



Town of Lake Park

SPECIAL MAGISTRATE HEARING AGENDA

MARCH 16, 2023

10:00 A.M.

Town Hall Commission Chambers
535 Park Avenue
Lake Park, Florida 33403

PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Special Magistrate with respect to any matter considered at this Hearing, such interested person will need a record of the proceedings, and for such purpose, 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. *Persons with disabilities requiring accommodations in order to participate in the Hearing should contact the Town Clerk's Office by calling 561-881-3311 at least 48 hours in advance in order to request accommodations.*

REQUEST FOR EXTENSION OF TIME

CASE NO. 22100002

APPLICANT:

EMPIRE LS PROPERTY MGMNT LLC

PROPERTY OWNER: JAMES F. LESERRA/EMPIRE LS PROPERTY
MANAGEMENT LLC.
LOCATION: 13TH STREET (VACANT LOT)
PCN: 36-43-42-20-00-000-7400
LEGAL: 20-42-43, SLY 100 FT OF NLY 650 FT OF ELY 145 FT OF
WLY 845 FT OF NW ¼ OF SW ¼ A/K/A LT 47 LAKE PK
IND SITES UNREC

CODE SECTIONS VIOLATED: 68-5(b)&(c); 78-75(2)
ORIGINAL SM HEARING DATE: 12/15/2022
ORDERED COMPLIANCE DATE: 03/17/2023
REQUESTED EXTENSION: 90 DAYS

CASE NO. 22070034

APPLICANT:
RONALD FENELUS

PROPERTY OWNER: RONALD FENELUS & ANDRE FENELUS EST
LOCATION: 622 BAYBERRY DRIVE
PCN: 36-43-42-20-01-056-0080
LEGAL: KELSEY CITY LTS 8 TO 10 INC BLK 56

CODE SECTIONS VIOLATED: 54-100; 54-125(c)(g)(o)(p)(u)
ORIGINAL SM HEARING DATE: 12/15/2022
ORDERED COMPLIANCE DATE: 03/17/2023
REQUESTED EXTENSION: 1 YEAR OR 180 DAYS



Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

**SPECIAL MAGISTRATE
HEARING DOCKET
March 16, 2023 10:00 AM**

PLEASE TAKE NOTE AND BE ADVISED that if any interested person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, such interested person may need a verbatim record of the proceedings made, including the testimony and evidence presented at this Hearing.

CALL TO ORDER

SWEARING IN OF ALL WITNESSES

QUASI-JUDICIAL PROCEEDINGS

The Special Magistrate shall have the jurisdiction and authority to hear and decide alleged violations of the Codes and Ordinances enacted by the Town of Lake Park.

Category: NEW CASES

# Case No.	Date Issue	Req'd Action
1 23010020	1/13/2023	

Owner	Address	Site Address
POWELL YASMIN, POWELL SEAN	255 DATE PALM DR LAKE PARK, FL 33403	255 Date Palm Dr, Lake Park, FL 33403

Description

FENCE MAINT sec. 78-115 (a)(b)(c)

Your fence overtime has deteriorated to the point it's leaning, missing sections, discolored, mismatching and uneven. Your fence is in need of total replacement. Please replace the fence. Will require a Permit application. Your contractor can apply at www.CAPFLA.com for further assistance you can call our permit office at (561) 881-3318

OUTSIDE STORAGE Sec. 68-3 (1)(3)(4)(7)(9)

You have numerous items that are being stored outdoors next to the house, behind the gate. Items include a vehicle, boxes, appliances wood, chairs, element sensitive items and other misc. equipment. Additionally, there is a vehicle parked in the driveway that does not have a tag attached. ALL vehicles stores within the property must have a valid tag and to be in operational condition. Please install valid tags or remove the vehicles. No vehicle can be parked or stored in the back yard. All vehicles must be parked or stored within a driveway, carport or be parked on the street. Please remove the vehicle. Lastly, your additional items, as mentioned above that are being stored on the property must be removed into an enclosed building or shed.

SWALE MAINT Sec 16-10 (a)(b)

The swale is owned by the town, but it must be maintained by the property owner. It appears that the swale has deteriorated by parking of vehicles, consequently once there was sod now has sand and weeds. Please install and maintain sod by regular irrigation and fertilization.

PROPERTY MAINT STANDARD/SOD REQUIREMENT; Sec 78-253(b)(1)

Inspection of the property revealed that you have no sod around the property. Your yard has been taken over by weeds and sand. Code requires for the property owner to maintain sod at 100% of the property. Please install sod and maintain by regular irrigation, fertilization.

UN-authorized/PERMITTED STRUCTURE; sec 54-100

You have built a deck on the front yard of the property without permits, Therefore the structure by code is not allowed. Please remove the deck,

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 16 OFFENSES*	Sec. 16-10	Property Maintenance. (a) It shall be unlawful for the owner, occupant, lessee, or person in control of any land including the swales, sidewalks, driveways, alleys, driveway aprons, or curbs, which abut, or are adjacent or contiguous to the proper		45
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-100	Permits. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure, or to cause such work to be done, shall first make application to the community deve		45
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Prohibited outdoor storage in residential zoning districts. Outdoor storage on a site zoned for single-family or duplex residences is subject to the following conditions and restrictions: (1) Automobiles, pickup trucks, light vans and/or motorcyc		45
Chapter 78 ZONING*	Sec. 78-115	Maintenance. (a) All walls and fences shall be maintained to provide a safe, healthy and finished appearance. There shall be no excessive leaning; gates shall be in working order with a straight and true appearance. (b) All walls and fences s		45
Chapter 78 ZONING*	Sec. 78-253	Minimum landscape requirements. (a) Nonresidential districts. (1) In nonresidential districts, no more than 40 percent of the total landscape area shall be covered with sod (grass), except those projects proposing playgrounds, ballfields, gol		45

Case No.**Date Issue****Req'd Action**

2 23020017

2/6/2023

Owner**Address****Site Address**

GENE NERILES L

PO BOX 530644 LAKE
PARK, FL 33403

926 Magnolia Dr, Lake Park, FL 33403

Description

Sec. 30-2 Prohibited parking.

Please remove school bus from property that is blocking sidewalk on property.

Sec. 30-35 Parking of commercial vehicles.

Remove commercial vehicle (school bus) from property.

Sec. 54-100. - Permits.

Wooden fence has been installed without permits. Please contact (561-881-3318) for permits information.

Sec. 28-33. - Engaging in business without a local business tax receipt upon false representation.

Please submit application for business tax receipt for property locate at 926 Magnolia Dr.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 28 TAXATION*	Sec. 28-33	Engaging in business without a local business tax receipt upon false representation. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the town without a business tax receipt, or upon a business ta		14
Chapter 30 TRAFFIC AND MOTOR VEHICLES*	Sec. 30-2	Prohibited parking. (a) Streets and service alleys. (1) The on-street parking on any portion of Park Avenue is strictly prohibited except in designated parking stalls or areas which are designated by town signage for the temporary stopping		14
Chapter 30 TRAFFIC AND MOTOR VEHICLES*	Sec. 30-35	Parking of commercial vehicles. (a) Purpose and intent. It is the intent of this section to preserve the character of the residence districts and to preserve the value of the residential property in the town by prohibiting the parking of commerci		14
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-100	Permits. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure, or to cause such work to be done, shall first make application to the community deve		14

# Case No.	Date Issue	Req'd Action
3 23020018	2/6/2023	

Owner	Address	Site Address
COLUSA INC	3850 GALT OCEAN DR APT 1111 FORT LAUDERDALE, FL 33308	450 Northlake Blvd, Lake Park, FL 33408 11

Description

28-33 BUSINESS TAX RECEIPT- The business NOBILE SHOES is operating without BTR. Please call 561-881-3318 to finish application.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 28 TAXATION*	Sec. 28-33	Engaging in business without a local business tax receipt upon false representation. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the town without a business tax receipt, or upon a business ta		14

# Case No.	Date Issue	Req'd Action
4 23010012	1/11/2023	

Owner	Address	Site Address
SRI REAL ESTATE PROPERTIES LLC	300 JOHNNY BENCH DR OKLAHOMA CITY, OK 73104	201 N Congress Ave, Lake Park, FL 33403

Description

24-76(d) CONTAINER STORAGE/SCREENING-The dumpsters wooden enclosure is deteriorating. When existing dumpster placement surface requires replacement due to deterioration, the replacement surface shall be of concrete, and in accordance with specifications of the town building code. A permit is REQUIRED. Call 561-881-3318 for permit information.

54-75(3) Commercial Property Maintenance- Please pressure clean the area inside of dumpster enclosure to remove all Grease and debris.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 24 SOLID WASTE*	Sec. 24-76	Container storage/screening. (a) Prohibited locations. (1) Generally. Dumpsters shall not be located within the right-of-way of a public street or alley. (2) Special exception: For buildings constructed prior to adoption of the ordinan		14
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-75	Supplemental commercial property maintenance standards. These regulations shall apply to all commercial property within the town. (1) Signs, which no longer advertise a business located on the premises, shall be removed within ten days after the		14

# Case No.	Date Issue	Req'd Action
5 23010022	1/20/2023	

Owner	Address	Site Address
BRYANT TERRY	400 CYPRESS DR LAKE PARK, FL 33403	400 Cypress Dr, Lake Park, FL 33403

Description

68-3(1) PROHIBITED OUTDOOR STORAGE- Remove vehicles from the lawn and gravel driveway. Please use approved driveway.

78-253(b)1 MINIMUM LANDSCAPE REQUIREMENTS- Open space shall be one hundred percent landscaped. Gravel is not allowed please restore to lawn grass and remove vehicles. If you would like to extend the driveway a permit will be needed.

78-64(1)R-1 RESIDENCE DISTRICTS- Remove PODs from property. All permits are now expired and finalized. These types of accessory structures are not permitted in a R-1 residence district.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Prohibited outdoor storage in residential zoning districts. Outdoor storage on a site zoned for single-family or duplex residences is subject to the following conditions and restrictions: (1) Automobiles, pickup trucks, light vans and/or motorcyc		14
Chapter 78 ZONING*	Sec. 78-253	Minimum landscape requirements. (a) Nonresidential districts. (1) In nonresidential districts, no more than 40 percent of the total landscape area shall be covered with sod (grass), except those projects proposing playgrounds, ballfields, gol		14
Chapter 78 ZONING*	Sec. 78-64	R-1 residence districts. Within R-1 residence districts, the following regulations shall apply: (1) Uses permitted. Within any R-1 residence district, no building, structure or land shall be used and no building shall be erected, structurally al		14

Owner	Address	Site Address
THOREN MATT & THOREN MINDY	11727 COTTONWOOD AVE PALM BEACH GARDENS, FL 33410	315 7th Ct, Lake Park, FL 33403 2

Description

78-253(b)1 MINIMUM LANDSCAPE REQUIREMENTS- Open space shall be one hundred percent landscaped. Please re-sod grass and swale. Replanting sod in the swale requires a permit. Call public works at 561-881-3345 for more information.

68-3(3) PROHIBITED OUTDOOR STORAGE- Remove all items being stored outside. Remove items being stored on the trailer.

10-73 DECLARATION OF PUBLIC NUISANCE- Remove or register vehicles. All vehicles on the property must be tagged and operable.

54-8 CHAPTER ONE AMENDMENTS ADOPTED-Refer to sections 105 and 116-A wooden porch area was constructed without permits and inspections. This type of structure is considered unsafe and needs to be removed.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 10 ENVIRONMENT*	Sec. 10-73	Declaration of public nuisance. The location or presence of any junked vehicle or abandoned, wrecked or derelict property on any lot, tract or parcel of land, or portion thereof, public or private, improved or unimproved, occupied or unoccupied, wit		18
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-8	Chapter One Amendments Adopted. CHAPTER ONE - ADMINISTRATION Section 101. General. 101.1 Title. These regulations shall be known as the Florida Building Code hereinafter referred to as "this code." 101.2 Scope. The provisions of this		18
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Prohibited outdoor storage in residential zoning districts. Outdoor storage on a site zoned for single-family or duplex residences is subject to the following conditions and restrictions: (1) Automobiles, pickup trucks, light vans and/or motorcyc		18
Chapter 78 ZONING*	Sec. 78-253	Minimum landscape requirements. (a) Nonresidential districts. (1) In nonresidential districts, no more than 40 percent of the total landscape area shall be covered with sod (grass), except those projects proposing playgrounds, ballfields, gol		18

Case No.**Date Issue****Req'd Action**

7 23010025

1/23/2023

Owner**Address****Site Address**

900 10TH STREET LLC

900 10TH ST LAKE PARK,
FL 33403

900 10th St, Lake Park, FL 33403

Description

54-125(e): GENERAL REQUIREMENTS FOR EXTERIOR AND INTERIOR OF STRUCTURES: PLEASE FIX STAIRS AND WALKWAY. A PERMIT IS REQUIRED. PLEASE CALL 561-881-3318 FOR PERMITS INFORMATION.

10-32(12): NUISANCES DECLARED: THIS IS CONSIDERED A LIFE AND SAFETY ISSUE. PLEASE HANDLE AS SOON AS POSSIBLE.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 10 ENVIRONMENT*	Sec. 10-32 NUISANCES DECLARED	Sec. 10-32. - Nuisances declared. modified It is hereby declared and determined by the town commission, that the good aesthetic appearance of lots or properties within the town preserves the value of other properties. The conditions as set forth he		14
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-125	General requirements for the exterior and interior of structures. (a) Foundation. The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon. (b) Ext		14

Case No.**Date Issue****Req'd Action**

8 23010039

1/25/2023

OwnerLAKE PARK SE
ASSOCIATES LLC**Address**80 NASHUA RD STE 24
LONDONDERRY, NH
03053**Site Address**

1220 Federal Hwy, Lake Park, FL 33403

Description

54-71(d) PROPERTY MAINTENANCE STANDARDS- Repair exterior security pole lights along Palmetto Dr.

54-36 EXTERIOR SECURITY LIGHTING- Exterior security lights are required to stay on from dusk till dawn.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-36	Exterior security lighting. The following is Table 500 and may be cited as such: TABLE 500 EXTERIOR SECURITY LIGHTING REQUIREMENTS (Fc) TABLE INSET: Occupancy category Open parking areas Parking areas within or under buildings Active		10
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-71	Property maintenance standards. general. (a) Applicability. These regulations shall apply to all private property, including all buildings and structures within the town. (b) General regulations. (1) All buildings and structures, both		10

Total

NEW CASES

8**Total
Hearing****8**