



## TOWN OF HIGHLAND BEACH SPECIAL MAGISTRATE HEARING MINUTES

Town Hall Commission Chambers  
3614 South Ocean Boulevard  
Highland Beach, Florida 33487

Date: November 12, 2024  
Time: 1:00 PM

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### 1. CALL TO ORDER

Special Magistrate Kevin Wagner called the meeting to order.

### 2. EXPLANATION OF PROCEEDINGS

Special Magistrate Wagner explained the process of the proceedings.

### 3. SWEARING OF WITNESSES

Ms. DeHart swore in those giving testimony.

### 4. APPROVAL OF MINUTES

#### A. October 08, 2024

Special Magistrate Wagner approved the minutes of October 08, 2024.

### 5. VIOLATIONS

#### A. CASE NO. 2023-12-017 Extension Request

**STEPHEN & MARLA GARCHIK,  
2474 S. Ocean Blvd.  
Highland Beach FL, 33487  
PCN: 24-43-46-28-09-000-0131**

**Legal Description: BYRD BEACH LT 13A (LESS N 10 FT) & LT 14A**

**Code Sections: 30-122 (A) Building Permits Required.**

**Violations: Pergola built without an issued permit.**

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He mentioned that there was a Board of Adjustments and Appeals

Hearing this morning and the variance application for the property was approved. Therefore, the Town recommends that the respondent request for extension be granted for 30 days to come into compliance.

Michael Marshall, lawyer for the property, gave comments on the violation.

Frank Rishodo, property manager, gave comments on the permitting process.

Special Magistrate Wagner granted the respondent's request for an extension, the respondent has 30 days, December 12, 2024, to bring the property into compliance or be fined in the amount of \$250 per day and assess prosecution costs in the amount of \$250.

**B. CASE NO. CC-24-349**

**Boca Highland Center Inc.**  
**4801 S. Ocean Blvd.**  
**Highland Beach FL, 33487**  
**PCN: 24-43-47-09-00-001-0100**

**Legal Description: 9-47-43, PT OF N 1/2 OF GOV LTS 1 & 2 & PT BET F/K/A LAGOON IN TRS DEEDS 20336, 20325 & 20534 AS IN OR3861P457(LESS OR3763PGS1106 & 1108) K/A ENTRANCEWAY, SOUTH MARINA, BEACH CLUB PAR & RDWYS 1, 2 & 4 & MARINAPARKING IN OR6669 P867**

**Code Sections: 30-122 (B) - Expiration of building permit.**

**Violations: Permit E22-0105 Electrical subpermit for docks expired.**

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

**C. CASE NO. CC-24-363**

**Janet Martin**  
**3015 S. Ocean Blvd 202**  
**Highland Beach FL, 33487**  
**PCN: 24-43-46-33-23-000-0202**

**Legal Description: OCEAN DUNES COND UNIT 202**

**Code Sections: 30-122 (B) - Expiration of building permit.**

**Violations: Permit AC24-0018 AC CHANGE OUT permit expired.**

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

**D. CASE NO. CC-24-379**

**Gail Palestrini**  
4301 Tranquility Dr.  
Highland Beach FL, 33487  
PCN: 24-43-47-04-02-003-0220

**Legal Description: BEL LIDO LT 22 BLK 3**

**Code Sections: 17-3 - Nuisance. Generally; declared unlawful, 6-130 - Maintenance: Seawall / Bulkhead, 6-29. - Property Maintenance Code**

**Violations: Dock in disrepair.**

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

**6. ADJOURNMENT**

The meeting adjourned at 1:06 P.M.

**APPROVED:** December 10, 2024, Special Magistrate Hearing

Signed Minutes on file in the Town  
Clerk's Office.

ATTEST:

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Kevin Wagner,  
Code Enforcement Magistrate

Transcribed by  
Jaclyn DeHart

11/12/2024

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Jaclyn DeHart  
Deputy Town Clerk

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach->