



Town of Lake Park

SPECIAL MAGISTRATE HEARING DOCKET STIPULATION/EXTENSION OF TIME

JANUARY 18, 2024

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.*

REQUEST FOR EXTENSION OF TIME

CASE NO. 23060002

APPLICANT: JEAN LOUIS NIVA

LOCATION: 855 GREENBRIAR DRIVE
PCN: 36-43-42-20-01-008-0240
LEGAL: KELSEY CITY LTS 24 TO 26 INC W 10 FT OF LT 27 BLK 8

CODE SECTION VIOLATED: 54-100; 54-8
ORIGINAL SM HEARING DATE: 09/21/2023
ORDERED COMPLIANCE DATE: 12/31/2023
REQUESTED EXTENSION: 6 MONTHS (JULY 1, 2024)

STIPULATION AND AGREED ORDER FOR FINE ABATEMENT

CASE NO. 21060015

ORIGINAL S/M HEARING DATE: 09/02/2021

PROPERTY OWNER: PREMIUM HOME CARE PLUS, LLC
LOCATION: 810 LAKE SHORE DRIVE, UNIT 44
PCN: 36-43-42-21-18-000-0440
LEGAL: LAKE VIEW COND APTS UNIT 44



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

**SPECIAL MAGISTRATE
HEARING DOCKET
January 18, 2024 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	23080022	8/24/2023	

Owner	Address	Site Address
HUMANI COURTS LLC	16389 BRIDLEWOOD CIR DELRAY BEACH, FL 33445	806 9th St, Lake Park, FL 33403

Description

Sec. 54-71 (b)(2). - Property maintenance standards, general.
Parking are shall be maintained reasonably free of discoloration or deterioration, including potholes. Parking lot has potholes please repair. Contact 561-881-3318 for PERMIT (RESTRIPING AND SEAL COATING) REQUIREMENTS.

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 development director and obtain the required permit therefor. Ordinary minor repairs may be made with the approval of the community development director without a permit; provided that such repairs shall not violate any of the provisions of this article.
Please contact 561-881-3318 for permits information.

Sec. 10-32. - Nuisances declared.
Accumulations of waste, yard trash, or rubble and debris. Please remove all furniture and miscellaneous items placed next to dumpsters.

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		61

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	61
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	61

#	Case No.	Date Issue	Req'd Action
2	23090005	9/8/2023	

Owner	Address	Site Address
PILGRIM NEW HOPE CHURCH INC	717 PARK AVE LAKE PARK, FL 33403	717 Park Ave, Lake Park, FL 33403

Description

Sec. 54-8. - Chapter One amendments adopted.

Section 105. Permits.

105.1 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, tenancy or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical, plumbing or fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, the Town of Lake Park floodplain management Ordinance codified in Chapter 60 of the Town Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section 116. Unsafe Structures and Equipment.

116.1 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 ordered by the building official to be abated by the owner, through repair and rehabilitation or by demolition in accordance with the this Code. The extent of repairs shall be determined by the building official.

NOTE: PROPERTY REMAINS UNSAFE CONDITIONS OF THE STRUCTURE BEING OPEN TO ELEMENTS (FAILED ROOFING STRUCTURE, FAILED PROTECTED OPENING WINDOWS).

116.1.2 If necessary, the notice shall also require the building, structure, electrical, gas, mechanical, plumbing systems or portion thereof to be vacated and/or disconnected, and not reoccupied and/or reconnected until the specified repairs and improvements are completed, inspected and approved by the building official. The building official shall post at each entrance to the building a placard stating: THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL. This placard shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or its officers, agents, or other servants, to remove the posting without written permission of the building official, or for any person to enter the building, or use the building or system(s) except for the purpose of making the required repairs or of demolishing same.

Sec. 16-10 (a). - Property maintenance.

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.

Please mow and clear overgrowth at Property front and back and reinstall sod and maintain by regular irrigation and fertilization.

Sec. 54-71(b)(1). - Property maintenance standards, general.

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.

Sec. 10-32(10). - Nuisances declared.

Any structure which does not meet one or more provisions of the Florida Building Code, which in the opinion of the building official render the premises uninhabitable.

APPLY FOR THE REQUIRED PERMITS AT CAPFLA.COM OR CALLING OUR DEPT. AT (561) 881-3318. THREE (3) TIMES THE PERMITS APPLICATION FEE 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		31
FLORIDA BUILDING CODE	Sec. 116.1	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 w		31
FLORIDA BUILDING CODE	Sec. 116.1.2	If necessary, the notice shall also require the building, structure, electrical, gas, mechanical, plumbing systems or portion thereof to be vacated and/or disconnected, and not reoccupied and/or reconnected until the specified repairs and improvement		31
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		31
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		31
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		31

# Case No.	Date Issue	Req'd Action
3 23090012	9/20/2023	

Owner	Address	Site Address
BAPTISTE LAHAUT	12745 82ND LN N WEST PALM BEACH, FL 33412	215 7th Ct, Lake Park, FL 33403

Description

Sec. 78-253(b)(1). - Minimum landscape requirements.

Landscaping shall be achieved with a combination of trees, shrubs, ground cover, grass (sod), and nonliving landscape material. One hundred percent of all open space shall be landscaped. Please add sod where needed and maintain regularly by watering and fertilizing it.

Sec. 16-10(b). - Property maintenance.

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 to allow grass to grow to a height in excess of eight inches on any property. All such areas shall be maintained in a neat and healthy condition, and reasonably free of weeds; any infringement of vegetation onto adjoining properties or public rights-of-way is prohibited.

Please mow and maintain any overgrowth or accumulation of undergrowth, rubbish and debris all around property.

Sec. 54-71(b)(2). - Property maintenance standards, general.

All driveways, sidewalks, and parking areas shall be maintained reasonably free of discoloration or deterioration, including potholes.

Parking lot shall be maintained reasonably free of discoloration or deterioration, including potholes.

Contact 561-881-3318 for PERMIT REQUIREMENTS. FINAL INSPECTION IS REQUIRED BY BUILDING OFFICER.

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 development director and obtain the required permit therefor. Ordinary minor repairs may be made with the approval of the community development director without a permit; provided that such repairs shall not violate any of the provisions of this article.

Please apply for the required permits (Sealcoating and Stripping) at capfla.com or calling our permitting dept. at (561) 881-3318.

Contact Code Officer: Gianfranco Pinto (561-351-3120) to confirm compliance.

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		30
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. 54-71	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		30

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		30
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#	Case No.	Date Issue	Req'd Action
4	23100014	10/16/2023	

Owner	Address	Site Address
915 PARK AVENUE INC	PO BOX 7096 JUPITER, FL 33468	911 Park Ave, Lake Park, FL 33403

Description

Sec. 54-71(b)(2). - Property maintenance standards, general.

All driveways, sidewalks, and parking areas shall be maintained reasonably free of discoloration or deterioration, including potholes. Parking lot have discoloration, deterioration and potholes. Please repair. Check for permits required contact 561-881-3318 for permits department.

Sec. 54-8. - Chapter One amendments adopted.

Section 105. Permits.

105.1 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, tenancy or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical, plumbing or fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, the Town of Lake Park floodplain management Ordinance codified in Chapter 60 of the Town Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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		63
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		63

#	Case No.	Date Issue	Req'd Action
5	23100004	10/3/2023	

Owner	Address	Site Address
MIA REAL HOLDINGS LLC 401K PLAN	5301 N FEDERAL HWY STE 185 BOCA RATON, FL 33487	446 Date Palm Dr, Lake Park, FL 33403

Description

OUTDOOR STORAGE VIOLATION: Sec. 68-3 (1)(2)
 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. Please ensure all vehicles on the property have valid tags property attached to the vehicles and all vehicles are fully functional being drivable.

PROPERTY MAINT, RESIDENTS/STRUCTURE: Sec. 54-71 (1)(2)
 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. You have stains and/or mold on the exterior walls of the building. Please pressure wash or repaint.

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. It appears that the property was purchased back on 2016 and its been a rental ever since. In order to rent, you are required to have a BTR. Please apply for your BTR (561) 881-3318

PARKING ON UN-AUTHORIZED SURFACE: 30-2 (c) (4) (5)
 No vehicle(s) are allowed to be parked or stored anywhere within the front yard of the property. All vehicles must be parked/stored within an approved driveway, carport, garage or out on the street. Please stop driving over the grass to park and/or stop parking on grass.

SIDEWALK/DRIVEWAY REPAIR/MAINTENANCE: Sec. 72-2. (a)(b)
 Sidewalks are owned by the town but must be maintained by the property owner. It is unlawful for the owner of real property, and/or his tenant, licensee, lessee, occupant, and/or agent and any other persons or entities who have the care, custody and/or control of the subject real property ("responsible parties"), to cause or allow to be caused damage to town sidewalks, driveways, alleys, driveway aprons, swales, swale areas, or curbs, which abut, or are adjacent or contiguous to the property owner's real property, where such damage renders such areas either defective, defaced, unsafe, dangerous, and/or detrimental to pedestrians, bicyclists, and motorists.
 Over time your driveway has deteriorated to the point now has discoloration, cracks and pot holes. Please resurface the driveway. Will require permit application. (561) 881-3318

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		10

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	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	60
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	10
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	60

#	Case No.	Date Issue	Req'd Action
6	23110005	11/7/2023	

Owner	Address	Site Address
KEH PROJECTS LLC	1801 N FLAGLER DR APT 414 WEST PALM BEACH, FL 33407	935 Poplar Dr, Lake Park, FL 33403

Description

PROPERTY MAINT, RESIDENTS/STRUCTURE: Sec. 54-71(B-1,2,3) (c)
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. There are hanging roof materials, discoloration of the building and fence and exposed wires. Please repair all

OUTDOOR STORAGE VIOLATION: Sec. 68-3 (3)(4)
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.

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. It appears your property is rental. in order to rent one requires local Business Tax Receipt (BTR). You may apply for your BTR at (561) 881-3318

PERMIT REQUIREMENT Sec. 54-100 and 54-8 (105.1)
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 development director and obtain the required permit therefor. Ordinary

minor repairs may be made with the approval of the community development director without a permit; provided that such repairs shall not violate any of the provisions of this article. There is construction/remodeling being done at the property w/o the required permits. Please apply for your permits at www.Capfla.com. For further help you may contact our permitting dept at (561) 881-3318. Note. As penalty for doing work w/o the required permits there will be a penalty of three (3) times the permit fee will apply.

SIDEWALK/DRIVEWAY REPAIR/MAINTENANCE: Sec. 72-2. (a)(b)

Sidewalks are owned by the town but must be maintained by the property owner. It is unlawful for the owner of real property, and/or his tenant, licensee, lessee, occupant, and/or agent and any other persons or entities who have the care, custody and/or control of the subject real property ("responsible parties"), to cause or allow to be caused damage to town sidewalks, driveways, alleys, driveway aprons, swales, swale areas, or curbs, which abut, or are adjacent or contiguous to the property owner's real property, where such damage renders such areas either defective, defaced, unsafe, dangerous, and/or detrimental to pedestrians, bicyclists, and motorists. Your driveway has deteriorated to the point now is discolored, has cracks and potholes. Please resurface the driveway. Will require a permit.

Note. I have included pictures of the violations for your review.

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		31
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		31
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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		31
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		31

Total NEW CASES **6**

Total Hearing **6**