



## **Special Magistrate Hearing City of Greenacres, Florida**

Wednesday, March 16, 2022 at 3:00 PM  
City Hall Council Chambers | 5800 Melaleuca Lane

### **Minutes**

#### **CALL TO ORDER**

Special Magistrate Myrnabelle Roche called to order the Special Magistrate Hearing of Wednesday, March 16, 2022 at 3:00 PM.

Special Magistrate Roche requested all witnesses present who would provide testimony to stand and be sworn in.

She explained the case procedures and stated those persons who admitted a violation existed would coordinate with the City for compliance. For those persons who contested a violation, the City would present its evidence, the Magistrate would hear the testimony from the property owner/representative and then issue her findings based on the testimony and evidence presented.

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF MINUTES - 1/19/22**

Special Magistrate Roche approved the January 19, 2022 minutes.

#### **NEXT SCHEDULED MAGISTRATE HEARING 4/20/22**

#### **NEW BUSINESS**

##### **1. Case 10-21-8756 - Carolyn Rhuda - 148 Martin Ave**

Unregistered/inoperative vehicles, RV & trailer

Section: 14-28c1c - Parking of motor vehicles, boats and trailers  
(c)The boat, trailer or recreational vehicle must not be inoperative, wrecked, junked, partially dismantled or abandoned

Section: 14-28b1c - Parking of motor vehicles, boats & trailers

The motor vehicle cannot be inoperative, wrecked, junked, partially dismantled, or abandoned, and is licensed and registered as required by state law, and is used by the resident of the premises or a guest thereof.

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned there was parking of an unregistered RV, and a motor vehicle.

No representative was present.

Magistrate Roche ordered compliance within 15 days otherwise a fine of \$30.00 per day would accrue until the violation was corrected.

**2. Case 10-21-8757 - Norma B & Wayne Wadlington, Carolyn Rhuda - 145 Martin Ave**

Remove unregistered truck from property or obtain current tag  
Section: 14- 28b1c - Parking of motor vehicles, boats & trailers

The motor vehicle cannot be inoperative, wrecked, junked, partially dismantled, or abandoned, and is licensed and registered as required by state law, and is used by the resident of the premises or a guest thereof.

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned there was an unregistered vehicle on the property, and the vehicle had to be removed or obtain a tag.

No representative was present.

Magistrate Roche ordered compliance within 15 days otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

**3. Case 10-21-8761 - Abner H Sentmanat & Mairelis Montero - 429 Perry Ave**

Carport installed without permit & inspection, parking over sidewalk prohibited

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Section: 14-28b1(b)- Parking of motor vehicles, boats and trailers

(b) The vehicle is parked in a safe manner so as not to cause hazards such as encroachment on sidewalks, or roadways, or obstructing visibility of motorists.

Officer Ileinys Capote stated a notice was served by certified mail. A carport was installed without a permit or inspection, and parking was occurring over the sidewalk. On January 25, 2022, a permit application was submitted for the carport, but on January 26, 2022, the permit was denied by Planning and Zoning because accessory structure was not allowed in front or on the side of the yard.

Property Owner Abner H. Sentmanat stated after receiving the notices from Code Enforcement he no longer was keeping vehicles on the grass and applied for a permit, but was denied.

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Magistrate Roche ordered an update by April 20, 2022, otherwise a fine of \$50.00 per day would start to accrue on April 21, 2022, until the violation was corrected.

**4. Case 10-21-8772 - Legacy Church Ministries - 420 Jackson Ave**

Aluminum structure installed without permit & inspection

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned an aluminum structure was installed without permits and inspections.

No representative was present.

Magistrate Roche ordered to comply by April 20, 2022 or a fine of \$150.00 per day would start to accrue on April 21, 2022, until the violation was corrected.

**5. Case 10-21-8789 - Pierre Auto Sales Inc - 257 Broward Ave**

Remove unregistered car or obtain current tag, parking over sidewalk or grass prohibited

Section: 14 28b1c - Parking of motor vehicles, boats & trailers - The motor vehicle cannot be inoperative, wrecked, junked, partially dismantled, or abandoned, and is licensed and registered as required by state law, and is used by the resident of the premises or a guest thereof.

Section: 14-28b1(b)- Parking of motor vehicles, boats and trailers (b) The vehicle is parked in a safe manner so as not to cause hazards such as encroachment on sidewalks, or roadways, or obstructing visibility of motorists.

Section: 14-28(b)1(f) Parking on private property - The motor vehicle must be parked in a garage/carport or on a driveway that has been designed and permitted for that purpose except for those properties that do not have an impervious driveway and were originally constructed without such driveway.

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned there was parking on the grass and the sidewalk was being blocked. A unregistered car was also on the property.

No representative was present.

Magistrate Roche ordered compliance by March 19, 2022 or a fine of \$50.00 per day would accrue until the violation was corrected.

**6. Case 11-21-8815 - Alexander Nebb, Reg Agent - Four Sons Plaza - 4602 S Jog Rd**

Trash, debris, materials, discarded vegetation, building materials

Section: 7-27.7 – Property Maintenance Nuisance Declared  
(7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

Section: 7-27.11 Property Maintenance Nuisance Declared  
(11) The presence, accumulation, storage, or keeping of any debris, building material, or material of any kind on the ground, leaning against any building or structure, or upon the roof or top of any building or structure

Officer Jerry Bernal stated a notice was served by certified mail. Officer Bernal mentioned the property was not being maintained, there was trash and debris on the property.

No representative was present.

Special Magistrate Roche ordered compliance in 10 days otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

**7. Case 12-21-8865 - TAH 2017 2 Borrower Llc - 5620 S 38th St**

Fence installed without permit & inspection, building materials buckets, open storage

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Section: 7-27.7 – Property Maintenance Nuisance Declared- (7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote mentioned a fence was installed without permit and inspection.

No representative was present.

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Magistrate Roche ordered compliance within 30 days otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

**8. Case 12-21-8879 - PS Greenacres Lake Worth 2013 Llc - 6351 Lake Worth Rd (Public Storage)**

Office renovations being done without permits & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Dinah Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned office renovations were being done without permits and inspections.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$100.00 per day would accrue until the violation was corrected.

**9. Case 1-22-8891 - Amadeo & Francisco J Villatoro, Keiri Rubio - 509 Fleming Ave**

Remove prohibited trailers from property, remove open storage by garage door

Section: 14-28(b)1e – Parking of motor vehicles, boats and trailers - The vehicle cannot be; a bus, a trailer except as allowed by section 14 28(c), a semi trailer, a pole trailer, a tow truck, or construction and industrial equipment.

Section: 7-27.7 – Property Maintenance Nuisance Declared  
(7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

Section 14-28(b)1d – Parking of motor vehicles, boats and trailers  
The motor vehicle cannot have a gross vehicle weight rating in excess of eleven thousand (11,000) pounds, or a rating of over one (1) ton, or a height in excess of ten (10) feet including any load, bed or box, or a length in excess of twenty six (26) feet.

Section 14-28c1g – Parking & storage of boats & recreational vehicles  
The total of all boats, trailers and recreational vehicles, excluding those stored in a closed garage, shall be limited to two (2);

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote stated there were prohibited trailers on the property, and only two were allowed and they cannot be industrial. There were items in front of the garage door that had to be removed as well.

Property Owner Francisco J. Villatoro stated they were removing items in front of the garage door, and the trailers within been removed.

Magistrate Roche ordered compliance by 15 days otherwise a fine of \$25.00 per day would accrue until the violation was corrected.

**10. Case 1-22-8909 - Arancor Llc - 2173 White Pine Cir #C**

Fence replaced without permit & inspection

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official’s judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner’s option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Jerry Bernal stated a notice was served by certified mail. Officer Bernal stated a fence was installed without a permit and inspection.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$50.00 per day would accrue until the violation was corrected.

**11. Case 2-22-8960 - Diomedes W Garcia & Jacqueline E Lopez - 3031 Swain Blvd**

Open storage, trash, debris, farm animals

Section: 7-27.7 – Property Maintenance Nuisance Declared  
(7) The presence, accumulation, open storage, or otherwise keeping, of any abandoned, discarded, or unused chattel; or

Section: 3-3 – Keeping of Wild Animals - No person shall keep or permit to be kept on its premises any wild, vicious or farm animal unless a license for the keeping of such animal is granted by the state game and fresh water fish commission

**Section: 7-27.1 Property Maintenance Nuisance Declared**

(1) The casting, throwing, sweeping, placing, depositing, or burial of any litter, garbage, refuse, rubbish, chattel, vegetative waste or trash in any manner other than placing same in a proper disposal facility or place, commercial container, authorized private receptacle, garbage can, or trash container or as otherwise determined in this article; or

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned there was open storage, trash, and debris on the property.

No representative was present.

Magistrate Roche ordered compliance within 10 days otherwise a fine of \$25.00 per day would accrue until the violation was corrected.

## **12. Case 8-21-8630 - Maryann Davis Tr Titl Hldr - 214 Wedgewod Cir**

Clean & maintain roof

Section: 304.7 - Roofs and Drainage - The roof and flashing shall be sound, tight and not have defects that are a detriment to the roof's effectiveness or appearance. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water including ac condensate shall not be discharged in a manner that creates a public nuisance

Officer Ileinys Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned the roof needed to be cleaned and maintained.

No representative was present.

Magistrate Roche ordered compliance within 30 days otherwise a fine of \$25.00 per day would accrue until the violation was corrected.

## **CERTIFY FINE**

### **13. Case 6-20-7843 - Delaine Rocha - 148 Swain Blvd**

Pavers & concrete slab constructed without permits & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

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Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote mentioned pavers and concrete slab were constructed without a permit and inspection. On August 13, 2021, a concrete slab permit was applied for, and on October 13, 2021, the permit was denied. On January 19, 2022, Magistrate Roche ordered the property owner to come into compliance within 30 days or a fine of \$50.00 per day would accrue. On February 19, 2022, affidavit was non compliance. Fines to date were \$1,300.00

No representative was present.

Magistrate Roche certified the fines of \$1,300.00, and stated the order was non compliant and fines would continue to accrue \$50.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

#### **14. Case 9-21-8711 - TAH 2017 2 Borrower Llc - 353-355 Walker Ave**

Fence installed without permit & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Ileinys Capote stated a notice was served by certified mail. Officer Capote stated a fence was installed without a permit and inspection. On January 19, 2022 Magistrate Roche ordered for the property owner to come into compliance within 30 days or a fine of \$75.00 per day would accrue. On February 19, 2022, the affidavit of non-compliance was on file. Fines to date were \$1,950.00.

No representative was present.

Magistrate Roche certified the fines of \$1,950.00, and stated the order was non compliant and fines would continue to accrue \$75.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

#### **TABLED CERT/ASSESSMENT**

#### **15. Case 11-21-8852 - Judith Alonso-Surita - 4582 Centurian Cir**

Rear addition constructed without permit & inspection



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Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned a rear addition was constructed without a permit and inspection. On November 18, 2021, a permit was applied for. On February 2, 2022, a permit was issued, but the property was still not in compliance. On January 19, 2022, Magistrate Roche tabled the case until March 16, 2022.

Property Owner Judith Alonso-Surita stated she decided to leave the porch as an open porch. Officer Tejeda suggested Ms. Alonso-Surita to contact Building Official Scott Wood.

Magistrate Roche stated the order was non compliant and fines would accrue \$75.00 per day to start 3/16/22 until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

**16. Case 12-20-8160 - Joggers Run Prop Owners - Sea Breeze CMS Inc - Maplewood Dr**

Trees cut without permit & inspections

**Section:** 161245(d) – General maintenance standards

(d) Pruning shall be in accord with the latest edition of the American National Standards Institute (ANSI) Publications (with the exception of Section 2.3.1 of the ANSI A300 Standards, which requires that pruning be performed only by arborists or arborist trainees). Trees shall not be severely pruned, hat raked, "hacked" or "headed back". A maximum of one fourth of a tree canopy may be removed from a tree within a one year period, provided that the removal conforms to the standards of crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration techniques. Lifting of branches in excess of one half (fifty (50) percent) of the height of the tree is prohibited. Palms shall only be pruned to remove lower fronds that are chlorotic or dead, and there shall be no pruning of live green fronds above the horizon line.

Officer Ileiny Capote stated a notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned trees were cut down without a permit and inspection. On January 19, 2022 Magistrate Roche tabled the case until February 16, 2022, but the meeting was canceled. On December 7, 2021 a landscape permit was

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applied for. On January 18, 2022 the permit was issued, and on January 21, 2022 the property owner obtained compliance. Fines to date were \$2,550.00

Representative Evan Gromet stated a previous administration cut down the tree, and was working with the City to put the property into compliance.

Magistrate Roche reduced the fees to \$255.00 payable within 30 days otherwise the fines would revert back to \$2,550.00

**17. Case 12-20-8163 - Greenacres City Baptist Church - 201 Swain Blvd**

Parking lot needs repair or repaving. (To re-pave, permit is necessary)

Section: 16-1334(11)b – General Requirementsb) Construction and maintenance.

Every parking and loading area required by this article shall be continually maintained in satisfactory condition so as to be safe, attractive, and free of any hazard, nuisance, accumulation of debris or other unsafe condition. It shall be the responsibility of the owner of the property to ensure that the parking facilities are kept in good working order.

Officer Ileyns Capote stated the notice was served by posting, an affidavit of posting was in the file. Officer Capote mentioned the parking lot needed repair and a paving permit was needed if replaced. On January 19, 2022, Magistrate Roche "Tabled" the case until February 16, 2022, but the meeting was canceled. On February 22, 2022, the property owner applied for a landscape permit.

Property Owner Jerry Frye stated the building permit was submitted by their contractor and it was not completed because the property survey was out of date. Mr. Frye mentioned they were waiting for the original paper work for the updated survey.

Magistrate Roche certified the fines of \$4,220.00, stated the order was non compliant and fines would continue to accrue at \$75.00 per day until compliance was achieved. The order would be recorded in the Official records of Palm Beach County as a lien against the property.

**18. Case 9-21-8678 - Anna Lopez Guevara - 4996 Constantine Cir**

Obtain permits for swimming pool and all unpermitted structures in rear of property. (Covered roof with chain link fence) remove electrical wire and plumbing from RV. Cease from living in RV. It is prohibited.

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the

owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned permits must be obtained for a swimming pool, all unpermitted structures in rear of property, and remove electrical wire and plumbing from RV. On January 19, 2022, Magistrate Roche "Tabled" the case until March 16, 2022. On February 11, 2022, the property owner complied with all violations except swimming pool. On February 25, 2022, Planning and Zoning sent an email to the property owner stating they needed additional permits for paver or concrete around the pool. Fines to date are \$1,350.00

Representative Maybelis Lopez Guevara stated they applied for all the required documents.

Magistrate Roche certified the fines of \$1,350.00, stated the order was non compliant and fines would continue to accrue \$75.00 per day until compliance was achieved. The order would be recorded in the official records of Palm Beach County as a lien against the property.

## **TABLED CASES**

### **19. Case 11-20-8114 - Marjorie Canel Pierre - 247 Leland Ln**

PVC Fence & pavers installed without permits & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by posting, an affidavit of posting was in the file. A PVC fence and pavers were installed without a permit and inspections. On February 11, 2021, a permit was issued. On January 19, 2022, Magistrate Roche ordered the case to be "Tabled" until the February 16, 2022, hearing, but the meeting was canceled. On March 14, 2022, the property owner obtained compliance. A lien was recorded in the official records of Palm Beach County. Fines to date were \$250.00.

Property Owner Marjorie Pierre stated she scheduled an inspection and complied.

Magistrate Roche reduced the fines to \$150.00 payable within 30 days otherwise the fines would revert back to \$250.00

## **APPEAL OF FINE**

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**20. Case 10-20-8030 - John B Ulysse - 4182 Centurian Cir**

Free standing structure constructed without permit & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by hand delivery. Officer Tejeda mentioned a free standing roof structure was constructed without a permit and inspection. On February 22, 2022, the property owner obtained compliance. A lien was filed on the property. Fines to date were \$17,200.

Property Owner John Ulysse stated he was not aware a roof structure needed a permit, but would work with the City to apply for the permit.

Magistrate Roche reduced the fines to \$1,720.00 payable within 60 days otherwise the fines would revert back to \$17,200.00

**21. Case 5-21-8479 - Tricon SFR 2020 2 Borrower Llc/TAH Llc - 320-324 Perry Ave**

Fence installed without fence and permit

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

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Officer Tejeda stated a notice was served by email. Officer Tejeda mentioned a fence was installed without a permit and inspection. On October 13, 2021, Magistrate Roche certified the fines to keep accruing \$50.00 per day and the order shall be recorded in the official records of Palm Beach County as a lien against the property. On March 14, 2022, compliance was obtained. Fines to date were \$8,100.00.

Representative John Scalia stated he was unaware the fence needed a permit. Mr. Scalia mentioned he knocked down the fence in order to be into compliance.

Magistrate Roche reduced the fines to \$5,000 payable within 30 days otherwise the fines would revert back to \$8,100.00.

## **22. Case 7-21-8563 - Carmella Caporossi - 3211 Jog Park Dr**

A/C installed without permit & inspection

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by a phone call. Officer Tejeda mentioned an A/C was installed without a permit and inspection. On December 17, 2021, an A/C permit was applied for. On December 20, 2021, property owner obtained compliance. On November 17, 2021, Magistrate Roche certified the fine of \$50.00 per day and the order be recorded in the official records of Palm Beach County as a lien against the property. On March 14, 2022, compliance was obtained. Fines to date were \$1,850.00.

Representative Lori Maza stated the property owner Carmella Caporossi could not contact the contractor, and the contractor took a long a while to turn in the permit application.

Magistrate Roche reduced the fines to \$185.00 payable within 30 days otherwise the fines would revert back to \$1,850.00

## **23. Case 9-11-3576 - Anthony Rizzo 4628 Gladiator Cir**

Kitchen remodel done without permit & inspections

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas,

mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official’s judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner’s option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by certified mail. Officer Tejeda mentioned a kitchen remodel was done without a permit and inspection. On May 30, 2012, Magistrate Roche certified the fines to \$30.00 per day and the order be recorded in the official records of Palm Beach County as a lien against the property. On June 13, 2013, compliance was obtained.

Representative Anthony Rizzo mentioned the property was purchased from foreclosure, but contacted a contractor for the kitchen remodel permit process.

Magistrate Roche reduced the fines to \$2,500.00 payable within 30 days otherwise the fines would revert back to \$14,220.00.

**24. Case 3-21-8295 - Rick C Joseph , Reg agent - Mission of Grace - 6200 Lake Worth Rd**

Building needs exterior maintenance on building and grounds all around property

Section: 304.2 - Protective Treatment

All exterior surfaces, including but not limited to, walls, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition and generally accepted uniform appearance as determined by the Building Official. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, moldy, severely chalked, deteriorated, dirty, stained or chipped paint or other coating shall be eliminated and surfaces repainted or recoated. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designated for stabilization by oxidation are exempt from the requirement.

Officer Tejeda stated a notice was served by hand delivery and the building needed exterior maintenance. Officer Tejeda mentioned the property owner asked for the case to be brought up for the March 16, 2022, meeting. On November 17, 2021, Magistrate Roche certified the fines to \$75.00 per day and the order be recorded in the official

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records of Palm Beach County as a lien against the property. Fines to date were \$11,250.00.

Property Owners Rick and Elizabeth Joseph stated the property was purchased in March 2020, and they had plans to renovate the property, but hiring a contractor was getting expensive and they use their funds from donations. Magistrate Roche mentioned she could not reduce the fines, because the property was not in compliance.

**25. Case 9-21-8641 - Sergio Zavala, Reg Agent - SZ Properties Llc - 4615 Melaleuca Lane**

Trees cut, new windows, front door, interior & exterior remodel being done without permits & inspections, property maintenance

Section: 7 27.4 - Property maintenance nuisance declared - (4) The uncontrolled growth of vegetation or any growth of weeds, grass, or other similar ground cover which exceeds twelve (12) inches in height, or rank vegetable growths which exhale unpleasant or noxious odors, or any vegetation or plant material growth which is conducive to harboring vermin, insects, reptiles, or other wild animal life; or

**Section: 16-1249 (a)3** - General Maintenance Standards - a)Applicability. Unless otherwise provided in this article, no person, firm, corporation, association, public agency, or agent or employee, shall destroy, remove, or relocate acceptable vegetation not listed in Table 161312(a) from any property without first obtaining a building permit for vegetation removal from the city. (3)For residential developments and subdivisions without approved landscape plans and without a homeowners association, a building permit is required for vegetation removal. Each tree removed must be replaced with a new tree that meets current City Code requirements if removal reduces the number of trees on the lot below Code minimums for quantity. Replacements shall be located on the affected lot.

Section: 105.1 - Permits Required - Any contractor, owner or authorized agent authorized in accordance with Florida Statute 489 who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section: 110.1 - The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure

Officer Tejeda stated a notice was served by phone call and certified mail. Officer Tejeda mentioned tress were cut, new windows and front door were installed, interior and exterior were being remodeled without permits and inspections. On November 17, 2021, Magistrate ordered the property owner to return on February 16, 2022, for a

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status update or a fine of \$150.00 per day may be imposed in six months. On February 4, 2022, the contractor applied for a remodel permit.

Representative Federico Parra stated the tree permit was denied, but they had to hire an architect for the tree plans.

Magistrate Roche ordered the property owner to comply by May 18, 2022 or fines of \$150.00/day would start to accrue on May 19, 2022.

**ADJOURNMENT**

4:49 PM.

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Myrnabelle Roche, Special Magistrate

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Quintella Moorer, CMC, City Clerk

Date Approved: \_\_\_\_\_