



Town of Lake Park

SPECIAL MAGISTRATE HEARING

November 6, 2008 10:00 a.m.

Town Hall Commission Chambers
535 Park Avenue, Lake Park, FL 33403

FINE REDUCTION HEARING AGENDA

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 the 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 meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

REQUEST FOR FINE REDUCTION

1) **Case No.08050145**

RESPONDENT: JIREH CONSTRUCTION & DEVELOPMENT GROUP I

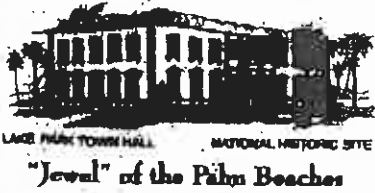
LOCATION: 704 W. Jasmine Drive

PCN: 36-43-42-20-01-088-0010

LEGAL: KELSEY CITY LTS 1, 2, 3 & NLY 10 FT OF LT 4 BLK 88

**Violation: Sec. 105.1.1 Permits
Sec. 109.1 Inspections**

Special Magistrate Hearing	08/07/2008
Ordered Compliance Date	08/29/2008
Request for Extension of Time Hearing	09/04/2008
Revised Ordered Compliance Date	10/01/2008
Affidavit of Compliance Issued:	11/03/2008
66 Days at \$200.00 per day:	\$13,200.00
Interest (11%) for 66 days:	262.55
TOTAL FINE AMOUNT DUE:	\$13,462.55



The Town of Lake Park

Community Development Department

RECEIVED
11/17/08

TOWN OF LAKE PARK, FLORIDA CODE COMPLIANCE SPECIAL MAGISTRATE

PAID
11/14/08
(RP)

CASE NO: 08050145

REQUEST FOR REDUCTION OF FINE/PENALTY OR EXTENSION OF COMPLIANCE DATE

INSTRUCTIONS: Please answer all questions on this form completely. Be specific and use additional pages if necessary. Return this form and the \$30.00 application fee, to the Secretary of the Code Compliance Special Magistrate. The request will be presented to the Special Magistrate at the next regularly scheduled Hearing at which you may be present. You will be notified in writing of the Special Magistrate's decision on your request within ten (10) business days after the Hearing. If you have any questions concerning this Request Form, please contact the Code Compliance Office at (361) 881-3321.

Respondent's Name: CLIFF SOUCY

Property Owner's Name: JIREH CONSTRUCTION + DEVELOPMENT

If Respondent is not the property owner, state the relationship of the Respondent to the property owner: SUPERINTENDANT

Violation Address: 704 WEST JASMINE DRIVE

Telephone number where you can be reached during the day: 561-308-0282

Is the property now in compliance: Yes: No: (If no, explain in detail why not and what remains to be done.)

Are you requesting an extension of time to make repairs or to otherwise come into compliance:

Yes: No:

If yes, until what date: _____

Date you called the Town of Lake Park Code Compliance Division for a re-inspection and name

of person you spoke with: FRIDAY 10/31 KIM GLENARDIA

Compliance date that was specified in the Final Order of the Special Magistrate:

OCT 31st BUT WE FILED FOR PERMIT + EXTENSION PREVIOUSLY 8/28/08

Are you claiming a financial hardship?: Yes: No:

If yes, attach supporting documentation (i.e., proof of income, loss of income, etc.)

Are you claiming a medical hardship: Yes: No:

If yes, attach supporting documentation (i.e., a Doctor's statement or report, worker's compensation and/or disability records.)

Request for Reduction of Penalty
Or Extension of Compliance Date
Case No.: 080501451

If the property owner or Respondent is unable to complete this form, list name of person who is authorized to act as an agent, for the property owner or Respondent:

CLIFF SOUCY

State the relationship of the agent to the property and/or property owner and/or Respondent:

SUPER INTENDANT

YOU WILL NOT BE GIVEN AN OPPORTUNITY TO ADDRESS THE SPECIAL MAGISTRATE CONCERNING THIS REQUEST. THEREFORE, YOU MUST MAKE CERTAIN THAT THIS FORM SETS FORTH YOUR COMPLETE POSITION AND YOUR JUSTIFICATION TO SUBSTANTIATE YOUR REQUEST. PLEASE ATTACH COPIES OF ALL DOCUMENTS TO SUBSTANTIATE ANY FACTUAL CLAIMS AND ALLEGATIONS MADE IN SUPPORT OF YOUR REQUEST, AS WELL AS ANY HARDSHIP CLAIMED.

I, CLIFF SOUCY, do hereby submit this sworn statement and Request for Fine Reduction in the total amount of penalty imposed, or a Request for an Extension of Time to bring the subject property into compliance, and in support thereof, I offer the following statement:

SEE ATTACHED SWORN STATEMENT

Date: 11/3/08

Signature: Cliff Soucy

State of: FLOR. OR

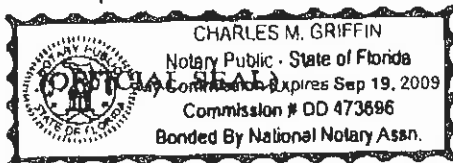
County of: PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF NOV 2008, BY Cliff Soucy WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FCID

AS IDENTIFICATION AND WHO DID/DID NOT TAKE AN OATH.

Charles M. Griffin
SIGNATURE OF NOTARY PUBLIC

Charles M Griffin
PRINT NAME OF NOTARY PUBLIC



Sworn statement:

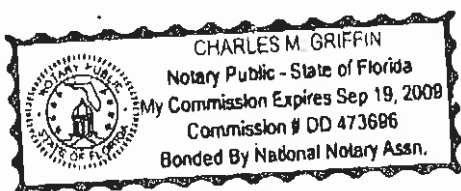
Attempting to remediate the issue which caused us to be in violation of the fence code, a licensed contractor, Berger Pocis Home Improvement, was hired on 8-28-08. The requested deposit to begin work was paid on 9-12-08 and we were assured the work would be promptly completed. (see attached invoice and check copies)

Upon noting that the work was not begun, contact was made with the contractor who said he needed more time to complete the specified work. We were again assured the work would be completed before the 10-01-08 deadline.

On 10-02-08, the contractor was again contacted to inquire as to the status of the project. We were told by the contractor that he could not do the job for the amount agreed upon and he wanted double the original amount. Despite having received a deposit, he refused to do the work for the agreed upon price. We, unfortunately, became the victim of an unscrupulous contractor and have suffered financial injury. The contractor's failure to do the project as contracted has caused the loss of the deposit paid to him as well as additional expenses.

Berger Pocis was fired, a new contractor found who pulled the permits and supplied the necessary surveys. After waiting for and obtaining underground approval, the permit was granted and work immediately commenced.

The work is now complete and final inspection approved on 10-31-08.



Thursday, November 6,
2008 at 10:00 AM



Town Hall
535 Park Ave.
Town of Lake Park,
Florida

**SPECIAL MAGISTRATE HEARING
AGENDA
Thursday, November 6, 2008 at 10:00 AM**

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CALL TO ORDER

SWEARING IN OF ALL WITNESSES

QUASI-JUDICIAL PROCEEDINGS

The Code Compliance 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 Business

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-1	08080043	8/20/2008	

Owner	Address
NORTH KILLIAN PROF COMPLEX LLC/ ANYTIME PLUMBING	1408 N KILLIAN DR Town of Lake Park FL, 33403

Description
NO BUILDING PERMIT FOR INTERIOR RENOVATIONS

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
FLORIDA BUILDING CODE	105.1.1	Permits	30
FLORIDA BUILDING CODE	Sec. 109.1	Inspections	30
FLORIDA BUILDING CODE	Sec. 109.3	Required inspections	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-2	08080033	8/15/2008	

Owner	Address
NORTH KILLIAN PROF COMPLEX	1408 N KILLIAN DR Town of Lake Park FL, 33403

LLC/SYNERGY GROUP
SERVICES

Description

NO BUILDING PERMIT FOR INTERIOR RENOVATIONS.

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
FLORIDA BUILDING CODE	105.1.1	Permits	30
FLORIDA BUILDING CODE	Sec. 109.1	Inspections	30
FLORIDA BUILDING CODE	Sec. 109.3	Required Inspections	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-3	08090022	9/8/2008	

Owner **Address**
LUCIDO ALEXANDER 455 HAWTHORNE DR Town of Lake Park FL, 33403

Description
NON-CIRCULATING SWIMMING POOL AND OVERGROWN LANDSCAPE

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 16 OFFENSES*	Sec. 16-10	Maintenance of private property.	10
Chapter 26 SWIMMING POOLS*	Sec. 26-5	Maintenance standards for private swimming pools.	14

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-4	08080014	8/8/2008	

Owner **Address**
JCJB ENTERPRISES 921 EVERGREEN DR Town of Lake Park FL, 33403
INC

Description
MINIMUM LANDSCAPING REQUIREMENTS

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 78 ZONING*	Sec. 78-254	Minimum installation and maintenance standards.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-5	08090103	9/25/2008	

Owner	Address
TRI CITY WOODWORKS INC	200 OLD DIXIE HWY Town of Lake Park FL, 33403

Description
PROHIBITED USE OF SWS ROLLOFF

Violations

Ordinance/Regulation	Section	Description	Days to Comply within issuance date
Chapter 24 SOLID WASTE*	Sec 24-74	Approved containers	10

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-6	08070096	7/25/2008	

Owner	Address
POULOS PETE / SOUTHERN KITCHEN	405 US HIGHWAY 1 Town of Lake Park FL, 33403

Description
MINIMUM LANDSCAPING REQUIREMENTS

Violations

Ordinance/Regulation	Section	Description	Days to Comply within issuance date
Chapter 70 SIGNS*	Sec. 70-4	Maintenance.	30
Chapter 78 ZONING*	Sec. 78-115	Maintenance.	30
Chapter 78 ZONING*	Sec. 78-253	Minimum landscape requirements.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-7	08090062	9/13/2008	

Owner	Address
LAKE PARK PORTFOLIO LLC BRIAN K WAXMAN	1140 WATERTOWER RD Town of Lake Park FL, 33403

Description
PROHIBITED OUTDOOR STORAGE

Violations

Ordinance/Regulation	Section	Description	Days to Comply within issuance date
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Chapter 68 OUTDOOR STORAGE*	Sec. 68-5	Outdoor storage on commercial sites.	21
Chapter 78 ZONING*	Sec. 78-115	Maintenance.	21
Chapter 78 ZONING*	Sec. 78-142	Off-street parking and loading.	21
Chapter 78 ZONING*	Sec. 78-35	Offensive, etc., uses.	21

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-8	08090004	9/2/2008	

Owner **Address**
WATERTOWER
COMMONS LLC RYFOS 0 TOWN OF LAKE PARK
NICOLAI TR

Description
PROHIBITED OUTDOOR STORAGE OF CONCRETE POLES

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 68 OUTDOOR STORAGE*	Sec. 68-5	Outdoor storage on commercial sites.	10

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-9	08040084	4/9/2008	

Owner **Address**
LAKE WORTH
PROPERTY 917 10TH ST Town of Lake Park FL, 33403
ENTERPRISES LLC

Description
MINIMUM LANDSCAPING REQUIREMENTS

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 78 ZONING*	Sec. 78-254	Minimum installation and maintenance standards.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-10	08080059	8/22/2008	

Owner **Address**
COSTON DANIEL 0 TOWN OF LAKE PARK

Description

PROHIBITED OUTDOOR BOAT STORAGE

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 10 ENVIRONMENT*	Sec. 10-73	Declaration of public nuisance.	30
Chapter 78 ZONING*	Sec. 78-35	Offensive, etc., uses.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-11	08070083	7/22/2008	

Owner YEAGER KEBERLY A & YEAGER PHILIP A
Address 254 EVERGREEN DR Town of Lake Park FL, 33403

Description
 NO BUILDING PERMIT FOR REAR HOUSE ADDITION

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-100	Permits.	10
Chapter 68 OUTDOOR STORAGE*	Sec 68-3	Prohibited outdoor storage in residential zoning districts.	10
FLORIDA BUILDING CODE	Sec 114	Stop Work Order	1

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-12	08090003	9/2/2008	

Owner HONORAT PERANCIER & HONORAT SORMISE
Address 819 EVERGREEN DR Town of Lake Park FL, 33403

Description
 DAMAGED ASPHALT DRIVEWAY

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 78 ZONING*	Sec. 78-142	Off-street parking and loading.	13

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-13	08080044	8/21/2008	

Owner**Address**

BARNES REGINAL M &
 SYLVIA O BARNES
 SYLVIA O

644 EVERGREEN DR Town of Lake Park FL, 33403

Description

DAMAGED DRIVEWAY. OVERGROWN PROPERTY.

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-71	Property maintenance standards. general.	14
Chapter 78 ZONING*	Sec. 78-142	Off-street parking and loading.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-15	08040178	4/24/2008	

Owner**Address**

FLEMING NAKIA

930 FORESTERIA DR Town of Lake Park FL, 33403

Description

HOUSE IN NEED OF PAINTING.

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-125	General requirements for the exterior and interior of structures.	30

Agenda No.	Case Number	Date Issued	Req'd Action
2008-11-16	08090055	9/11/2008	

Owner**Address**

FLEURISME JEANETTE 253 SILVER BEACH RD Town of Lake Park FL, 33403

Description

REPAIR/REMOVE DAMAGED FENCE. REMOVE LITTER AND TRASH THROUGHOUT PROPERTY. TRIM AND MAINTAIN OVERGROWN HEDGE UPON SIDEWALK. REMOVE PROHIBITED OUTDOOR STORAGE

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 10 ENVIRONMENT*	Sec 10-33	Prohibited	10
Chapter 54 BUILDINGS AND BUILDING	Sec 54-71	Property maintenance standards. general.	20

REGULATIONS*			
Chapter 54 BUILDINGS AND BUILDING	Sec. 54-74	Additional landscape and property standards.	10
REGULATIONS*			
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Prohibited outdoor storage in residential zoning districts.	20

Total New Business **15**

Total Hearing **15**