



VILLAGE OF PALM SPRINGS  
CODE ENFORCEMENT MAGISTRATE HEARING DOCKET  
COUNCIL CHAMBERS, VILLAGE HALL  
226 CYPRESS LANE, PALM SPRINGS, FLORIDA  
OCTOBER 11, 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 Alameda 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
- 3. 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

4. **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:                 \$1,500 + \$30 = \$1,530  
Recommendation:             \$100 per day (until administrative approval & tree removal)  
Admin Cost:                    \$241.49  
Compliance Date:             October 21, 2016
  
5. **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
  
6. **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
  
7. **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
  
8. **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

9. **CIT Case 2016 – 1973 – James Dempsey – 4326 Lake Worth Rd**  
**CE Officer Gayla Walker**  
Violation of Village Code of Ordinances  
Section – 30-141 Overgrown Commercial Vacant Lot  
Section – 30-143 Trash & Debris  
Citation Fine:                 \$225.00 + \$30.00 = \$255.00  
Admin Cost:                    \$162.23  
Recommendation:             \$100.00 per day per violation  
Compliance Date:             October 21, 2016
  
10. **Case 2016-63– 1829 North A St 52 LLC– 3820 Gulfstream Rd**  
**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 water system.  
Admin. Costs:                 \$175.15  
Recommendation:             \$200.00 per day  
Compliance date:             November 11, 2016
  
11. **Case 2016-64– 1829 North A St 52 LLC– 3864 Gulfstream Rd**  
**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 water system.  
Admin. Costs:                 \$87.75  
Recommendation:             \$200.00 per day  
Compliance date:             November 11, 2016
  
12. **Case 2016-67– City Electric Supply Co–3316 S Military Trail**  
**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.  
Admin. Costs:                 \$168.67  
Recommendation:             \$200.00 per day  
Compliance date:             November 11, 2016
  
13. **Case 2016-71– Jose Y Margarita Garcia Corp Real Busine– 4133 Belle Rd**  
**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.  
Admin. Costs:                 \$125.71  
Recommendation:             \$200.00 per day  
Compliance date:             November 11, 2016
  
14. **Case 2016-70–4433 Kent Ave LLC–4433 Kent Ave**  
**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.  
Admin. Costs:                 \$130.71  
Recommendation:             \$200.00 per day  
Compliance date:             November 11, 2016

**15. CIT Case 2016-1975 – Alicia & Robert Raetz – 3813 Coconut Rd (continued till 12/13/2106)****CE Officer - Mark Rodriguez****Violation of Village Code of Ordinances****Section – 116.1 Unsafe or Dangerous Building/Structures****Section – 10-9 Damaged or Deteriorated Roofs****Section – 10-9 Paint, Broken Siding****Section – 30-143 Trash & Debris****Section – Failure to Obtain Building Permit****Section – Failure to Obtain Building Inspection****Citation Fine:                 \$900.00 + \$30.00 = \$930.00****Admin Costs:                 \$272.23****Recommendation:         \$100.00 per day, per violation****Compliance Date:         October 21, 2016****16. Citation Case 2016-2051– Llaliles Muslay – 3715 Lakewood Road****CE Officer – Mark Rodriguez****Violation of Village Code of Ordinances****Section – 105.1 Failure to Obtain Building Permit****Section – 110.1 Failure to Obtain Inspection(s)****Citation Fine:                 \$200.00 + \$30.00 + \$230.00****Admin Costs:                 \$223.48****Recommendation:         \$100.00 per day, per violation****Compliance Date:         October 21, 2016****17. Citation Case 2016-2054 – Valentine Gabaldon – 4085 Lakewood Road****CE Officer Mark Rodriguez****Violation of Village Code of Ordinances****Section – 34-914 Parking in a Single/Multi Family District****Section – 30-143 Trash & Debris****Section – 30-141 Overgrown Residential Lot****Section – 34-745 Prohibited Use – Residential****Citation Fine:                 \$350.00 + \$30.00 = \$380.00****Admin Costs:                 \$178.48****Recommendation:         \$100.00 per day, per violation****Compliance Date:         October 21, 2016****18. Citation Case 2016-2055 – David & Jeanine Keating – 4089 Lakewood Road****CE Officer Mark Rodriguez****Violation of Village Code of Ordinances****Section – 30-141 Overgrown Residential Lot****Citation Fine:                 \$25.00 + \$30.00 = \$55.00****Admin Costs:                 \$153.48****Recommendation:         \$50.00 per day****Compliance Date:         October 21, 2016****REASONABLE ACCOMMODATION REQUESTS****19. Abington Place, LLC c/o Mark Fassy – 1974 Prairie Road****CE Officer Kim Glas-Castro****Violation of Village Code of Ordinances****Section 10-28 – Reasonable Accommodation**

**PETITION FOR REDUCTION OR ABATEMENT OF FINE**

**20. Case 2015-1780 – HSBC BANK USA NATIONAL ASSOC. TR**

**CE Officer – Mark Rodriguez**

**Violation of Village Code of Ordinances and or Florida Building Code**

**Section – 30-141 Overgrown Vacant Residential Lot**

**Section – 34-931 Missing or Broken Fence (pool)**

**Section – 10-9 Damaged or Deteriorated Roof**

**Initial Violation: July 16, 2015**

**Order Finding Violation: August 11, 2015**

**Compliance Deadline: August 22, 2015**

**Compliance Date: August 31, 2015 (30-141 & 34-931)**

**Compliance Date: September 2, 2016 (10-9)**

**Fine Amount: \$38,798.59**

**Recommendation: \$19,399.29**

**MOTIONS FOR EXTENSION OF TIME FOR COMPLIANCE (None)**

**STIPULATION AND AGREED ORDER**

**MOTIONS FOR CONTINUANCE – (None)**

**APPEAL – (None)**

**NEXT MAGISTRATE HEARING IS NOVEMBER 8, 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.**