



Town of Lake Park

SPECIAL MAGISTRATE HEARING AGENDA

JANUARY 3, 2019

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.*

CITATION APPEALS

1. CITATION NO. 0975
2. CITATION NO. 1612



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

**SPECIAL MAGISTRATE
HEARING AGENDA
January 3, 2019 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	18040077	4/24/2018	

Owner	Address	Site Address
TRUST LAKE PARK LTD	101 ARCH ST BOSTON, MA 02110-1500	800 Venetian Isles Dr, Lake Park, FL 33403

Description

Damaged clustered mailboxes within the South and North mailroom buildings. Repair all inoperative doors and locks within all mailbox units.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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

#	Case No.	Date Issue	Req'd Action
2	18070030	7/23/2018	

Owner	Address	Site Address
TRUST LAKE PARK LTD	101 ARCH ST BOSTON, MA 02110-1500	800 Venetian Isles Dr, Lake Park, FL 33403

Description

PLEASE REPAIR THE FOLLOWING BUILDING DAMAGE. S.E. ENTRANCE/GUARD BUILDING: BROKEN DOOR, AND MISSING GLASS WITHIN 3 WINDOWS. COMPLETE DOOR REPLACEMENT REQUIRES A BUILDING DOOR PERMIT. REPLACE THE MISSING LETTERS ON THE S.E. SAN

MARCO MONUMENT SIGN, AND REPAIR 2 ELECTRICAL BOXES ON THE GROUND.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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		28
Chapter 70 SIGNS*	Sec. 70-4	Maintenance. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the requirements of the Florida Building Code, the amendmen		28

# Case No.	Date Issue	Req'd Action
3 18080074	8/29/2018	

Owner	Address	Site Address
EGLISE BAPTISTE HAITIENNE BETH	425 CRESCENT DR LAKE PARK, FL 33403-2258	425 Crescent Dr, Lake Park, FL 33403

Description

FIRE DAMAGE TO ONE ROOM IN EAST BUILDING

BOARD ALL WINDOWS AND DOORS. REMOVE FIRE DAMAGE DEBRIS FROM PROPERTY.

OBTAIN ALL NEEDED BUILDING PERMITS PRIOR REPAIR. PERMITTING INFO: 561.881.3318.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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		33

# Case No.	Date Issue	Req'd Action
4 18060018	6/14/2018	

Owner	Address	Site Address
DAZA JOSE W	605 GREENBRIAR DR RIVIERA BEACH, FL 33403-2518	605 Greenbriar Dr, Lake Park, FL 33403

Description

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.

SEVERELY DEBILITATED FENCE (WEST SIDE) OBSERVED

PLEASE REPLACE /REPAIR ALL DAMAGED FENCE SECTIONS; PERMITS TO REPAIR/REPLACE FENCE ALREADY IN PLACE

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
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		29

# Case No.	Date Issue	Req'd Action
5 18100118	10/12/2018	

Owner	Address	Site Address
KESSLER MARGARET A	3807 OLDS RD LESLIE, MI 49251-9497	832 Greenbriar Dr, Lake Park, FL 33403

Description

Sec. 30-35 Parking of commercial vehicles in residential districts

OBSERVED WAS ONE BOX TRUCK CONTINUOUSLY STORED ON PROPERTY OR ON ROADWAY ADJACENT OT PROPERTY

ONE \$125 OUTSTANDING CITATION #315 FOR PROHIBITED COMMERCIAL VEHICLE STORAGE ON FILE

PLEASE PAY THE ABOVE-MENTIONED CITATION AND CEASE AND IMMEDIATELY DESIST PARKING THE PROHIBITED COMMERCIAL VEHICLE ON OR ADJACENT TO PROPERTY

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

(e) Stairs, porches and appurtenances. Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.

PORCH STRUCTURES WERE OBSERVED SEVERELY DETERIORATED

PLEASE REPAIR OR REPLACE ALL DEBILITATED PORTIONS OF PORCH AND PORCH ROOF SUPPORTS. PLEASE ENSURE ALL NEEDED PERMITS ARE IN PLACE PRIOR TO BEGINNING.

Sec. 54-72. General requirements for the exterior and interior of structures.
(c)(2) Roofs

OBSERVED WAS SOFFIT DEBILITATED THROUGHOUT PROPERTY

PLEASE REPAIR ALL DAMAGED AREAS OF THE SOFFIT INCLUDING METAL MESH IN VENTS TO AID IN RODENT EXCLUSION

Sec. 54-73. Boarded up buildings, hurricane shutter removal required

OBSERVED WERE SHUTTERS COVERING WINDOWS ON SIDES AND BACK OF PROPERTY

PLEASE REMOVE ALL SHUTTERS/AWNINGS

Sec. 54-74 Additional Landscape and Property Standards.

OBSERVED WAS DEBILITATED AND OVERGROWN LAWN IN FRONT YARD, SIDE YARD, AND BACK YARD. OBSERVED EXCESSIVE ACCUMULATION OF DEAD PLANT MATTER THROUGHOUT PROPERTY

PLEASE MOW, TRIM AND MAINTAIN ALL LAWN AND SOD AREAS IN GOOD AND SANITARY CONDITION

TRIM ALL TREES AND BRANCHES TO ELIMINATE OVERGROWTH ONTO EASEMENT AND MINIMIZE ACCUMULATION OF DEAD PLANT MATTER ON PROPERTY

REMOVE ALL DEAD PLANT MATTER FROM ENTIRE PROPERTY

Sec. 68-3 Prohibited Outdoor Storage

(2)

OBSERVED WAS ONE TRAILER WITH NO VALID TAG PARKED ON PROPERTY

PLEASE PLACE VALID TAG ON TRAILER OR REMOVE FROM PROPERTY.

(7) Outdoor storage and the area of storage shall be maintained in a clean, neat and presentable manner.

OBSERVED WERE VARIOUS ITEMS SCATTERED THROUGHOUT THE BACK OF PROPERTY:

- DEAD PLANT MATTER
- VEHICLE PARTS
- BROKEN PLASTIC PARTS
- INDOOR FURNITURE STORED OUTSIDE
- PARTS OF GRILLS AND UNUSED/BROKEN GRILLS
- UNDETERMINED METAL PARTS
- SHOPPING CART
- SCATTERED PALLETS/WOOD
- KITCHENWARE
- OLD GARDENING EDGING AND TOOLS
- MILK CRATE

PLEASE DISCARD OR PROPERLY STORE ALL OF THE ABOVE-MENTIONED ITEMS

LACK OF COMPLIANCE AND ANY OUTSTANDING VIOLATIONS PAST THE RE-INSPECTION DATES LISTED ABOVE 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
Chapter 30 TRAFFIC AND MOTOR VEHICLES*	Sec. 30-35	Parking of commercial vehicles. (a) Purpose and intent. It is the intent of this section to preserve the character of the residence districts and to preserve the value of the residential property in the town by prohibiting the parking of commerci		0
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		31
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-74	Additional Landscape and Property Standards. (1) Developed lots including those swale, swale areas, sidewalks, driveway aprons, and driveways which are adjacent to, or abut a developed lot: (a) Shall be kept free of debris, rubbish, trash or		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
6 18100110	10/10/2018	

Owner	Address	Site Address
RINPB LLC	938 NORTHERN DR UNIT L LAKE PARK, FL 33403-2047	522 W Kalmia Dr, Lake Park, FL 33403 1

Description

As per previously-submitted documentation it was determined that your property houses an excess of three (3) unrelated individuals per housing unit. This practice is in violation of the definition of "Family" as per Sec. 78-2 of the Town Code of Ordinances:

"Family means one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling. Any person under the age of 18 years whose legal custody has been awarded to the state department of children and family services or to a child placing agency licensed by the department, or who is otherwise considered to be a foster child or child in emergency shelter care, and who is placed with a family, shall be deemed to be related to and a member of the family for the purposes of this chapter. Nothing herein shall be construed to include any roomer or boarder as a member of a family."

The Beach House, LLC was identified as the entity utilizing this property as a recovery residence. Since the facility, now under new management, occupies each housing unit with more than 3 unrelated individuals, the use must either limit its occupancy to 3 or less per housing unit, or adhere to the Reasonable Accommodation requirements Sec. 78-6 of the Town Code of Ordinances and submit a complete Reasonable Accommodations Application to the Community Development Department prior to the compliance date.

While some paperwork may have been previously submitted, at this time there is no record of a complete (newly revised) application for your property for The Beach House, LLC on file. Enclosed is a copy of the Reasonable Accommodations Application for your convenience. Should you decide to limit the occupancy instead by the compliance date, a re-inspection is required prior to the compliance date.

Failure to submit a completed application, inclusive of all supporting documentation by the compliance date of 10/25/18, or schedule a re-inspection for occupancy verification will result in this case being brought before the Special Magistrate for a Hearing.

For more information regarding any of our application procedures please call (561) 881-3321.

Violations

Ordinance/Regulation	Section	Description	Means Correction	Days Comply
Chapter 78 ZONING*	Sec. 78-2	Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Accessory use or accessory building means a		15
Chapter 78 ZONING*	Sec. 78-6	Reasonable Accommodation procedures. (1) This section implements the policy of the town for processing requests for reasonable accommodation from the town's ordinances, rules, policies, practices, and procedures for persons with disabilities as pro		15

#	Case No.	Date Issue	Req'd Action
7	18100111	10/10/2018	

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RINPB LLC	938 NORTHERN DR UNIT L LAKE PARK, FL 33403-2047	543 W Kalmia Dr, Lake Park, FL 33403 6

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Total NEW CASES 7

Total Hearing 7