



Town of Lake Park

**SPECIAL MAGISTRATE HEARING
STIPULATION/FINE ABATEMENT
HEARING DOCKET
SEPTEMBER 21, 2023
10:00 A.M.**

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.*

STIPULATION AND AGREED ORDER FOR FINE ABATEMENT AND OPEN VIOLATIONS

CASE NO. 18010021

ORIGINAL S/M HEARING DATE: 05/03/2018

PROPERTY OWNER/SELLER: MIZNER DEV PRESERVE, LLC

BUYER: CARLO VERNIA

**LOCATION: 1509 PROSPERITY FARMS ROAD
PCN: 36-43-42-20-03-129-0090
LEGAL: LAKE PARK ADD NO 1 LT 9 & LT 10 (LESS N 38
FT) BLK 129**



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

**SPECIAL MAGISTRATE
HEARING DOCKET
September 21, 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	23070001	7/5/2023	

Owner	Address	Site Address
DISCOUNT AUTO PARTS INC #9316, LEASE & PROPERTY TAX ACCOUNTING ATTN:	PO BOX 2710 ROANOKE, VA 24001	710 10th St, Lake Park, FL 33403
Description		
Sec. 54-8. - Chapter One amendments adopted. Section 105. Permits. Dumpster concrete enclosure has been repair without permits. Any enlarge, alter, demolish or repair required permits. Please contact 561-881-3318 for permits information. Penalty of 3 times permit cost will be apply.		
Contact Code Officer: Gianfranco Pinto (561-351-3120) to confirm compliance.		

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
FLORIDA BUILDING CODE	105.1	Permits Required. Any contractor, owner, or agent authorized in accordance with Chapter 489, F.S. who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, al		30

#	Case No.	Date Issue	Req'd Action
2	23060002	6/5/2023	

Owner	Address	Site Address
LOUIS NIVA JEAN	855 GREENBRIAR DR LAKE PARK, FL 33403	855 Greenbriar Dr, Lake Park, FL 33403

Description

78-142(c)(10)f2 OFF-STREET PARKING AND LOADING- Gravel driveways are not allowed per code. Please remove the gravel driveway and replace with an approved material. A permit will be required. For permit information call 561-881-3318.

54-100-PERMIT REQUIRED- On 6/5/2018 A permit was issued to enclose the carport. The work has stopped, and the permit was not finalized. In order to be in compliance, the permit needs to be re-issued OR remove the work that has been done. (An inspection of the interior of the carport is required if work will be removed)

54-8 (110.3.11) CHAPTER ONE AMENDMENTS ADOPTED- Final Inspections prior to issuance of Certificate of Occupancy or Completion. The building official shall inspect or cause to be inspected, at various intervals, all construction or work for which a permit is required, and a final inspection shall be made of every building, structure, electrical, gas, mechanical or plumbing system upon completion, prior to the issuance of the Certificate of Occupancy or Certificate of Completion. In performing inspections, the building official shall give first priority to inspections of the construction, addition, or renovation to, any facilities owned or controlled by a state university, state community college or public school district. FINAL INSPECTION REQUIRED

Once permit has been re-issued, more time will be given to finish the work.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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		20
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		20
Chapter 78 ZONING*	Sec. 78-142	Off-street parking and loading. (a) Purpose and intent. It is the intent of this section to provide for the health, safety, welfare and convenience of the public by requiring each development to provide minimum lands to accommodate the parking, l		20

#	Case No.	Date Issue	Req'd Action
3	23060012	6/26/2023	

Owner	Address	Site Address
RENICK MICHAEL & RENICK ROBIN	1601 WEST RD LAKE PARK, FL 33403	1601 West Rd, Lake Park, FL 33403

Description

54-71(b)2 PROPERTY MAINTENANCE STANDARDS-Parking areas shall be maintained reasonably free of discoloration or deterioration, including potholes. Please water pressure driveway. Paint if needed.

54-71(b)1 PROPERTY MAINTENANCE STANDARDS- The exterior of all buildings or structures shall be kept free from stains, mold, mildew, peeling paint, discoloration, graffiti, and general disrepair. Where there is discoloration and peeling paint, please water pressure and paint.

68-3(3) PROHIBITED OUTDOOR STORAGE- Remove all items being stored in the porch area.

10-73 DECLARATION OF PUBLIC NUISANCE-Vehicle that is being stored in the front property seems to be inoperable and unlicensed. Please provide proof or remove vehicle.

10-32 NUISANCES DECLARED-Please mow and maintain lawn.

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 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		14
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		14
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

# Case No.	Date Issue	Req'd Action
4 23040038	4/25/2023	

Owner	Address	Site Address
CIRCULAR INVESTMENTS LLC	16400 COLLINS AVE APT 2741 MIAMI, FL 33160	700 Foresteria Dr, Lake Park, FL 33403

Description

Sec. 11-4. - Provision of food and water to confined animals required.

(a)No person owning or responsible for confining or impounding any animal may refuse or neglect to continuously supply the animal with a sufficient supply of good and wholesome food and water.(b)The food shall be sufficient to maintain all animals in good health. (c)Potable water shall be available at all times for all animals.

On 4/12/2023 at 6:10pm Palm Beach County Animal Care and Control received an anonymous complaint and responded the your address. Their case# A23-003817.1. A black and white colored, pit-bull breed dog named (Tyson). At that time the dog was tattered with a robe inside the carport. Now the same dog is being kept in a cage under the carport w/o water. As it states under Lpc. 11-4(a)(b)(c) above water SHALL BE AVAILABLE AT ALL TIMES.

I have attached pictures for your records. Please address the issue as soon as possible. Thank you.

Sec. 28-32. - Business tax receipt required; application and pre-requisites to issuance.

It appears that you're renting a property 700 Foresteria Dr.in Lake Park without the required Business Tax Receipt application and approval. Please apply for your Business Tax Receipt by contacting our permits dept. at (561) 881-3318

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 28 TAXATION*	Sec. 28-32	Business tax receipt required; application and pre-requisites to issuance. (a) An application for a new business tax receipt or the renewal of anexisting business tax receipt shall be accompanied by payment of the appropriate application fee. The		14

# Case No.	Date Issue	Req'd Action
5 23060020	6/28/2023	

Owner	Address	Site Address
THOREN MATTHEW & THOREN MINDY	11727 COTTONWOOD AVE PALM BEACH GARDENS, FL 33410	312 7th St, Lake Park, FL 33403

Description

NOTE: After speaking with your tenant to remove the boat. A warning notice # 52102 was sent to you on 6/15/2023 and you were giving ten (10) days to remove or relocate the boat. Your property was re-inspected today and you're still in violation.

PROPERTY MAINT, SOD REQUIREMENT: Sec. 78-253(b) (1).

Per code 100% of the property must have sod/grass. Over time your yard has deteriorated to the point that it has been taken over by weeds and/or sand. Please install sod throughout the property and maintain regularly by watering and fertilizing it.

SWALE MAINT: Sec. 34-12

The swale is owned by the town but is maintained by the property owner. Over time your yard has deteriorated to the point where it now has no sod left and is taken over by weeds and/or sand. Please

install sod in the swale areas and maintain it regularly with irrigation and fertilization. This will require a permit (561) 881-3318.

OUTDOOR STORAGE VIOLATION: Sec. 68-3 (2)(c)

Outdoor storage of element-sensitive equipment/materials is prohibited. Outdoor storage of construction equipment/materials, not required for on-site construction pursuant to a valid construction permit or for normal property maintenance, loose vehicle parts and other similar accumulations is prohibited. Outdoor storage and the area of storage shall be maintained in a clean, neat and presentable manner. All Vehicles stored on the property must have valid tags, operable, and capable of being driven daily. All boats, trailers, RV's must be parked behind the building line, screened from your neighbors view via six (6) foot fence or shrubbery. Please remove all vehicles that do not meet these criteria. Carports cannot be used for storage. Carport is to be utilized for parking vehicles only. Please remove all materials being stored in The carport.

PROPERTY MAINT, RESIDENTS/STRUCTURE: Sec. 54-71(b)(1)

All buildings and structures, both existing and new, and all parts thereof, shall be maintained in good repair and kept in a sound, safe and sanitary condition. All devices or safeguards which are required by this article in a building when erected, altered, or repaired shall be maintained in good working order. The owner, or the owner's designated agent, and the tenant shall be responsible for the maintenance of buildings, structures and premises. The exterior of all buildings or structures shall be kept free from stains, mold, mildew, peeling paint, discoloration, graffiti, and general disrepair. Buildings or structures shall have no missing windows, doors, or railings. A window has foam installation which is in disrepair please replace the window. Check for permit requirement (561) 881-3318

PROPERTY MAINT: Sec. 16-10(a)(b)

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 property owner's real property, which is within the town limits, whether the area is unoccupied or occupied, to permit, maintain, or allow to remain thereon any accumulation of undergrowth, rubbish, debris, and unsightly and unsanitary matters, including, but not limited to, any accumulation of debris, decayed vegetable matter, filth, overgrown vegetation, including trees, bushes, or brush, rubbish or trash, or growth of weeds or noxious plants. There is overgrowth of weeds, shrubs, bushes and trash around the property. Please cut all forementioned vegetation, pick up the trash and maintain it there forward.

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		9
Chapter 34 VEGETATION*	Sec. 34-12	Maintenance of Town Swale Areas. It shall be the duty and obligation of all owners and occupants of real property within the town, to maintain all swale areas abutting, adjacent, or contiguous to their property, in a good and proper, neat and clean		9
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		9
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		9

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		9
--------------------	-------------	--	--	---

# Case No.	Date Issue	Req'd Action
6 23060021	6/29/2023	

Owner	Address	Site Address
DIERESTIL CEBATIEN	569 TEAK DR WEST PALM BEACH, FL 33403	569 Teak Dr, Lake Park, FL 33403

Description

54-100 PERMITS- This property has been fully renovated without any permits. Permits will be needed for new: windows, doors, converting the garage into a bedroom, fully renovated kitchen and bathrooms (plumbing and electric permits needed) and for any significant and/or structural changes to the property. For permit information please call 561-881-3318.

54-261(c) RIGHT OF ENTRY- I have reason to believe interior renovations have been done. I am requesting an interior inspection of the property. Call 561-356-6815 to schedule an interior inspection. In the event the occupant denies entry, entry may be obtained by an administrative search warrant pursuant to F.S. ch. 933.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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		30
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-261	Inspections. (a) Annual inspections. The community development director shall cause the storm drainage system to be inspected not less than once each year for illicit connections. (b) Investigation of complaints. The community development d		30

# Case No.	Date Issue	Req'd Action
7 23070003	7/6/2023	

Owner	Address	Site Address
CASCADE FUNDING MORTGAGE TRUST	1661 WORTHINGTON RD. STE 100 WEST PALM BEACH , FL 33409-6417	426 Bayberry Dr, Lake Park, FL 33403

Description

NOTE: The original case 23020023 was opened on 02/08/2023, and was issued to then property owner Mae Siders by certified mail and posting the property. The case was scheduled to be heard in front of a special magistrate on 7/20/2023 for non-compliance. However, it was discovered that the property was sold on April 2023 and you are the new owners. The violations are still in existence therefore a new notice of violations under new case number has been issued to you.

NO BUSINESS TAX RECEIPT: Sec. 28-33 Engaging in business without a local business tax receipt 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 tax receipt issued upon false statements made by any person or in their behalf. The property appears to be a rental therefore, you are required to have a local BTR. Please apply for your BTR by contacting our permits dept. at (561) 881-3318

PROPERTY MAINT. Sec. 54-71(b)(1), There is visible mold on the exterior walls of the property. Please pressure wash and/or repaint the house.

DRIVEWAY MAINT. Sec. 72-2(a)(b) Overtime your driveway has deteriorated and now it's in need of resurfacing or replacing. Please resurface or replace the driveway. Please check for permit requirements.

OVERGROWTH. Sec. 16-10(a)(b) Your bushes has grown onto the sidewalk please trim back all bushes/sod so its not growing onto the sidewalk.

OUTDOOR STORAGE VIOLATION: Sec. 68-3 (1)

Outdoor storage of element-sensitive equipment/materials is prohibited. Outdoor storage of construction equipment/materials, not required for on-site construction pursuant to a valid construction permit or for normal property maintenance, loose vehicle parts and other similar accumulations is prohibited. Outdoor storage and the area of storage shall be maintained in a clean, neat and presentable manner. All Vehicles stored on the property must have a valid tag and to be working condition, capable of being a daily driver. Please remove all vehicles that does not meet this criteria.

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		21
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		21
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		21
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Prohibited outdoor storage in residential zoning districts.		21

		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	
Chapter 72 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES*	Secs. 72-2	Obligation of Property Owner to Maintain Public Sidewalks, driveways, alleys, driveway aprons, or curbs adjacent to a Property Owner's Property. (a) General prohibition. It is unlawful for the owner of real property, and/or his tenant, licensee, l	21

Total NEW CASES **7**

Total
Hearing **7**