
 SLY 341.55 FT OF ELY 140.94 FT IN OR14583P876)
- Code Section Violated:**
30-39 Excessive false alarm signals limited
- Corrective Action:**
Cease excessive false alarm activity and pay fine of \$215 on or before 12/02/2011.
- Police Officer:**
Julius Barone

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C. Case No.

11.10.5032

Property Owner

Jack C Harrison Tr
4290 Northlake Blvd
Palm Beach Gardens

Violation Location:

4290 Northlake Blvd
Palm Beach Gardens

PCN: 52424224120000010

LEGAL: NORTHLAKE COMMERCIAL COND UNIT 1

Code Section Violated:

78-329 Maintenance

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

Corrective Action:

78-329 Replace mulch missing from planting areas (comply with attached 78-322 (c) code); irrigation needs to be functional; remove invasive exotics and seedling Sabal Palms; replace missing Hibiscus hedge at north buffer along Northlake Blvd; replace Hibiscus hedge west side of parking area in poor condition; replace missing Hibiscus hedges from east property line; replace missing Bouganvillea around monument sign; for further details and clarification please contact City Forestry Technician Ray Caranci at 799.4239

79-5 Straighten and repair leaning monument sign so that in a state of good repair; clean and repaint monument sign, path walkway and concrete fencing where needed to show no evidence of stains, deterioration or discoloration; replace missing numbers and lettering on monument sign; replace missing roof tiles

Code Officer:

Ismael Vasquez

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D. Case No.

11.10.5033

Property Owner

Realmed Inc
4300 Northlake Blvd
Palm Beach Gardens

Violation Location:

4300 Northlake Blvd
Palm Beach Gardens

PCN: 52424224120000020

LEGAL: NORTHLAKE COMMERCIAL COND UNIT 2

Code Section Violated:

78-329 Maintenance

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

Corrective Action:

78-329 Replace mulch missing from planting areas (comply with attached 78-322 (c) code); irrigation needs to be functional; remove invasive exotics and seedling Sabal Palms; replace missing Hibiscus hedge from west property line; replace missing and poor condition Hibiscus hedges at north and east side; for further details and clarification please contact City Forestry Technician Ray Caranci at 799.4239

79-5 Cut, mow, trim, clean, and keep maintained all lawn/landscaping areas (including section west of building near concrete fencing and tree branches overhanging handicap parking space); clean and repaint concrete fencing and path walkway where needed to show no evidence of stains, deterioration, or discoloration

Police Officer:

Ismael Vasquez

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II. VIOLATION CASES

- A. Case No.**
11.10.5079
Property Owner
Carol Dardick
117 Palm Bay Drive
Palm Beach Gardens
Violation Location:
117 Palm Bay Drive – Unit D
Palm Beach Gardens
PCN: 52424213270000174
LEGAL: PALM BAY CLUB CONDOMINIUM UNIT 17D
Code Section Violated:
14-6 Animals creating a nuisance
Corrective Action:
Adhere to above code and maintain; refrain dog from continuously barking and becoming a nuisance for neighboring properties; Special Magistrate will set forth ruling
Code Officer:
Alex Lopez
- B. Case No.**
11.11.5146
Property Owner
40th LLC
2597 Hinda Rd
Lake Park, FL 33403
Violation Location:
8563 40th Ter N
Palm Beach Gardens
PCN: 52424224000001234
LEGAL: 24-42-42 N 106 FT OF S 371 FT OF W 178.74 FT OF E 330 FT OF NE1/4
Code Section Violated:
14-1 Domesticated household pets
14-6 Animals creating a nuisance
Corrective Action:
Violations are Irreversible and Irreparable in nature. Adhere to above code and maintain; Code Enforcement Special Magistrate will set forth ruling
Code Officer:
Ismael Vasquez

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- C.** **Case No.**
11.07.4843
Property Owner
Fabian and Mesa Perez
3203 Meridian Way N
Palm Beach Gardens
Violation Location:
3203 Meridian Way N
Palm Beach Gardens
PCN: 52434207024080291
LEGAL: MERIDIAN PARK PT OF LT 8 BLK 4 IN OR2506P940 A/K/A UNIT
 A BLDG 29 OF SANDALWOOD
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Air conditioning unit must be screened from public view as indicated by City ordinance
Code Officer:
Michael Williams
- D.** **Case No.**
11.10.5100
Property Owner
Niki Hospitality Inc.
10211 N 32nd St
Phoenix, AZ 85028
Violation Location:
4123 Northlake Blvd
Palm Beach Gardens
PCN: 52424213000005140
LEGAL: 13-42-42, NLY 306.13 FT OF S 550 FT OF WLY 255 FT OF E 490.40
 FT OF SE 1/4
Code Section Violated:
78-328 Pruning
Corrective Action:
The improper pruning of seven (7) Sabal Palms and three (3) Live Oaks are irreversible
and irreparable in nature; Code Enforcement Special Magistrate will set forth ruling
Code Officer:
Alex Lopez

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- E.** **Case No.**
11.02.4364
Property Owner
Sandalwood Homeowners Assn
2950 Jog Rd
Greenacres, FL 33467
Violation Location:
3167 Gardens East Dr
Palm Beach Gardens
PCN: 52434207020010030
LEGAL: MERIDIAN PARK LOTS 3, 4, 5, 6, 7, 8 & 9 (LESS BLDGS 1 TO 8
 INC & BLDGS 52 TO 62 INC AS SHOWN ON SITE PLAN OF
 SANDALWOOD) BLK 1
Code Section Violated:
78-334 Nonconforming landscape areas
Corrective Action:
Consult with City Forester at 799.4259 for suitable species, location, size, and
replacement of the dead/dying tree in the common area of the Sandalwood Community;
must be in place by October 11, 2011
Code Officer:
Robert Williams
- F.** **Case No.**
11.07.4802
Property Owner
Anthony L Capute
15267 75th Ave N
Palm Beach Gardens
Violation Location:
3227 Gardens East Dr
Palm Beach Gardens
PCN: 52434207021060521
LEGAL: MERIDIAN PARK PT OF LT 6 BLK 1 IN OR2589P408 A/K/A UNIT
 A BLDG 52 OF SANDALWOOD
Code Section Violated:
78-377 Mechanical and service equipment screening
Corrective Action:
Air conditioning unit must be screened from public view as indicated by City ordinance
Code Officer:
Robert Williams

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G.

Case No.

11.08.4903

Property Owner

Jackie Dudkiewicz
217 Park Ave
Lake Park, FL 33403

Violation Location:

8617 40th Terrace N
Palm Beach Gardens

PCN: 52424224000001391

LEGAL: 24-42-42-N 106 FT OF S 689 FT OF W 179.09 FT OF E 330 FT OF NE
1/4

Code Section Violated:

FBC 104.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of this code. The extent of repairs shall be determined by the building official. When the building official determines that an unsafe building, structure, or service system cannot be reasonably repaired in accordance with this or the technical codes, it shall be demolished in accordance with this section.

FBC 104.5.1 When the building official determines a building, structure, electrical, gas, mechanical, or plumbing system or portion thereof is unsafe, as set forth in this Code, or in reference to the International Property Maintenance Code, current edition, promulgated by the International Code Council, Inc., he/she shall, in accordance with established procedure for legal notices, give the owner, agent, or person in control of such building, structure, electrical, gas, mechanical, or plumbing system written notice stating the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building, structure, electrical, gas, mechanical, or plumbing system or portion thereof. The building official shall refer to the International Property Maintenance Code exclusively for safety purposes and not for aesthetic purposes, and only as to structural, electrical, gas, mechanical, or plumbing deficiencies. For the purposes of protecting life, health, property, and ensuring public safety, enforcement activity by the building official shall be limited to Chapter 2, Chapter 3 - Sections 303, 304 (excluding 304.3), 305, and 306, Chapter 4, Chapter 5, and Chapter 6 of the IPMC.

Corrective Action:

Obtain permits as required within 30 days and effectuate repairs within 60 days of permitting; see attached exhibit for IPMC violations and details; for further clarification and inspections please contact City Building Official Steve Kennedy at 799.4295

Code Officer:

Ismael Vasquez

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- H. Case No.**
11.10.5030
Property Owner
Peter and Debra Quinn
3150 San Michele Dr
Palm Beach Gardens
Violation Location:
3150 San Michele Dr
Palm Beach Gardens
PCN: 52424125010000350
LEGAL: SAN MICHELE LT 35
Code Section Violated:
78-661 Performance standards
Corrective Action:
Maintain a/c units to meet the performance standards set in the City Ordinance
Code Officer:
Robert Williams
- I. Case No.**
11.10.5042
Property Owner
McPhail Assoc
PO Box 3369
Duluth, GA 30096
Violation Location:
3169 Northlake Blvd
Palm Beach Gardens
PCN: 52434218160000010
LEGAL: NORTHLAKE SQUARE PL WLY 247.74 FT A/K/A PAR 1
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$630 on or before 12/02/2011
Police Officer:
Julius Barone

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- J.** **Case No.**
11.10.5099
Property Owner
GLL US Retail LP
200 S Orange Ave
Orlando, FL 32801
Violation Location:
11320 Legacy Ave - 100
Palm Beach Gardens
PCN: 52434206200010000
LEGAL: LEGACY PLACE COMMERCIAL REPL TR A K/A DEVELOPMENT
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$110 on or before 12/02/2011
Police Officer:
Julius Barone
- K.** **Case No.**
11.10.5043
Property Owner
DDRM Northlake Commons LLC
3300 Enterprise Pkwy
Cleveland, OH 44122
Violation Location:
3870 Northlake Blvd
Palm Beach Gardens
PCN: 52434219160020000
LEGAL: CROSSROADS AT NORTHLAKE PAR B K/A COMMERCIAL
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$110 on or before 12/02/2011
Police Officer:
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- L.** **Case No.**
11.10.5054
Property Owner
Gardens East Plaza LTD
9810 Alt A1A
Palm Beach Gardens
Violation Location:
9910 Alt A1A - 701
Palm Beach Gardens
PCN: 52434207260090000
LEGAL: GARDENS EAST PLAZA TR 9
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$380 on or before 12/02/2011
Police Officer:
Julius Barone
- M.** **Case No.**
11.10.5106
Property Owner
Harvey and Mary Shiflet
1529 Duke of Windsor Rd
Virginia Beach, VA 23454
Violation Location:
100 Abondance Dr
Palm Beach Gardens
PCN: 52434131080000430
LEGAL: FRENCHMANS RESERVE PCD PL A LT 43
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$145 on or before 12/02/2011
Police Officer:
Julius Barone

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- N.** **Case No.**
11.10.5083
Property Owner
Kristine Polo
4328 Gardenia Dr
Palm Beach Gardens
Violation Location:
4328 Gardenia Dr
Palm Beach Gardens
PCN: 52424212010700080
LEGAL: CITY OF P B GARDENS NO 6 LOT 8 BLK 70
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$110 on or before 12/02/2011
Police Officer:
Julius Barone
- O.** **Case No.**
11.10.5089
Property Owner
Congress Plaza West
101 Plaza Real S
Boca Raton, FL 33432
Violation Location:
3190 Northlake Blvd
Palm Beach Gardens
PCN: 52434219190010000
LEGAL: NORTHLAKE SQUARE WEST PT LYG WITHIN CITY OF PALM
 BEACH GARDENS BOUNDARY
Code Section Violated:
30-39 Excessive false alarm signals limited
Corrective Action:
Cease excessive false alarm activity and pay fine of \$280 on or before 12/02/2011
Police Officer:
Julius Barone

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P. **Case No.**
11.11.5133
Property Owner
William McMenimon
802 Floret Dr
Palm Beach Gardens
Violation Location:
802 Floret Dr
Palm Beach Gardens
PCN: 52434131150000280
LEGAL: FRENCHMANS RESERVE PCD PL E LT 28
Code Section Violated:
303.1 Swimming pools
Corrective Action:
Clean pool water and keep maintained
Code Officer:
Ismael Vasquez

III. FINE ASSESSMENT/STATUS HEARING

A. **Case No.**
09-12-3383
Property Owner
Cheryl A Gomes
10339 Daphne Ave
Palm Beach Gardens
Violation Location:
10339 Daphne Ave
Palm Beach Gardens
PCN: 52434207010510010
LEGAL: CITY OF PALM BEACH GARDENS 5 LOT 1 BLK 51
Code Section Violated:
79-5 Maintenance and appearance standards for all structures and landscaping
Corrective Action:
Keep yard trimmed, cut, pruned, and maintained on a regular basis so not to be in an overgrown state; eliminate rat population so not to be a hazard to this or neighboring properties
Code Officer:
Robert Williams

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B. 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

IV. FINE REDUCTION HEARING	(NONE)
V. STIPULATION	(NONE)
VI. FORECLOSURE AUTHORIZATION HEARING	(NONE)