



VILLAGE OF PALM SPRINGS
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET
COUNCIL CHAMBERS, VILLAGE HALL
226 CYPRESS LANE, PALM SPRINGS, FLORIDA
AUGUST 9, 2016
10:00A.M.

If a person decides to appeal any decision made by the Magistrate, he will need a record of the proceeding, and that for such purpose he 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 who need an accommodation in order to attend or participate in this hearing should contact the Village Clerk at 965-4010 at least 3 days prior to the hearing to request such assistance.

All hearings are conducted only in English. Persons needing language translation services must bring their own translator to the hearing.

(Todas las audiencias se conducen solamente en inglés. Las personas que necesitan servicios de traducción de la lengua deben traer su propio traductor a la audiencia.)

AGENDA CHANGES

MOTION HEARINGS

1. CIT Case 2016-2030 – Doko LLC – 144 Abaco Drive

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 34-745 prohibited use of single family residential; more than 3 unrelated adults

Citation Fine: \$175 + \$30 = \$205

Recommendation: \$100 per day

Admin Cost: \$ 231.49

Compliance Date: October 21, 2016

2. CIT Case 2016-2031 – Jose F. Elvir – 416 Alemeda Drive

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section FBC 105.1 working without permits; new water heater

Section FBC 110.1 no required inspections

Citation Fine: \$200 + \$30 = \$230

Recommendation: \$100 per day, per violation

Admin Cost: \$ 138.49

Compliance Date: October 21, 2016

CIT Case 2016-2033 – TPH Forest Hill LLC – 1840 Military Trail

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 34-223 tree removal, no required site plan approval (repeat)

Section 34-134 illegal removal of live oak tree on approved site plan

Citation Fine: \$1500 + \$30 = \$1530

Recommendation: \$100 per day (until administrative approval & tree removal)

Admin Cost: \$ 241.49

Compliance Date: October 21, 2016

CIT Case 2016-2034 – TPH Forest Hill LLC – 4316 Forest Hill Blvd

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 34-223 tree removal, no required site plan approval (repeat)

Section 34-134 illegal removal of live tree on approved site plan

Citation Fine: \$1500 + \$30 = \$1530
Recommendation: \$100 per day (until administrative approval & tree removal)
Admin Cost: \$ 241.49
Compliance Date: October 21, 2016

CIT Case 2016-2035 – Donald H. Keirn – 416 Cypress Lane

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 30-141 overgrown residential

Citation Fine: \$25 + \$30 = \$55

Recommendation: \$50 per day

Admin Cost: \$ 153.49

Compliance Date: October 21, 2016

CIT Case 2016-2037 – Theodore Berghaus II – 1609 S Congress Ave

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 34-914 parking inoperable vehicles

Citation Fine: \$100 + \$30 = \$130

Recommendation: \$100 per day

Admin Cost: \$ 153.49

Compliance Date: October 21, 2016

CIT Case 2016-2038 – Helena Cuellar – 1605 S Congress Ave

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 14-32 rental property; not required permit (BTR) for residential rental overgrowth, brush bordering neighbor

Citation Fine: \$50 + \$30 = \$80

Recommendation: \$50 per day

Admin Cost: \$ 138.49

Compliance Date: October 21, 2016

NOV/NOH Case 2016-88 – 3035 Floweva Street TR – 3035 Floweva Street

CE Officer- Tom Gehrman

Violation of Village Code of Ordinances

Section 34-745 prohibited use of single family residential; illegal apartments more than 3 unrelated adults

Recommendation: \$100 per day

Admin Cost: \$ 231.49

Compliance Date: October 21, 2016

1. Citation Case 2016-1966 – George Nordinger – 3470 Kirk Rd

CE Officer Mark Rodriguez

Violation of Village Code of Ordinances

Section – 30-141 Overgrown Residential Lot

Section – 30-143 Trash & Debris

Section – 10-9 Broken Window

Section – 10-9 Paint Faded or Peeling, Chipping

Section – 10-9 Minimal Property Maintenance: Pest Control (rats, roaches and termites)

Citation Fine: \$225.00 + \$30.00 = \$255.00
 Admin Costs: \$282.48
 Recommendation: \$100.00 per day, per violation
 Compliance Date: September 22, 2016

****Case continued from August Hearing****

2. CIT Case 2016-2013 – James R. Kravarik Jr – 3215 Gulfstream Rd – CE Officer- Tom Gehrman
 Violation of Village Code of Ordinances
 Section 34-913 parking prohibited construction vehicles at residential
 Section 34-745 prohibited use of residential; construction storing and staging
 Citation Fine: \$225 + \$30 = \$255
 Recommendation: \$100 per day, per violation
 Admin Cost: \$173.49
 Compliance Date: September 23, 2016
 ****CONTINUE TO OCTOBER 11, 2016****

3. CIT Case 2016-2014 – Jean Joseph – 316 Alameda Road CE Officer- Tom Gehrman
 Violation of Village Code of Ordinances
 Section 34-745 prohibited use of residential; back shed as living area
 Citation Fine: \$175 + \$30 = \$205
 Recommendation: \$100 per day, per violation
 Admin Cost: \$173.49
 Compliance Date: September 23, 2016

4. CIT Case 2016-2016 – Palmseca Holding Inc. – Kirk Road (vacant) Florida PCN 70-42-44-13-05-005-0250 CE Officer- Tom Gehrman
 Violation of Village Code of Ordinances
 Section 30-143 public nuisance; trash and debris
 30-141 overgrown vacant residential
 34-914 parking and storing inoperable vehicles
 Citation Fine: \$225 + \$30 = \$225
 Recommendation: \$100 per day, per violation
 Admin Cost: \$173.49
 Compliance Date: September 23, 2016
 ****CONTINUE TO OCTOBER 11, 2016****

5. CIT Case 2016-2017 – Lakeshore Center LLC – 2669 Forest Hill Blvd #106 CE Officer- Tom Gehrman
 Violation of Village Code of Ordinances
 Section FBC 105.1 working without permits; interior renovation
 Section FBC 110.1 no required inspections
 Citation Fine: \$200 + \$30 = \$230
 Recommendation: \$100 per day, per violation

Admin Cost: \$173.49
Compliance Date: September 23, 2016
****CONTINUE TO OCTOBER 11, 2016****

6. CIT Case 2016-2019 – Daryl R. Merkel – 4155 Dale Road
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section FBC 116.1 unsafe building; use or occupancy prohibited
Citation Fine: \$250 + \$30 = \$280
Recommendation: \$250 per day
Admin Cost: \$TBD
Compliance Date: September 23, 2016
7. CIT Case 2016-2021 – Assured Properties LLC – 4285 Barbridge Road
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section FBC 105.1 working without permits; interior renovation
Section FBC 110.1 no required inspections
Citation Fine: \$200 + \$30 = \$230
Recommendation: \$100 per day, per violation
Admin Cost: \$173.49
Compliance Date: September 23, 2016
8. CIT Case 2016-2022 – Adis Rodriguez – 1601 S. Congress Ave
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section FBC 105.1 working without permits; interior renovation (added apts)
Section FBC 110.1 no required inspections
Citation Fine: \$200 + \$30 = \$230
Recommendation: \$100 per day, per violation
Admin Cost: \$203.49
Compliance Date: September 23, 2016
9. CIT Case 2016-2023 – Rajas Family Investment Inc – 2791 S. Congress Ave
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section FBC 105.1 working without permits; interior renovation (added apts)
Section FBC 110.1 no required inspections
Citation Fine: \$200 + \$30 = \$230
Recommendation: \$100 per day, per violation
Admin Cost: \$TBD
Compliance Date: September 23, 2016
****CONTINUED TO OCTOBER 11, 2016****
10. CIT Case 2016-2024 – Palm Springs Congress LLC – 3187 S. Congress Ave
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section 34-262 prohibited sign attached to trees
Citation Fine: \$50 + \$30 = \$80
Recommendation: \$50 per day
Admin Cost: \$173.49
Compliance Date: September 23, 2016

- 11. CIT Case 2016-2025 – Wells Fargo Bank NA TR – 345 Osborne Drive**
CE Officer- Tom Gehrman
Violation of Village Code of Ordinances
Section 30-143 public nuisance; debris wild overgrowth
Citation Fine: \$100 + \$30 = \$130
Recommendation: \$100 per day
Admin Cost: \$173.49
Compliance Date: September 23, 2016

REASONABLE ACCOMMODATION REQUESTS

- 12. Abington Place – 31 Miller Road**
CE Officer Kim Glas-Castro
Violation of Village Code of Ordinances
Section 10-28 – Reasonable Accommodation

PETITION FOR REDUCTION OR ABATEMENT OF FINE

- 13. Case 2015-35 – Federal National Mortgage Association - 208 Wisconsin Street**
CE Officer – Nanciann Cuenot
Violation of Village Code of Ordinances
Section 78-69 (Ordinance 2009-12) – refusing, failing or neglecting to make connections to the Village of Palm Springs wastewater system.
Initial Violation: October 19, 2015
Order Finding Violation: November 10, 2015
Compliance Date: December 10, 2015
Fine Amount: \$54,295.08
Recommendation: \$27,147.54

MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE (None)

STIPULATION AND AGREED ORDER

MOTIONS FOR CONTINUANCE – (None)

APPEAL – (None)

NEXT MAGISTRATE HEARING IS SEPTEMBER 13, 2016 @ 10:00 AM

If a person decides to appeal any decision made by this Magistrate with respect to any matter considered at this meeting, he/she will need a record of the proceeding, and that for such purpose he/she 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 who need an accommodation in order to attend or participate in this meeting should contact the Deputy Village Clerk at 965-4010 at least 3 days prior to the meeting in order to request such assistance.