



Town of Lake Park

SPECIAL MAGISTRATE HEARING AGENDA

MAY 4, 2017

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.*

REQUESTS FOR APPEAL OF PARKING CITATIONS

PARKING CITATION NO. 0528 - PBSO DEPUTY CLEMENTI
PARKING CITATION NO. 0530 - PBSO DEPUTY CLEMENTI

PARKING CITATION NO. 0484 - CODE OFFICER GIERCZAK
PARKING CITATION NO. 0796 - CODE OFFICER GIERCZAK
PARKING CITATION NO. 0820 - CODE OFFICER GIERCZAK
PARKING CITATION NO. 0845 - CODE OFFICER GIERCZAK
PARKING CITATION NO. 0852 - CODE OFFICER GIERCZAK
PARKING CITATION NO. 0853 - CODE OFFICER GIERCZAK

REQUESTS FOR FINE REDUCTION

I. APPLICANT: U.S. BANK NATIONAL ASSOCIATION TR

LOCATION: 809 2ND STREET
PCN: 36-43-42-20-01-036-0110
LEGAL: KELSEY CITY LTS 11, 12 & 13 BLK 36

CASE NO. 10040025

ORIGINAL S/M HEARING DATE: 08/05/2010
CODE SECTION VIOLATED: 54-125
ORDERED COMPLIANCE DATE: 09/02/2010
ACTUAL COMPLIANCE DATE: 09/01/2016

\$150 PER DAY FINE X 2,191 DAYS	\$328,650.00
INTEREST	<u>31,022.71</u>
TOTAL FINES + INTEREST	\$359,672.71

CODE SECTION VIOLATED:	54-71
ORDERED COMPLIANCE DATE:	09/02/2010
ACTUAL COMPLIANCE DATE:	09/27/2016
\$150 PER DAY FINE X 2,217 DAYS	\$332,550.00
INTEREST	<u>31,321.11</u>
TOTAL FINES + INTEREST	\$363,871.11

GRAND TOTAL FINES + INTEREST: \$723,543.82

CASE NO. 12060005

ORIGINAL S/M HEARING DATE:	04/16/2013
CODE SECTION VIOLATED:	54-154
ORDERED COMPLIANCE DATE:	04/25/2013
ACTUAL COMPLIANCE DATE:	12/9/2013
\$250 PER DAY FINE X 228 DAYS	\$57,000.00
INTEREST	<u>3,005.32</u>
TOTAL FINES + INTEREST	<u>\$60,005.32</u>

2. APPLICANT: ONE PARK PLACE, LLC

LOCATION:	801 PARK AVENUE
PCN:	36-43-42-20-32-001-0010
LEGAL:	CONDOMINIUM CU-1 K/ COMMERCIAL SPACE "A"&"B"

CASE NO. 17010047

ORIGINAL S/M HEARING DATE:	03/02/2017
CODE SECTIONS VIOLATED:	FBC 105.4.1.2; 54-8
ORDERED COMPLIANCE DATE:	03/22/2017
ACTUAL COMPLIANCE DATE:	04/20/2017
\$200 PER DAY FINE X 28 DAYS	\$5,600.00
INTEREST	<u>21.69</u>
TOTAL FINES + INTEREST	\$5,621.69

STIPULATION AND AGREED FINAL ORDER

**CASE NO.: 16040018; 16030027; 16030011; 15010029; 10070048 &
10050021**

**JOSEPH SOROTA TRUST
940 PARK AVENUE**

PRE-TAKING HEARING

CASE NO. 08050109

PROPERTY OWNER:	TERRY BRYANT
LOCATION:	400 CYPRESS DRIVE
PCN:	36-43-42-20-01-064-0010
LEGAL:	KELSEY CITY LTS 1 TO 3 INC BLK 64



**SPECIAL MAGISTRATE
HEARING AGENDA
May 4, 2017 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	16070068	7/21/2016	

Owner	Address	Site Address
AIXO LLC	2875 NE 191ST ST STE 801 MIAMI, FL 33180-2803	137 Silver Beach Rd Lake Park, FL 33403

Description

THE VIOLATIONS LISTED HEREAFTER APPLY TO BOTH RESIDENTIAL UNITS, 135 AND 137, AT THIS LOCATION

FLORIDA BUILDING CODE 101.4.3 Mechanical

- Several A/C wall units not working properly
- appliances such as refrigerators and stoves were observed in disrepair and not properly functioning
- repair or provide properly functioning appliances and A/C units
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

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

- No BTR on record; property is a 2-unit residential rental
- Please fill out enclosed application and complete the BTR process
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

Sec. 54-100 Permits

- please obtain proper permits for already installed shed in back yard
- please obtain proper permits and complete all repairs including roofing of shed
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

Sec. 54-125 General requirements for the exterior and interior of structures

(c) Roofs.

- soffit was observed in disrepair
- please make all necessary repairs to all portions of the roof including obtaining proper permits as needed
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

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

- several windows throughout the property were observed in disrepair and not fully functional
- please repair all windows
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

(k) Exterior doors.

(1) Every exterior door, basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodentproof, and shall be kept in sound working condition and good repair.

- doors were observed in disrepair
- please repair all doors
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

Sec. 78-253 & 16-10 Minimum landscape requirements

(b) Residential Districts

- sod in front lawn and swale were observed in deteriorating and damaged
- please replace/repair all areas in need of proper sod coverage
- PROVIDE PROOF OF COMPLIANCE BY 8/5/16

LACK OF COMPLIANCE AND ANY OUTSTANDING VIOLATIONS PAST A RE-INSPECTION DATE OF 08/05/2016 WILL RESULT IN CASE BEING BROUGHT TO A HEARING BEFORE SPECIAL MAGISTRATE AND MAY RESULT IN MONETARY FINES AND PENALTIES.

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		15
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		15
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		15

# Case No.	Date Issue	Req'd Action
2 17020005	2/3/2017	

Owner	Address	Site Address
KENNEDY JOAN P	145 PARK AVE LAKE PARK, FL 33403	145 Park Ave Lake Park, FL 33403

Description

Sec. 78-62. - R-1A residence districts.
 Prohibited use of garage as separate living unit. Enclosed garage was observed used as rental residence. Space was previously permitted (PERMIT#06-000276) for storage only.

RENTAL HOUSING UNIT MUST BE RETURNED TO ITS PERMITTED STATE AND AN INSPECTION BY A CODE OFFICER IS REQUIRED AS PROOF OF COMPLIANCE. PLEASE CALL 561-88-13321 TO SCHEDULE A COMPLIANCE INSPECTION.

Sec. 105.4.1.2 Conditions of the Permit & Sec. 54-8 Chapter One Amendments Adopted.
 The following building permits have expired with no final inspection:
 - 04-000878 – Roof: REPLACE EVES, REPAIR FLAT DECK; Expired: 5/30/2005
 - 06-000276 – CLOSED IN GARAGE FOR STORAGE; Expired: 10/09/2006
 - 06-000540 – 8 CHANGED WINDOWS AROUND THE HOUSE. AIR LEAKS OUT AND ELECTRIC BILL IS TOO HIGH; Expired: 12/06/2006
 - 15-000083 – INSTALL SEWER LATERAL AND NEW CLEAN-OUT; Expired: 8/12/2015

PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 561-881-3318 REGARDING NEW PERMIT SUBMITTALS AND ANY REQUIRED FEES AND INSPECTIONS.

LACK OF COMPLIANCE AND ANY OUTSTANDING VIOLATIONS PAST A RE-INSPECTION DATE WILL RESULT IN CASE BEING BROUGHT TO A HEARING BEFORE SPECIAL MAGISTRATE AND MAY RESULT IN MONETARY FEES AND PENALTIES.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
FLORIDA BUILDING CODE	Sec. 105.4.1.2	Conditions of the Permit If a new permit is not obtained within six months from the date the initial permit became null and void, the Building Official is authorized to require that any work which has been commenced or completed be removed from the b		30
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		30
Chapter 78 ZONING*	Sec. 78-62	R-1A RESIDENCE DISTRICTS. Within R-1A residence districts, the following regulations shall apply: (1)		30

Uses permitted. Within any R-1A residence district, no building, structure or land shall be used and no building shall be erected, structurally

# Case No.	Date Issue	Req'd Action
3 17020044	2/17/2017	

Owner	Address	Site Address
EVENTUS PROJECT PARTNERS LLC	3100 N OCEAN BLVD. APT. 806 FT. LAUDERDALE, FL 33308	927 Magnolia Dr Lake Park, FL 33403

Description

CEASE UNPERMITTED CONSTRUCTION /RENOVATION WORK: FLORIDA ROOM, WINDOW INSTALLATION ETC PERMITTING INFO: 561.881.3318.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
FLORIDA BUILDING CODE	Sec. 114	Stop Work Order 114.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a		7
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		7

# Case No.	Date Issue	Req'd Action
4 17030039	3/23/2017	

Owner	Address	Site Address
CARIBBEAN MEAT MARKET CORP	349 GAZETTA WAY WEST PALM BEACH, FL 33413	1010 W Jasmine Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 5045 "CARRIBEAN MEAT MARKET CORP" LOCATED AT 910 10TH ST.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$368.81 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
5 17030073	3/23/2017	

Owner	Address	Site Address
PEARSON LEONARD R	46 N SAINT AUGUSTINE BLVD SAINT AUGUSTINE, FL 32080	515 Greenbriar Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6978 "LEONARD PEARSON" LOCATED AT 515 GREENBRIAR DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$40.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
6 17030044	3/23/2017	

Owner	Address	Site Address
MCNEIL JOMEKEYIA L	** CONFIDENTIAL RECORD ** <Null>	719 Date Palm Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required
PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6624 "ELEGANCE BY DESTINY, LLC" LOCATED AT 719 DATE PALM DR.
THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$123.38 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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 an existing business tax receipt shall be accompanied by payment of the appropriate application fee. The		15

# Case No.	Date Issue	Req'd Action
7 17030048	3/23/2017	

Owner	Address	Site Address
FETLAR LLC	8665 E HARTFORD DR STE 200 SCOTTSDALE, AZ 85255	730 Hawthorne Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6704 "FETLAR, LLC" LOCATED AT 730 HAWTHORNE DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$40.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
8 17030034	3/23/2017	

Owner	Address	Site Address
BEAULY LLC	8665 E HARTFORD DR STE 200 SCOTTSDALE, AZ 85255	820 Cypress Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6798 "BEAULY, LLC" LOCATED AT 820 CYPRESS DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$40.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
9 17030047	3/23/2017	

Owner	Address	Site Address
FETLAR LLC	8665 E HARTFORD DR STE 200 SCOTTSDALE, AZ 85255	854 Hawthorne Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6700 "FETLAR, LLC" LOCATED AT 854 HAWTHORNE DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$40.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
10 17030029	3/23/2017	

Owner	Address	Site Address
CROMWELL PROPERTIES	PO BOX 60 JUPITER, FL 33468	905 Federal Hwy Lake Park, FL 33403 N

Description

Sec. 28-32 Business tax receipt required
PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6997 "AL'S PIZZA & RESTAURANT" LOCATED AT 905 US HWY 1 E&F.
THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$196.88 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
11 17030051	3/23/2017	

Owner	Address	Site Address
FTC GROUP LLC	801 S OLIVE AVE STE 118 WEST PALM BEACH, FL 33401	906 Foresteria Dr Lake Park, FL 33403 4

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6538 "FTC GROUP LLC" LOCATED AT 906 FORESTERIA DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$110.25 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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 an existing business tax receipt shall be accompanied by payment of the appropriate application fee. The		15

# Case No.	Date Issue	Req'd Action
12 17030049	3/23/2017	

Owner	Address	Site Address
FETLAR LLC	8665 E HARTFORD DR STE 200 SCOTTSDALE, AZ 85255	926 Northern Dr Lake Park, FL 33403

Description

Sec. 28-32 Business tax receipt required

PLEASE PAY A DELINQUENT BUSINESS TAX RECEIPT FOR BTR# 6701 "FETLAR,LLC" LOCATED AT 926 NORTHERN DR.

THE BUSINESS TAX RECEIPT FOR THIS BUSINESS IS NOW 6 MONTHS PAST DUE.

PLEASE PAY \$40.69 TO AVOID FURTHER LEGAL ACTION AND ADDITIONAL MONETARY FEES AND PENALTIES BY 04/07/2017

IF UNRESOLVED, THIS CASE TO BE HEARD BEFORE THE TOWN MAGISTRATE.

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		15

# Case No.	Date Issue	Req'd Action
13 17020037	2/16/2017	

Owner	Address	Site Address
GARDEN COVE ASSOCIATION, INC. C/O KATHY S MCGEE, R.A.	531 W KALMIA DR. APT 1 LAKE PARK , FL 33403	531 W Kalmia Dr Lake Park, FL 33403 1

Description

Collapsing living room concrete/slab, floor. Please obtain building permit, and repair. If you have any permitting questions please call 561. 881.3318.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
FLORIDA BUILDING CODE	Section 116.1.1	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 he/she shall provide the owner, agent or person in control of such building, structur		8

Total NEW CASES 13

Total Hearing 13