



# Town of Lake Park

## SPECIAL MAGISTRATE HEARING DOCKET EXTENSIONS OF TIME/STIPULATIONS

**FEBRUARY 15, 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. 23070021**

**APPLICANT: MR. KING'S AUTO SALES**

**LOCATION: 1320 S. KILLIAN DRIVE**  
**PCN: 36-43-42-20-01-006-0110**  
**LEGAL: KELSEY CITY LTS 11 TO 17 INC BLK 6**

**CODE SECTION VIOLATED: 105.1; 54-8 (116.1);  
70-32)(a); 78-74(3)**  
**ORIGINAL SM HEARING DATE: 10/19/2023**  
**ORDERED COMPLIANCE DATE: 02/28/2024**  
**REQUESTED EXTENSION OF TIME 3.5 MONTHS 06/07/2024**

**CASE NO. 23050030**

**APPLICANT: HUNG THACH AND JULIE THACH**

**LOCATION: 826 PARK AVENUE, UNIT 822**  
**PCN: 36-43-42-20-01-006-0110**  
**LEGAL: KELSEY CITY LTS 11 TO 17 INC BLK 6**

**CODE SECTION VIOLATED: 105.1; 116.1**  
**ORIGINAL SM HEARING DATE: 07/20/2023**  
**ORDERED COMPLIANCE DATE: 09/23/2023**  
**1<sup>ST</sup> REQUESTED EXTENSION OF TIME 120 DAYS: JANUARY 22, 2024**  
**2<sup>ND</sup> REQUESTED EXTENSION OF TIME 120 DAYS: APRIL 20, 2024**

**AMENDED STIPULATION AND AGREED FINAL ORDER FOR FINE  
ABATEMENT AND OPEN VIOLATIONS**

**CASE NO. 18010021; 23060018 AND 23090011**

**PROPERTY OWNER: EVALAND, LLC.**  
**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**

**STIPULATION AND AGREED FINAL ORDER FOR FINE ABATEMENT**

**CASE NO. 16090036**

**PROPERTY OWNER: KEHAN RAHMING**  
**LOCATION: 715 W. JASMINE DRIVE**  
**PCN: 36-43-42-20-01-089-0440**  
**LEGAL DESCRIPTION: KELSEY CITY LTS 44 TO 46 INC & WLY 15  
FT OF LT 47 BLK 89**  
**ORIGINAL S/M HEARING DATE: 11/03/2016**



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

**SPECIAL MAGISTRATE  
HEARING DOCKET  
February 15, 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	23120012	12/11/2023	

Owner	Address	Site Address
DE ALMEIDA IGOR JOSE O & QUIZA NATASHA A	5089 THYME DR PALM BEACH GARDENS, FL 33418	1100 2nd Ct, Lake Park, FL 33403

**Description**

Sec. 78-115.(a,b,c) - 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 shall be painted or stained on all sides sufficiently to maintain a finished and uniform appearance, prevent mildew from forming thereon and to protect the health of the persons on either side of the wall. The paint may be baked on before the wall or fence is first erected, or shall be painted on after the wall or fence has been erected and at such times thereafter as it shall be necessary to maintain a finished appearance. As an alternative, coloring may be applied to or incorporated into the wall or fence material before the wall is constructed. Walls and fences colored in this manner shall be cleaned, repaired and patched as necessary to maintain a finished appearance. Holes or broken areas of masonry shall be repaired. Deteriorated, rotted or broken wood slats or posts shall be replaced.  
 (c)All walls and fences shall be erected or constructed to present, face, or display the finished side of the wall or fence to the adjoining or abutting lot or right-of-way. When the wall or fence is located in a manner where both sides of the wall or fence are visible from a right-of-way, both sides of the wall or fence shall be finished.

Fence and wall is in disrepair and not structurally sound. Please repair, replace or remove. A permit is required for substantial repairs and for replacements. For permit application questions, call 561-881-3318

Sec. 54-71.[b(1,2,3)] - Property maintenance standards, general.  
 (b)General regulations.  
 (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.

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

(3) Fences and walls shall be maintained structurally sound (such as vertically plumb). Fences and walls shall be maintained in their original condition (such as reasonably free of discoloration, staining, or peeling).

Fence needs to be replaced or removed. Shutters on windows and exterior walls shall be clear of stain, peeling paint, or discoloration. Driveway must also be clear of discoloration and potholes. Driveway sealcoating and resurfacing requires a permit. For permit application questions, call 561-881-3381

Sec. 54-125.[c(2)](g,q) - General requirements for the exterior and interior of structures.

(c) Roofs.

(2) All portions, additions or sections of a roof including, but not limited to, fascia, eaves, soffit, sheathing, rafter tails, barge rafter, vent screening, gutters, downspouts, roof jacks, lead or metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports in accordance with common building practices. No item shall display signs of deterioration, abuse or improper installation that could be construed to affect the purpose of that item or cause damage to the immediate area or roof structure, that could allow dampness or admit rain to the interior of that building.

(g) Windows. Every window shall be substantially weathertight, watertight and rodentproof, and shall be kept in sound working condition and good repair.

(q) Structural supports. Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render it incapable of carrying normal loads.

Windows in disrepair (by evidence of metal shutters). Please repair or replace. A permit is required for window replacements. For permit application questions, call 561-881-3318

Interior of home is not structurally sound. An engineer's report for its reconstruction is required, along with a permit for the repairs. Fascia is losing color and in disrepair. Please repair.

Sec. 68-3.(2) - 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:

(2) A motor home or RV, travel or camping trailer, boat/trailer combination, open or enclosed cargo trailer with or without cargo, project/special-purpose vehicle shall be stored to the rear of the front building line closest to the street and, if possible, set back from the side property lines a distance at least equivalent to the required side yard setback for the principal building. Provided, however, no such equipment shall be stored between any building and an adjacent street, except as provided in subsection (2)c of this section. All such vehicles/trailers shall have affixed a current license plate and all boats shall have affixed a valid registration decal.

Outdoor storage of trailer (goods and materials) that is not screened and is located between the building and the side street within the side yard setback.

Sec. 78-142.[c(3(a))] - Off-street parking and loading.

(c) Off-street parking.

(3) Use of off-street parking. Off-street parking spaces shall be provided for the use of residents, customers, patrons and employees. Required parking spaces shall not be used for:

a. Outdoor storage of goods and materials;

Trailer located within off-street parking spaces is prohibited. Please remove.

Sec. 78-253 {b(2(f))}. - Minimum landscape requirements.

(b) Residential districts.

(2) The following uses within residential zoning districts shall be required to be screened with landscaping:

f. Maintenance and storage areas

Cargo container structure in the rear yard is being used for storage. Storage areas are required to be screened from public view. The cargo container structure has been on the property for several months, it is visible and in violation.

Sec. 78-64.[4(b,c)] - R-1 residence districts.

Within R-1 residence districts, the following regulations shall apply:

(4) Yard regulations.

b. Side yard. There shall be a side yard on each side of the principal building having a width of not less than ten feet. On a corner lot, there shall be a side yard of not less than 15 feet from the property line of the intersecting street.

c. Rear yard. There shall be a rear yard of not less than seven feet measured from the rear lot line to the rear wall of the building, or to a permanent part of the building which projects from or over the rear wall of the building, if such projection occurs.

Cargo container encroaches onto the rear and side yard street setbacks. Please remove.

**Sec. 16-10.(a) - 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 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.

Tree in back yard has overgrown over the sidewalk. Please trim back.

Florida State Statute allows for a maximum of 30 days to comply. Please comply within 30 days. I can be reached at 561-881-3321 option #3 should you have any questions. Please keep me updated on the progress.

**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. 54-125	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		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 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		30
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		30
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		30

		parking, l	
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
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	30

#	Case No.	Date Issue	Req'd Action
2	22060006	6/2/2022	

Owner	Address	Site Address
KASA Y KACINA IMPORT LLC	800 SCOTIA DR APT 203 LAKE WORTH, FL 33462	1343 S Killian Dr, Lake Park, FL 33403 1

#### Description

BUSINESS TAX RECEIPT REQUIREMENT & SANITATION SERVICE Lpc. 28-33 & 24-71 Mr. Jackie Harris has advised the property owners that they the need to apply for a rental BTR since they own the building and they can set up sanitation through this process while they work through their spec ex. Please contact our permits department at (561) 881-3318 to start your process. Thank you.

#### Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 24 SOLID WASTE*	Sec. 24-71	Base collection service. Base collection service shall include collection and disposal of the volume of containerized garbage, commercial trash and recyclable materials expected to be generated by the property. Said volume may be determined by the t		28
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		28

Owner	Address	Site Address
BKZ BROTHERS LLC	7354 SHELL RIDGE TER LAKE WORTH, FL 33467	1440 10th St, Lake Park, FL 33403

**Description****PARKING SPACES: Sec. 78-142(10)(f)(3)**

Your parking lot has deteriorated to the point now has potholes, cracks and the parking space stripping is no longer visible. Please fix the potholes, cracks and resurface the parking spaces to include repair replacement of wheel stops, parking space stripping for the handicapped space, and the back parking lot on 10th Ct. Will require a permit.

**PROPERTY MAINT, RESIDENTS/STRUCTURE: Sec. 54-71 (1)(2)(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.

- 1- There is visible mold on the exterior walls of the building,
- 2- Floor tiles popping out at the front of the building,
- 3- Missing window back of the building,
- 4- Open/exposed electrical outlet under the overhang at front of the building,
- 5- Pot holes in the parking lot and no stripping. sec. 78-142
- 6- Broken, ripped, tattered and missing awning. It has to be removed or replaced. (The replacement cannot have wording Pronties on the awning) Sec. 70-64 and 61

**PERMIT REQUIREMENT: Sec. 54-100 and 54-8 (105)**

Interior work/remodel permit # 20-000144 was issued and now has expired. Must re-apply for permits for ALL of the work has been performed, and for any further work that will require permits. Apply at Capfla.gov or (561) 881-3318

**SIGN VIOLATION: Sec, 70-64 (a)(c)(e) and 70-61(e)**

Please remove all inactive signage (all references to the Pronties) to include the walls and awnings.

**OUTDOOR STORAGE ON COMMERCIAL SITES: Sec. 68-5. (a)(c)**

(a)Outdoor storage on a site zoned for commercial use is subject to the following general conditions and restrictions: Outdoor storage within a utility easement, drainage easement, alley right-of-way, street right-of-way or within required off-street parking spaces is prohibited.

(c)Outdoor storage of other vehicles, equipment or materials not otherwise permitted by the Code is prohibited.

There are vehicles been stored in the parking spaces behind the building at 10th Ct. Please remove all vehicles, cleanup the area and repair the parking lot by resurfacing and re-stripping. Sec78-142

**PROPERTY MAINTENANCE Sec. 16-10. (a)(b)**

(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 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.(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 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. There is accumulation trash/debris and growth of weeds around the property. Please clean up the property.

## 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		60
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		60
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 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		60
Chapter 68 OUTDOOR STORAGE*	Sec. 68-5	Outdoor storage on commercial sites. (a) Outdoor storage on a site zoned for commercial use is subject to the following general conditions and restrictions: Outdoor storage within a utility easement, drainage easement, alley right-of-way, street r		60
Chapter 70 SIGNS*	Sec. 70-61	General provisions. (a) All signs shall be constructed and erected in accordance with the standards and requirements of this article. (b) Every sign shall be designed and constructed to withstand a wind pressure of not less than 50 pounds per s		60
Chapter 70 SIGNS*	Sec. 70-64	Removal, repair or alteration. (a) [Declaration of nuisance.] Any sign which was erected, operated, or maintained without the permit required by this chapter having been issued by the town, or is abandoned, insecure, in danger of falling, or othe		60
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		60



#	Case No.	Date Issue	Req'd Action
4	24010051	1/25/2024	

Owner	Address	Site Address
JEAN DENIS CELIANNE	208 4TH ST LAKE PARK, FL 33403	208 4th St, Lake Park, FL 33403

### Description

REPEAT VIOLATION Corrective Action:

On 04/28/23, the Property was cited pursuant to Case#23040048 for Town Code Sections 68-3(1) and 78-151(c). This case was scheduled for Hearing on 08/17/23 and found to be in violation by the Special Magistrate and issued an Order Finding Violation with a compliance date of August 31, 2023. Upon re-inspection after the Hearing, the property was found to be in compliance by the compliance date and that case was closed.

On 01/25/24, while on routine patrol, I observed several vehicles with unassigned tags, flat tires, and with recent bodywork being completed with these vehicles being parked/stored on the property. These matters represent violations of Town Code Section 68-3(1) and 78-151(c) as previously cited and found in violation. All vehicles require proper storage and valid tags and bodywork/car repairs on residential property is not permitted. Consequently, the property is being as a REPEAT VIOLATION.

A REPEAT VIOLATION is enabled pursuant to Town Code Sections 9-33, 9-36(c) and 9-39(b), along with Florida State Statute Chapter 162, Sections 162.04 and 162.06 and 162.09. A repeat violation shall be subject to an automatic fine that shall start accruing the day the violation is observed and served with a Notice.

Let this serve as official Notice of the REPEAT VIOLATION on your property with a daily fine of \$500 that is starting to accrue as of the date of this notice and through compliance. Please contact me immediately if you comply with the code violations described herein. This case will be heard by the Special Magistrate on February 15, 2024 at 10:00am in the Town Hall Commission Chambers located at 535 Park Avenue, Lake Park, FL 33403. Administrative costs will apply. A Notice of Hearing will also be mailed to you.

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

Automobiles, pickup trucks, light vans and/or motorcycles used for regular transportation shall be stored within an open carport, within an approved driveway and/or within a swale area adjacent to the site provided, however, the storage of any vehicles within the swale area shall be prohibited from dawn to dusk. All such vehicles, at all times, shall have affixed a valid license plate.

### HOME-BASED BUSINESS Sec. 78-151(c)

Home based businesses are businesses that operate in whole or in part of from a residential property. As viewed from the street, the use of the residential property shall be consistent with the uses of the residential areas that surround the property and there shall be no external evidence of activities of a home based business. Working on vehicles other than the ones owned by the property owner, buying storing and selling of vehicles from your private residence constitutes a home based business. Per zoning and the Lpc. 78-151 (c) is not allowed. The evidence of this home based business is by self-admittance on 04/28/23 and volume of vehicles coming and going from the property. Documented by pictures.

### 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		2
Chapter 78 ZONING*	Sec. 78-151	(a)Definition/intent. Home-based businesses are businesses that operate in		2

whole or in part from an improved residential property. It is the intent of this section to provide minimum standards for home-based businesses in order to ensure compatibility

<b>Total</b>	<b>NEW CASES</b>	<b>4</b>
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<b>Total Hearing</b>		<b>4</b>
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